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House of Representatives

The House met at 10 a.m.

The Reverend John I. Caples, Jr., Jesus Name Apostolic Church, Waukegan, Illinois, offered the following prayer:

Our Father, we thank You for the blessings and the prosperity of our country. You have told us, as parents tell their children, to make wise choices; however, when you don't know what to do, seek guidance. Your Word says that if My people will humble themselves and seek My face and turn from their wicked ways that You would heal their land.

Teach us the value of unity, because ''a house divided cannot stand.'' Teach us the value of oneness, Father, Son and Holy Spirit. These three are one. Teach us that the well-being of the country as a whole is more important than any portion alone.

You have told us that when the righteous are in control, the people rejoice. We invoke You to guide our leaders as You did King Solomon. Give them wisdom to govern so great a people and so great a Nation. These things we ask in Jesus' name. Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from South Carolina (Mr. BARRETT) come forward and lead the House in the Pledge of Allegiance.

Mr. BARRETT of South Carolina led the Pledge of Allegiance as follows:

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

WELCOMING THE REVEREND JOHN I. CAPLES, JR.

The SPEAKER. Without objection, the gentleman from Illinois (Mr. KIRK) is recognized for 1 minute.

There was no objection.

Mr. KIRK. Madam Speaker, I am very honored to have welcomed Pastor John I. Caples of Jesus Name Apostolic Church to open the House today.

I first really got to know Pastor Caples after the murder of Jarreau Patterson and David Mackins, just 16 years old. It was Pastor Caples that brought together the families of the murdered with the families of the murderers that ended a cycle of violence in my community.

He helped restart an athletic program. And with assistance from the wider community, he built a basketball court in just 8 weeks to relieve some of the tensions of the community. He then started the Family First Center, first in a basement, now three stories tall, reaching out to help at-risk youth turn away from violence and gangs, but especially despair, saving one heart at a time.

Pastor Caples tells us that the government can't do it all, but it can change one heart of one child at a time and make the most difference. He is one of the men I admire most whose ministry saves lives. He changes hearts. And most importantly, he returns the soul to a community that is in need of a very big heart with hope.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain up to 15 further requests for 1-minute speeches on each side of the aisle.

CONGRATULATING NATHALIE McCRATE, CONGRESSIONAL ART COMPETITION WINNER

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

Mr. KLEIN of Florida. Madam Speaker, I rise today to congratulate Nathalie McCrate on winning the Congressional Art Competition for Florida's 22nd Congressional District. Nathalie is a tenth grader at Jupiter High School, and her winning art work titled ''The Brink'' puts viewers on the edge of a forest looking out at urban sprawl. The contrast between the natural and the man-made is sharp in Nathalie's work, and she has a great future ahead as an artist.

Madam Speaker, as you know, the Congressional Art Competition is in its 27th year. This tradition brings together the work of young artists from all over the United States to hang in the United States Capitol. And I'm proud that Nathalie's will be among them.

I congratulate Nathalie, her parents and teachers, and all of our students for all that she has accomplished.

SOARING GAS PRICES

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

Mr. BOEHNER. Mr. Speaker, this quote from Daniel Webster appears above the Speaker's rostrum right up at the top of the Chamber. And it says this: ''Let us develop the resources of our land, call forth its powers, build up its institutions, promote all its great interests and see whether we also in our day and generation may not perform something worthy to be remembered.''

As families struggle with soaring gas prices, our Nation's energy solutions, I think, lie on Webster's words. House Republicans have offered a plan to

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lower gas prices by developing the resources of our land in an environmentally safe way. This is an approach that is supported by some 60 percent of the American people in a recent Gallup poll. But the majority won't listen.

Instead, they let gas prices surge even higher by refusing to schedule a plan to break America's dependence on foreign sources of energy. Mr. Speaker, I think American consumers deserve better. It is time to develop the resources of our land and bring down gas prices on behalf of American families and small businesses. And that, as Webster said, would be ''worthy to be remembered.''

THE SECRET RESOURCES OF INTELLECTUAL CAPITAL, CREATIVITY, AND INNOVATION

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

Mr. INSLEE. Mr. Speaker, I am so pleased my friend, Mr. BOEHNER, made reference to the idea of ''promoting our resources,'' a quote from Daniel Webster.

What is the single resource that America has, the only resource that America has that can really bring down the price of fuel and break our addiction to Middle Eastern oil? There is one secret resource that we can promote. And that is the resource of intellectual capital, creativity, and innovation. We know that just poking more holes in the ground cannot solve this problem. We have got 25 percent of the world's oil. We have 3 percent of the oil in our land.

What can solve this problem is innovation, innovation like the A123 Battery Company in Boston that is going to allow us to drive electric cars, Phoenix Motorcars, Inc., that is going to have an electric car that will get 100 miles just on an electrical charge, the Sapphire Energy Company that has developed a gasoline from algae-based sources. We need to develop the resource of intellectual capital.

The optimists on this side of the aisle are doing that. The pessimists on this side of the aisle want to remain addicted to gasoline. That is a path that is doomed to failure. Let's be optimists and solve this problem.

WHERE IS THE MAJORITY'S ENERGY PLAN?

(Mr. BARRETT of South Carolina asked and was given permission to address the House for 1 minute.)

Mr. BARRETT of South Carolina. Mr. Speaker, what is the deal? Lately when I've been in South Carolina, I have been talking to a lot of frustrated folks. And they are frustrated because they are watching their hard-earned paychecks burn up in their gas tanks. And I'm frustrated because I know there is no energy plan to help these families.

Two years ago the Democrats said they would introduce a commonsense plan to help the energy crisis. And today, when the Americans need it most, when they're paying $4 a gallon for gas, there is no energy plan. Yet I stand here today week after week, as I am doing, asking my friends on the Democrat side, ''Where is the plan?'' I have only seen plan 1, and that has been drafted by the Republican party.

Are my Democrat colleagues not hearing the pleas of the American public about high gas prices? Do they not travel to their respective districts and talk to their citizens? Have they not heard the public's frustration? Or do they choose to ignore them?

As Members of Congress, it is our duty to solve the problem. And it is just not good enough to tell them, ''We have no plan.''

THE NEW GI BILL

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

Mr. CARNEY. Mr. Speaker, in the coming days, the House will once again consider the new GI Bill which restores the promise of a 4-year college scholarship for Iraq and Afghan veterans, similar to the educational benefits available after World War II. The original GI Bill of 1944 allowed millions of families to achieve the American Dream and set the economy on the right course after a draining war.

After World War II, for every dollar spent on the GI Bill, $7 was returned to the economy. The new GI Bill will spark yet another American economic recovery, one that is needed during this time of economic uncertainty with skyrocketing gas prices and food prices and devastating job losses.

But even more importantly, it will fulfill our promise to our military personnel that if they serve their country in war, they will receive a quality education at home. The current benefit simply does not live up to that promise. Mr. Speaker, while President Bush and his Republican allies remain strong advocates for continuing the war in Iraq, it is important that they join us in keeping this important promise to our Nation's troops.

□ 1015

BRING DOWN GAS PRICES BY INCREASING SUPPLY

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

Mr. MCHENRY. Mr. Speaker, one day we will end our dependence on foreign oil and empower our economy with alternative sources of energy. But until that day comes, we have to do everything in our power to strengthen our economy by making energy more affordable by increasing domestic American production. Roughly 70 percent of what we pay at the pumps comes from the price of oil in the global market, which is driven by relationships between supply and demand.

To lower gas prices, we have to use American energy resources. Right now, the U.S. produces 41 percent of the petroleum we use. We can do much better than that. Just by opening up a small portion of Alaska for oil production, we can recover 15 years of Saudi Arabian crude oil. By streamlining rules for energy exploration off the Outer Continental Shelf, we can access roughly 115 billion barrels of oil, enough oil to power 60 million cars for 60 years.

With gas prices over $4 a gallon, this Congress must act. We have to increase supply. Doing anything else would be irresponsible.

AIRLINE REORGANIZATION THREATENING MEMPHIS BUSINESS COMMUNITY

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

Mr. COHEN. Mr. Speaker, this morning's Memphis ComercialAppeal had distressing news for our city. Delta Airlines had canceled part of its contract with Pinnacle Airlines, an airline that had 1,000 jobs in our community. The stock price fell 25 percent, and the newspaper reported that stockholders are concerned about the continued existence of the business.

If the merger takes place and Delta and Northwest merge, it is entirely possible that Delta will cancel the remaining portion of Pinnacle's business with Northwest Airlink, where they serve many customers through Northwest Airlines. That would be devastating to the Memphis economy and possibly cost us thousands of jobs.

I am very concerned, and plan to call Delta Airlines to find out why this contract was cancelled, what possibly could happen, how this merger would affect those 1,000 people, and if possibly re-regulation of the airlines is in order to make sure that abrupt changes in contracts that might cause irreparable harm and immediate damage can't take place if they threaten an industry and an employer in my district such as Pinnacle Airlines.

Mr. Speaker, I am concerned about the future of this large business in my community, and plan to look into it for the benefit of the employers and my overall business community.

TAKING NEEDED ACTION ON ENERGY

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

Mr. BURGESS. Mr. Speaker, this Congress has placed a significant burden on American families. Now they are having to decide whether to buy food or gasoline. The price of both has increased significantly in the past 6 months.

Now back in my district they are having to defend themselves from opportunistic, gas-grabbing criminals. Thieves are actually posting Internet videos discussing how to steal gas from cars. The kind of information that used to be shared in the prison yard has made its way into the ''broadcast yourself'' genre of Web sites. It is shocking, but it is not really surprising, because we have ignored the issue of providing a supply of energy in this country.

Americans may have given up on waiting for the majority party to ease the pain at the pump, so Americans may just file this under ''desperate times call for desperate measures.''

The Speaker may be able to ignore the Members who have asked for something to be done to address gas prices, primarily on the supply side. Eventually the consequences of the blatant disregard for rising prices is going to come home. Let's hope, let's hope, that this Speaker, this majority party, will take action before our families get robbed by thieves in the middle of the night.

HONORING THE 75TH ANNIVERSARY OF THE ORANGE COUNTY WATER DISTRICT

(Ms. LORETTA SANCHEZ of California asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. LORETTA SANCHEZ of California. Mr. Speaker, this Saturday, June 14, the Orange County Water District will celebrate its 75th anniversary. Along with the other members of the Orange County delegation, I introduced House Resolution 1199 to honor this significant occasion.

The Orange County Water District's 75th anniversary is particularly meaningful as it comes just months after we opened up the largest groundwater treatment replenishment system in the Nation on January 10, 2007. The replenishment system is on the cutting edge of water reuse technology. It will purify 70 million gallons of water a day, providing clean water to over 100,000 families in Orange County.

The vision and the initiative by the District in establishing the groundwater replenishment system is the reason it received the 2008 Clair A. Hill Award and was named the Public Water Agency of the Year in 2008.

The District is a leader in identifying and creating new and exciting options to meet the water needs of California, of the Nation and of the world, and I hope that this resolution will make its way to this House quickly.

WE HAVE A PLAN

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

Mr. WILSON of South Carolina. Mr. Speaker, Americans are puzzled; puzzled why gas prices have topped $4 per gallon and why House Democrats have done nothing. They are puzzled why America sits on an estimated untapped reserve of 175 trillion cubic feet of natural gas and 1.1 trillion barrels of oil, and yet we remain increasingly dependent on foreign oil.

The American people should know that there is a plan in Washington for energy independence. Republicans have a comprehensive strategy of exploration, innovation and conservation that will set America on a positive track. We have the tools and capacity to put our plan into motion. All we need are Democrats to step forward, join us, and tell the American people that Washington is no longer going to stand in the way of energy exploration in this country, that the short-term and long-term strategic and economic value of investing in America is our first priority.

Republicans have a plan. What remains to be seen is what the Democrats will do.

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

FALSE REPUBLICAN RHETORIC ON ENERGY SOLUTIONS

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

Mr. ETHERIDGE. Mr. Speaker, we have been hearing a lot of talk this week about high energy prices. The Republican talking point for the week is that Democrats are causing high gas prices because we won't allow drilling. That is false rhetoric.

It is the oil companies that are choosing not to drill on 80 percent of the leases already available for drilling in Alaska. It is the oil companies that are choosing not to increase drilling in the Naval Petroleum Reserve, one of the largest petroleum reserves in the Nation and one that President Clinton made available for drilling.

Meanwhile, it is the Democrats who have put 70,000 more barrels of oil per day on to the market by halting shipments to the Strategic Petroleum Reserve. It is the Democrats that have passed legislation that would allow OPEC to be investigated for price fixing, legislation that the President has threatened to veto.

It is time to stop the rhetoric, Mr. Speaker. I challenge the President to demand fair play from OPEC and the Republican Party to stand up for the American people and not Big Oil.

FAILED ENERGY POLICY

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

Mr. NEUGEBAUER. Mr. Speaker, I would just echo what my colleague from South Carolina said. Where is the plan?

If the Democrats do not have a plan to lower energy costs for the American people, please bring some of the Republican proposals that we have already designed and which will begin to bring immediate relief.

The other night I had a teletown hall meeting and I was listening to the people in the 19th Congressional District of Texas. One person said, Congressman, I have to drive 100 miles every day to go to my job. She said, my gasoline has gone up, but my paycheck has not.

The most disturbing news was the gentleman who said, Congressman, I have to get dialysis three times a week. I have to drive 70 miles each way. He said, now I am down to trying to decide whether I am going to be able to buy food, gasoline, or the treatment for my diabetes.

Mr. Speaker, it is time for the Democratic majority, who promised the American people a plan, to bring that plan to this House floor, instead of important legislation like we voted on yesterday, supporting the goals and ideals of the International Year of Sanitation. I know the American people are going to be very comforted that this body took up that legislation, and not energy legislation that would have brought relief for high energy costs.

HISTORIC JUMP IN JOB LOSSES REQUIRES IMMEDIATE ACTION

(Mrs. MALONEY of New York asked and was given permission to address the House for 1 minute.)

Mrs. MALONEY of New York. Mr. Speaker, every month this year the Bush administration and the Bush economy has shed more jobs than it has produced, leaving millions of American workers competing against each other for the remaining jobs. We haven't seen this many people enter unemployment so quickly in over three decades.

Today, the House will consider providing up to 13 weeks of extended unemployment benefits to workers who have exhausted the 26 weeks of regular benefits. The bill will provide relief to American families struggling through these tough economic times.

Unemployment benefits are also important to economic recovery, with absolutely every dollar of the benefit checks going right back into the economy. And while the economy continues to weaken and costs for gasoline and food skyrocket every day, the need for government help is clear.

Unfortunately, our Republican colleagues continue to oppose these efforts to assist millions of out-of-work Americans, even though they supported a similar extension in 2002, when job loss numbers were not nearly as bad as they are today.

Mr. Speaker, as our economy continues to face tough times, Washington should explore every possible option to help those struggling. That is exactly what Democrats will do today in Congress, extend those benefits.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. MORAN of Virginia). The Chair will remind all persons in the gallery that they are here as guests of the House and that any manifestation of approval or disapproval of proceedings or other audible conversation is in violation of the rules of the House.

SUPPORT THE NO MORE EXCUSES ENERGY ACT

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

Mr. PITTS. Mr. Speaker, on Monday the Investor's Business Daily printed an editorial entitled ''The Drill Nothing Congress.'' Here is a short quote from it.

''It is a problem driven by domestic supply restrictions imposed by the Democratic Congress in the face of growing worldwide demand. The Democrats preach energy independence while they do everything in their power to prevent it.'' The problem they are speaking of is $4 a gallon gasoline.

The American people are fed up with a Congress that can't seem to respond to one of their most basic concerns. People are tired of Democrat leaders blocking action to bring down skyrocketing gas prices. So we have introduced a discharge petition to force a vote on the No More Excuses Energy Act. We need to increase domestic production of energy in order to bring down the price of gas at the pump.

I urge all my colleagues to sign on to the discharge petition and support the bill when it comes to the floor of the House. There is no excuse not to.

HISTORIC JUMP IN JOB LOSSES DEMANDS IMMEDIATE ACTION

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

Mr. ELLISON. Mr. Speaker, today the House will vote to extend unemployment benefits for an additional 13 weeks to help workers out as they continue to look for a job.

Mr. Speaker, the grim numbers of five consecutive months of job losses is yet another sign that President Bush's economic policies have utterly failed the American people. The unemployment rate has surged from 5 percent in April to 5.5 percent in May, representing the biggest one month jump in more than 2 decades, and climbing to the highest level in nearly 4 years.

These statistics are not just numbers to more than 1.5 million Americans who have seen their unemployment benefits expire simply because there are not enough jobs to go around. So today the House will vote to extend unemployment benefits for an additional 13 weeks to help these workers. Democrats have been pushing to extend unemployment benefits since the beginning of the year, but have faced stiff opposition from the President and congressional Republicans.

Mr. Speaker, with job losses so far this year totaling 324,000, American families can wait no longer. Thanks to this Democratic Congress, today we are going to get some relief.

□ 1030

RECOGNIZING THE EXTRAORDINARY CONTRIBUTIONS OF EMERGENCY MANAGEMENT, DISASTER RESPONSE, ELECTED OFFICIALS, COMMUNITY LEADERS AND EVERYDAY HOOSIERS

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

Mr. PENCE. Mr. Speaker, it is said that if a picture is worth 1,000 words, this picture tells the tale of the worst series of storms to strike southern Indiana in 100 years.

I rise today to commend and recognize the extraordinary contributions, though, of emergency management, disaster response, elected officials, community leaders and everyday Hoosiers in my district during this last week of devastating weather. I particularly want to honor EMA directors, sheriffs, mayors and county officials in Rush, Johnson and Bartholomew counties, Indiana.

They suffered greatly from tornados, heavy rains, flooding, creating a catastrophe that awaits additional presidential response, but this catastrophe did not await the response by these public servants. They went above and beyond the call of duty, showing great poise, saving lives and serving the people of their communities.

Hoosier communities and families are hurting and need to know that more help is on the way. As I rise to commend these government officials and everyday Hoosiers for their response, I urge this administration again to declare an expedited major disaster for all 44 counties of Indiana affected by these historic storms.

DC CENTRAL KITCHEN AND THE CAMPUS KITCHENS PROJECT

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

Mr. MCGOVERN. Mr. Speaker, yesterday I visited DC Central Kitchen, where I learned about an innovative program, the Campus Kitchens Project. This is a program that uses high school and college dining facilities when the kitchen is normally closed to prepare meals for area soup kitchens and shelters.

College and high school students involved in this program take a large leadership role in starting and maintaining the kitchens. Campus Kitchens helps feed hungry people in our communities today, while building tomorrow's leaders committed to ending hunger.

Hunger is a political condition, and we need government action to end it, but we also need people from all sectors dedicated to doing more to end hunger. There are over 400 high schools and 100 colleges in Massachusetts alone. If each school organized a group to fight hunger in their community, just think of what could be done.

I congratulate DC Central Kitchen and the Campus Kitchens project for their work, and I thank the staff and students for their commitment to ending hunger.

INCREASING AMERICAN JOBS AND ENERGY PRODUCTION RESPONSIBLY

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

Mr. BOUSTANY. Mr. Speaker, people in southwest Louisiana understand that increasing American energy production means more American jobs, good high-paying American jobs.

They also know that a magic bullet will not lower the price at the pump for families, but increasing American energy production in a responsible way will help, and it will create American jobs. The American people want to increase energy production in a responsible, environmentally friendly way.

They want to see unleashing of American entrepreneurship and ingenuity. They don't want any further delays in seeking energy independence, and they know that this is in the interest of national security.

Families in southwest Louisiana and across the country want to see solutions to the high prices at the pump, and Republicans have viable answers to this. We have introduced a number of bills. The American people are now asking the Democratic leadership in Washington if they have solutions, because so far they haven't seen any.

Now, the Democratic Presidential nominee suggests to CNBC's John Harwood yesterday that while the U.S. would be better off without such a shock in gas prices, he sees higher prices as a good thing.

I don't get it. I just don't get it. We can work together to solve this problem. We can decrease America's dependence on foreign sources. It's a sensible thing to do, and I urge my colleagues to join me in this quest.

DEMOCRATS TAKE ACTION ON RECORD HIGH GAS PRICES AT THE PUMP

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

Ms. LEE. Mr. Speaker, as the prices at the pump continue to hit record highs, House Democrats know that the

American people are struggling with these outrageously high prices. Some people are having to choose between buying gasoline and food. Others cannot afford to go to work.

Before the Bush administration conducted the bombing, the war and the occupation of Iraq, the price of gasoline was as low as $1.35 per gallon. Now it's over $4 per gallon. Oil was $23 a barrel. Now it's over $130 a barrel. There is no way, no way you can convince the American people that the price at the pump is not related to this misguided war and occupation of Iraq.

The effects of the Bush-Iraq recession, and that is what it is, are devastating our economy and wreaking havoc on the lives of families and children. It's time our Republican friends in the Bush administration join us in supporting our legislation to bring down the price of gasoline, and it is time to end the war and occupation of Iraq.

Believe me, this will bring down the price of gasoline at the pump.

HURRICANE SEASON

(Mr. MARIO DIAZ-BALART of Florida asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MARIO DIAZ-BALART of Florida. Mr. Speaker, June 1 marked the beginning of yet another hurricane season, and experts have predicted a 90 percent probability of either a near-normal or an above-normal hurricane season. They estimate that six to nine hurricanes will form, including two to five major hurricanes.

Approximately 50 percent of all Americans live along our coasts. As a result of that, millions, millions face great risk associated with these storms that we know are going to be out there. Having a hurricane preparedness plan can help lessen and mitigate some of those dangers.

The National Hurricane Center recommends that people in hurricane-prone areas assemble a disaster supply kit that includes a first aid kit, essential medications, canned foods and at least 3 gallons of water per day per person for the minimum of 3 days. Obviously, extra battery-powered radios, extra batteries, and flashlights are also recommended.

As we have learned in south Florida, the forecasters, meteorologists, and the hurricane specialists at the National Hurricane Center are often the best source of the most valuable and reliable information on preparedness. I urge all Americans to prepare for this hurricane season and to listen to what the forecasters have to say.

STRUGGLING TO FIND JOBS

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

Mr. McDERMOTT. Mr. Speaker, we are coming to a moment of truth in a few hours for every Member of the House of Representatives. The truth is that every congressional district across the country, individuals and groups of people are struggling to find jobs in an economy cut down by a senseless, wasteful war, overwhelming energy prices, rising food prices and just bad business fundamentals.

People can't find jobs because there aren't enough of them. The truth is 4 million have exhausted their unemployment benefits already and things could get even worse unless we pass the Emergency Extended Unemployment Compensation Act of 2008.

The truth is the American people elected us to serve them, and the Emergency Extended Unemployment Compensation Act will be a test of whether the Members remember who they really work for, the people or Big Oil. We are hours away from a moment of truth.

Vote for this bill, H.R. 5749, because Americans who work every day and lose their job through no fault of their own are entitled to a helping hand from their government.

HAMMERED BY THE HIGH COST OF FUEL AND GASOLINE

(Ms. FALLIN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. FALLIN. Mr. Speaker, families and businesses are being hammered by the high cost of fuel and gasoline. This issue is not a Democratic issue or a Republican issue, it's an American issue. It's an issue that our families and our consumers and our businesses want us to address, and that is the rising cost of gasoline.

A CNN poll recently stated that more than half of Americans are being forced to cut back significantly on their household spending. Another news report stated that 10 percent of the American companies are expecting to cut back their workforce.

One other national company stated that it was cutting 15 percent of its white collar jobs over the next 2 months. Families in my district can barely afford to commute to work. I had one family tell me that between the father commuting to his job, and the mother to her job, and the two children back and forth to college and high school, that they are spending $700 a month on gasoline.

Parents are struggling with buying groceries, food costs. Family farms are struggling. They are trying to get their products to the market with the high cost of fuel, which has tripled. Small businesses are struggling with their services and their products and their customers that have decreased.

The question we have to ask ourselves is what kind of future will our children and our grandchildren have if this Congress takes no action to produce more U.S. energy. The lack of production of sufficient U.S. energy is dangerous for our national economy and dangerous for our U.S. national security.

HIGH PRICE OF GASOLINE

(Ms. JACKSON-LEE of Texas asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, where is a good Samaritan? My friends are talking about the high price of gasoline. Can you imagine the impact on those who have exhausted their unemployment, people who have built this Nation, hard-working Americans.

Do you recognize that just this past week, unfortunately, with embarrassment, the administration had to announce that unemployment rose 5 percent in April, 5.5 percent in May, 49,000 jobs were lost. Where is the good Samaritan?

That is why today Democrats will stand on the floor of the House and stand alongside of working Americans and extend the unemployment benefits for those families who have exhausted all of their resources, this will go into March 2009, helping the bus driver, the nurse, helping those who are working with their hands, who have families to support, who can barely get gasoline.

Can you imagine being unemployed through no fault of your own, and this administration does not want to offer the extension of unemployment benefits? Today the good Samaritan will be on the floor of the House. We will debate this question. We will pass this bill. The President will sign it, and we will give relief to hard-working Americans.

ENERGY PLAN

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

Mr. TERRY. Mr. Speaker, I had a constituent come up to me over the weekend and say Congress has no energy plan. I corrected that person. The Democrats' leadership is no energy.

Just in the last few months, Congress has voted under their leadership to take shale from Colorado and Wyoming off limits for extracting the oil. Last week coal-to-liquid for aviation fuel was banned. The Air Force is not allowed to enter into a long-term contract to buy that type of synthetic fuel. We are going backwards.

The reality is if we bring all of our resources together, yes, conservation, yes, alternative fuels, and open up the resources that we have right here in America offshore where there is a moratorium that Congress can lift, a moratorium that was imposed by Congress on shale oil that can be lifted by Congress, and in Alaska where Congress can lift that moratorium, if we combine all of those resources, we can be free of OPEC. It is time for a real energy policy where we free our resources for American-made energy.

REPUBLICAN LEADERS OPPOSE OUR EFFORTS TO LOWER RECORD HIGH GAS PRICES AT THE PUMP

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

Mr. PALLONE. Mr. Speaker, yesterday gas prices hit an average of $4.04 a gallon, a new historic high. While Democrats are taking action to lessen our dependence on foreign oil and lower prices, Republicans continue to repeat the same old rhetoric, continue drilling in ANWR, even though the President's own Energy Department has concluded that opening up the Arctic for drilling would not reduce the price of gasoline for another 20 years, and then it would only go down by about 1 penny per gallon. That's not an energy plan to be proud of.

From day one this Democratic Congress has been fighting to reduce our independence on foreign oil, bring down record gas prices and launch a cleaner and smarter energy future. We passed bills holding OPEC and oil companies accountable for price fixing, investing in renewable energy for green jobs and cracking down on price gouging by oil companies.

The only problem is that we are not getting enough support from either House Republicans or from President Bush. How high are prices going to actually have to get before Republicans support these important bills?

AMERICAN-MADE ENERGY

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

Mr. SHIMKUS. Mr. Speaker, it's a curious debate that we have in these 1-minutes. Democrats are bringing to the floor unemployment insurance and they will bring to the floor helping people with heating costs and cooling costs.

The real job creation engine would be American-made energy with a couple of provisions. Since 1994 on votes on the floor of this House, on ANWR exploration, Republicans have supported 91 percent of the time, House Democrats have opposed ANWR exploration 86 percent of the time.

On coal-to-liquid technologies, House Republicans have supported that 97 percent of the time. House Democrats have opposed taking American coal, American energy, turning it into liquid fuel. They have opposed it 78 percent of the time.

On oil-shale exploration, House Republicans have supported it 90 percent of the time. Democrats have opposed 86 percent. OCS, Outer Continental Shelf, House Republicans have supported it 81 percent of the time since 1984. House Democrats have opposed it 83 percent of the time. On refineries, building new refineries, House Republicans have supported 97 percent of the time, House Democrats have opposed 96 percent of the time.

□ 1045

AMERICAN-PRODUCED ENERGY

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

Ms. FOXX. Mr. Speaker, I rise today to discuss the importance of using American-produced energy.

A new survey of 1,000 Americans nationwide conducted by American Solutions reveals that 81 percent of Americans support using American-produced energy, including the oil and coal already here, to combat the rising cost of energy and reduce dependence on foreign energy sources.

It also shows that 69 percent of Americans support using domestic energy sources, including the oil located off our coast and in Alaska. With gasoline prices averaging $4 a gallon nationwide, now is the time to increase American-produced energy.

Clear majorities of Americans of every political and ideological stripe advocate that the U.S. tap into its voluminous energy resources.

Despite the commonsense logic of increasing production of American-produced energy and the strong support of the American people for tapping into those resources, 86 percent of House Democrats have historically voted against increasing the production of American-made oil and gas.

It is time for our friends across the aisle to join with us, the 90 percent of House Republicans who have always voted to increase energy, to join with us to do this.

DRILLING IN ANWR

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

Mr. KINGSTON. Mr. Speaker, Democrats like foreign energy. I don't know why they like foreign energy because if we are dependent on foreign energy, since we import 60 percent of it now, it is a national security risk.

You have to ask what area of land have the Democrats agreed to explore. You have to ask that question. When 62 percent of our domestic onshore energy supplies are locked up because of Democrat regulation, and 85 percent of our offshore energy supplies are locked up because of Democrat regulation, you have to ask yourself what can we do.

You know, if you started drilling in ANWR, and remember, President Clinton vetoed that 10 years ago. That would have reduced your gas prices now probably 10 to 15 cents; nobody actually knows. But what would ANWR be. Put it this way, if ANWR was a basketball court, because it is the size of South Carolina, but just to give a word picture, if it were the size of a basketball court, the drilling area would be a business card. Fanatical extremists have locked that up.

If you announced right now that we are going to start drilling in ANWR, you could get oil out of there within 3 years, according to Don Young, but the announcement alone would send a message to the foreign markets that America wants to wean itself from foreign gasoline. And, therefore, the price of energy would go down because that is how business works. When there is a little competition, your price comes down.

ANWR is the size of a business card on a basketball court.

GENERAL LEAVE

Mr. OBERSTAR. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on H.R. 6003, the Passenger Rail Investment and Improvement Act of 2008.

The SPEAKER pro tempore (Mr. PALLONE). Is there objection to the request of the gentleman from Minnesota?

There was no objection.

PASSENGER RAIL INVESTMENT AND IMPROVEMENT ACT OF 2008

The SPEAKER pro tempore. Pursuant to House Resolution 1253 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 6003.

□ 1049

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 6003) to reauthorize Amtrak, and for other purposes, with Mr. MORAN of Virginia in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Minnesota (Mr. OBERSTAR) and the gentleman from Florida (Mr. MICA) each will control 30 minutes.

The Chair recognizes the gentleman from Minnesota.

Mr. OBERSTAR. Mr. Chairman, I yield myself 4 minutes.

Mr. Chairman, we stand on the threshold of a transformational moment in the history of intercity passenger rail service in America.

There was an earlier such moment. That was Amtrak, the creation of the Passenger Rail Corporation in 1970 when the freight rail interests of America gradually had been abandoning passenger service, discontinuing lines, discontinuing less-than-carload service, discontinuing the overnight railway Post Office service aboard intercity passenger rail. And as the RPO was discontinued, the passenger portion of the

rail service became unprofitable and the railroads one by one appealed to the Interstate Commerce Commission for discontinuance authority, to discontinue service on that portion of the line. And gradually, passenger rail service disappeared from the landscape until finally the Federal Government was left holding the bag, if you will, and created, through act of Congress, the passenger rail service we know today as Amtrak.

But over the intervening years, Amtrak was never given the funding it needed to improve the track, the rail bed, to improve the rolling stock, and to operate independently from freight rail service on the lines and corridors where passenger service operated. And especially over the last dozen years, we have seen declining investment in Amtrak's operations, and in the last 6 years we have had at least one bankruptcy budget submitted by the administration, candidly stated so by the Secretary of Transportation. But with a combination of Republicans and Democrats looking to the future, we have been able to just keep Amtrak's nose above water during these intervening years. Today, we change that model.

With passage of the Passenger Rail Investment and Improvement Act, we will transform the future of intercity passenger rail in America.

We heard all this morning from the one-minute speeches, the price of a gallon of gas breached $4 a gallon for the first time in history. The American Automobile Association says gas prices have gone up more than 10 percent in the last month and a dollar in the past year. Those prices are reverberating across the Nation, changing people's travel patterns and habits and causing them to look more to transit, and transit across the country has exploded in its growth.

Last year we added more than a million new passengers to transit services a day across this country for 375 million new transit trips last year. Amtrak has similarly experienced enormous growth.

Our airlines are cutting back. Eight airlines since December of last year have shut down. One filed for bankruptcy, largely because of rising fuel costs. Fuel now represents 40 percent of the airline industry's expenses. A small increase in gas prices, and I know that a dollar a barrel increase in the price of oil for Northwest Airlines causes an increase in cost to that airline of $42 million. You can increase that by 50 percent more for Delta, and double that for United and American. That means less competition, less mobility, and higher prices for our fellow citizens.

The Department of Transportation says vehicle miles traveled in March fell 4.3 percent from last year. That is the first time we have seen a drop in miles traveled on public roads in over 30 years.

The CHAIRMAN. The gentleman's time has expired.

Mr. OBERSTAR. I yield myself an additional 2 minutes.

The Center for Housing Policy says that working families in large metropolitan areas spent nearly a third of their income on transportation. That means families are not able to buy homes, they are not saving, they are not investing in their children's education, they are spending it on transportation.

People are beginning to realize, just as they did in the days after September 11, that Amtrak service to move people from one city to another, is vitally important. One full passenger train can take 250 to 350 cars off the road. Intercity passenger rail removes 8 million cars from the highways every year and eliminates the need for 50,000 fully loaded passenger airline trips each year.

Amtrak in the Northeast corridor has 56 percent of the air-rail market between Washington, D.C. and New York City, 43 percent of the market between New York and Boston. And now we come to the American public, perhaps 20 years too late, but just in time with the legislation before us today that will upgrade passenger rail intercity service.

There is $14.9 billion authorized in this bill to rebuild Amtrak, construct high-speed rail corridors across the Nation, and I won't go into the specifics of it.

At this point I simply want to express my deep appreciation to the gentleman from Florida (Mr. MICA) who extended his hand of cooperation, his enthusiasm for rebuilding passenger rail service in this country with some innovative ideas and a willingness to join hands and bring a truly bipartisan bill to the House floor, and to the gentlewoman from Florida (Ms. CORRINE BROWN) the Chair of the Rail Subcommittee who has been Amtrak's most vigorous cheerleader and advocate.

The CHAIRMAN. The gentleman's time has expired.

Mr. OBERSTAR. I yield myself an additional 30 seconds.

She did a Harry Truman-style whistle-stop tour on Amtrak when it was just about to go under and joined forces with a bipartisan initiative to save the funding for Amtrak. And Mr. SHUSTER from Pennsylvania who has been a true partner in shaping this legislation today; his ideas and contributions have been enormously valuable.

We bring to America an opportunity to join the rest of the world in world-class, intercity high-speed passenger rail service. And again, I thank the gentleman from Florida (Mr. MICA).

Mr. MICA. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I must pay tribute to the chairman of our full committee, Mr. OBERSTAR, at this juncture. He began his remarks by saying this is a very historic occasion. And, indeed, for rail passenger service in the United States, this is a watershed moment.

I have been one of the harshest critics of Amtrak. I don't think I have ever voted for an Amtrak appropriation or authorization. In fact, we have not done an Amtrak reauthorization in Congress since 1997. And through the leadership of Mr. OBERSTAR, Ms. BROWN, Mr. SHUSTER from Pennsylvania, today we have for the first time probably one of the most dramatic changes in rail passenger service proposed before the United States Congress in its history. This is really evolutionary because we have taken in a bipartisan fashion some of the desires, some of the ideas from the Democrat side, we have combined it with some of the ideas and initiatives proposed by the Republican side, and melded it into a piece of legislation.

Nothing could be more fitting to bring before the Congress today, on a day when gasoline has reached $4.05 a gallon across the United States on average, nothing that this Congress has considered to date that I know of will have a more dramatic, positive effect on the environment, and helping to change also the patterns of travel and the consumption of fossil fuel than this legislation proposed here today, and it is a bipartisan effort and I thank all of those involved for that.

Let me first address some of the concerns expressed by my administration. My administration has raised some concerns, one about the cost. Yes, the cost is higher; but for the first time we bring forward a program that doesn't just benefit Amtrak and an old Soviet-style train operation, it brings passenger rail service into the 21st century in the United States. It allows free enterprise and the best private sector initiatives to come in and help design, construct and finance high-speed rail service first in the Northeast corridor, but not just to the Northeast corridor, throughout the United States of America.

□ 1100

It takes ideas like Mr. SHUSTER brought forward also, also Ms. BROWN contributed too, in taking some of the money-losing operations. And I've been a critic. We subsidize every ticket on Amtrak right now at $50.60, $50.60 for every ticket.

But what we do is we look at what the best solutions are, the best innovative private sector practices, and taking the money-losing operations and giving them a chance to succeed, to lower the cost to the taxpayers, and to provide service in public/private partnerships, and also partnerships with the State governments. Where we need service, we'll get service, and we have to help pay for service.

Now, people are saying this bill may be too much. That's bunk. $14 billion over 5 years?

I'll give you two projects, let me just give you two transportation projects that, one I visited a week ago in New York, a tunnel from Long Island Railroad down to Grand Central Station. $7.2 billion for one line.

The Federal Transit Administration just approved approximately $5 billion to extend 21 miles of light rail with the Dulles extension, 21 miles, $5 billion. Those two projects are equivalent to what we're talking about spending for a nationwide passenger rail system.

And also launching the first high-speed rail effort in the United States. Right now we don't have that. Amtrak Acela, they do their best, they run 83 miles an hour. But we need a dramatic investment in that route to get high-speed service. It's going to cost money, and Congress doesn't have to provide all the money.

Everybody finally woke up to the fact that, with the private sector involvement, we can create high-speed service, separate the traffic, improve commuter service in one of our most congested corridors. Commuters will do better, improve freight traffic. Freight traffic in the United States for rail moves at an average of 23 miles an hour. That's pitiful in a Nation like this.

So, finally, this proposal takes, I have a little diagram here. This is what we have across the country, from sea to shining sea. Congestion. And what we want to have is not just Acela, which runs at 83 miles an hour, the Japanese bullet train runs at 180 miles an hour. Maglev has gone 350 miles an hour. I've ridden it at 269 miles an hour. In China. That's where they have high-speed magnetic next generation technology. Not United States but in China. That's pitiful today.

What we do is we take an asset. Finally, this is an asset the public all owns. It's part of Amtrak. It's from Washington to Boston through New York City.

It's time that we stopped sitting on our assets. This is one of the most valuable assets that the public owns, that Amtrak owns, develop that to its maximum capability.

And finally, the benefits. We'll relieve northeast corridor congestion. We can take passenger cars and trucks off the highways.

The other thing is 75 percent of our delays in the air system that radiate throughout the entire United States start in the New York City airspace, in that Northeast airspace. So the first time we have a solution to deal with freeing up that airspace. It'll have positive economic development, reduce air pollution and emissions.

No project is more friendly to the environment than what we're proposing here today. We'll have reliable transportation alternatives, enhanced commuter and freight operations in that congested but important corridor.

I reserve the balance of my time.

Mr. OBERSTAR. I yield 5 minutes to the distinguished Chair of our rail subcommittee, Ms. BROWN.

Ms. CORRINE BROWN of Florida. Mr. Chairman, I've got to say that one of the joys of serving in this Congress is serving on this Transportation and Infrastructure Committee with Mr. OBERSTAR, who is the guru of transportation, not just for Amtrak, but every single area of transportation. And for helping to develop this Amtrak bill. Eleven years without a bill. The last authorization was 11 years ago.

And of course I want to thank Mr. MICA for his leadership in this area, and Mr. SHUSTER, and also Mr. LATOURETTE, because I want people to know that we didn't just come up with this bill today. This is a bill we've been working on for years. And this is an exciting day for the American people, a real milestone.

The Passenger Rail Investment and Improvement Act provides over $2 billion per year for capital and operational grants, $500 million per year for developing State passenger corridors, $345 million per year to pay down debt, $345 million per year for high-speed rail programs, and requires a plan for restoring service to the Sunset Limited Line.

Amtrak's improved physical state and recent focus on customers service, along with increased highways and airport congestion and rising gas prices, have made intercity passenger rail more popular and necessary than ever.

In Fiscal Year 2007, Amtrak carried more than 25.8 million passengers, the fifth straight fiscal year of record ridership. Like its ridership gains, Amtrak's financial performance has improved as well, posting approximately $1.5 billion in ticket revenue, a gain of 10.8 percent over 2006 ticket revenue, and the third consecutive year that ticket revenues increased.

More than just a convenient way to travel, Amtrak is also energy efficient. Rail travel is more energy efficient and uses less fuel than cars or airplanes. According to the U.S. Department of Energy data, Amtrak is 17 percent more efficient than domestic airline travel and 21 percent more efficient than automobile travel.

And let me just say that there is no mode of transportation that pays for itself. We all subsidize every form of transportation.

Current initiatives include a more sleek model, more efficient Auto Train fleet, reducing annual fuel usage by 640,000 gallons, and remanufacturing brake systems throughout the Amtrak fleet that will reduce energy consumption by 8 percent.

Passenger rail also reduces global warming. The average passenger rail train produces 60 percent lower carbon emissions than cars and 50 percent less than airplanes.

On May 10, Amtrak celebrated National Train Day by holding events throughout the country, over 60, to be exact, showcasing intercity passenger rail and its importance to this Nation. I celebrated National Train Day by holding events throughout my district, including press conferences and events in Jacksonville, Winter Park and at the Sanford Auto Train station. Every event had great turnout, showing strong support for Amtrak, and I got to hear firsthand accounts of people who use Amtrak every day to go to work, to visit friends and family all over the country.

Congress also showed strong support for Amtrak and passenger rail by passing legislation supporting National Train Day by 415–0.

Fifty years ago President Eisenhower created the national highway system, which really changed the way we travel in this country. Today we need to do the same thing with passenger rail, and make the level of investment necessary for it to become more successful in the future.

The American people deserve the best passenger rail in the world, and I believe that this Amtrak authorization will go a long way to raise the U.S. to its rightful place as a world leader in passenger rail.

Passing of H.R. 6003 will be the first major step in bringing our Nation's intercity passenger rail system to the 21st century. I encourage all of my colleagues to vote for the Passenger Rail Investment Improvement Act.

Mr. MICA. I'm pleased to yield to the ranking member of the Rail Subcommittee, Mr. SHUSTER from Pennsylvania, a total of 6 minutes; 5 minutes for his presentation and 1 minute for a colloquy with the gentlelady from Ohio.

Mr. SHUSTER. Mr. Chairman, today Congress can finally do something positive when it comes to energy, the energy situation in this country, and that is to pass this landmark legislation, The Passenger Rail Investment Improvement Act of 2008.

With gas prices today at $4 a gallon, we, on both sides of the aisle, can join together and move to improve passenger rail in this country. And it is, as I said, something that will be a positive for the energy situation.

When you look at the airlines, they consume 20 percent more energy per passenger mile than Amtrak does to move a passenger. Passenger cars consume over 27 percent more energy per passenger mile than Amtrak. Amtrak is the most efficient way to move large numbers of people in our country today. So this is going to help with the energy situation. It's a positive step in the right direction. We still need to do much more but this is a positive step.

The other situation that we're facing in this country is a growing population. It took, we just recently crossed over the 300 million threshold in population in our country. It took us 65 years to go from 200 million to 300 million. It'll take us just 35 years to go from 300 million to 400 million.

And if you look around the country, and what I have is a chart that shows these corridors throughout the country. This is where the population density is going to get even thicker and more dense throughout this country. And this is where we're talking about down the road expanding high-speed rail across the country to help move passengers, to get people out of their

cars, to move them efficiently, to get them into our major urban areas and get them out again and get them between major urban areas.

So, as I said, as the population grows, Amtrak can be there with intercity travel helping us to move people. And people are desperate to get out of their cars, I believe, especially when you're traveling to and from. I know in Pennsylvania we've had a fantastic partnership between the State and Amtrak to establish the Keystone line. It travels over 100 miles an hour, and gets you from Harrisburg, the State Capitol to downtown Philadelphia in about an hour and 35 minutes, an hour and 40 minutes; no messing with traffic, no congestion.

Once again, the American people, I think, will get out of their cars and get on this intercity travel if we establish a system that works, a system that moves people fast and conveniently.

Three provisions in this legislation that I'm very pleased to see we've put in here. First, a private partnership with Amtrak, the Department of Transportation, identifying two of the worst performing lines in the country and putting them out for bid, allowing the private sector to come in and take those lines over and have a hand at trying to make them more efficient, trying their hand at finding ways to improve rail traffic, to decrease costs. So I'm very pleased that that's in here.

Second, a private partnership that we're looking at is, as my colleague from Florida stated, to re-establish a line that has been abandoned by Amtrak, that's no longer in service, to have the private sector come in and around the country see where one of those lines are and to re-establish that.

And third, as the gentleman from Florida talked about the Northeast Corridor, putting a request for a proposal in to have private industry come in in a partnership to look at how much it's going to cost us to take the Northeast Corridor and truly make it a high-speed rail corridor from New York City to Washington, D.C., traveling in 2 hours or less, which is something that, once again, I believe that the American people will embrace.

So for my colleagues that we've debated on this floor, I've watched debates for the last 20 years on this floor. There's always been an argument; can the private sector do it better. No, the government has to do it. Well here we're going to have some tests. We're going to have I believe some positive results in a public/private partnership that we'll be able to look to be able to expand passenger rail in this country. So I'm very pleased with that.

One thing I do want to point out in this that I've heard a lot of talk, that this legislation does not change Davis-Bacon law. There are people running around town here saying that this does change Davis-Bacon law. It does not change Davis-Bacon law. So for any of my colleagues that wish to have a discussion with me on that, I'm happy to do that. But I want to make sure that that's been pointed out here.

And finally, I want to say thank you to the chairman for his goodwill and his allowing me to put some of my ideas in this legislation. Also Chairwoman BROWN and our partnership on the subcommittee. I appreciate her leadership. I thank you both very much.

And also to Mr. MICA for giving me the opportunity to be the ranking member and also including me deeply in all the discussions as we were able to craft this legislation.

So I would encourage all my colleagues to support this today. This is something positive we can do for America, a positive step we can take to help with our energy situation. And I think it's just a win/win for everybody in America today as we move forward to establish some high-speed rail corridors around this country.

□ 1115

I yield to the gentlewoman from Ohio.

Mrs. SCHMIDT. Mr. Chairman, I rise to engage in a colloquy with Ranking Member SHUSTER.

Ranking Member SHUSTER, I deeply appreciate the opportunity to discuss a very important matter to the future of Amtrak. As you are aware, Amtrak was formed by private shareholders who gave Amtrak their assets in exchange for ownership of the railroad. You were also aware that even though the Congress has previously insisted that these shares be redeemed, Amtrak has failed to act.

I would deeply appreciate it if you would work to address this issue in conference. These shareholders have been held hostage for decades. Our government has hijacked their investment, and they deserve restitution. This is not a new issue but still a major impediment to the future of Amtrak.

I thank you and subcommittee Chairwoman BROWN for your work on these issues. I ask that you work to fix this continuing problem before it becomes even more complicated to solve.

Mr. SHUSTER. I appreciate the gentlewoman from Ohio bringing this issue to the forefront. We had discussed this in committee while putting this legislation together, but it is not addressed in the underlying legislation, and I certainly believe it's an important issue that needs to be resolved; and I will be pleased to work with you and other members of the committee to try to address this situation.

Mr. OBERSTAR. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from Maryland, the Chair of the Coast Guard Subcommittee (Mr. CUMMINGS).

Mr. CUMMINGS. Mr. Chairman, I rise today in strong support of the Passenger Improvement Act, and I applaud Chairman OBERSTAR, Chairwoman BROWN, Ranking Member MICA, and Ranking Member SHUSTER for their hard work on this critical and very, very important piece of legislation.

Despite the many challenges it has faced in recent years, Amtrak's ridership has grown for 5 consecutive years and revenue from ticket sales has grown for 3 years. Year after year Amtrak has proven that it is an invaluable asset to the American public and a critical part of our transportation network.

Recognizing the vital service that Amtrak provides, Congress has repeatedly provided a level of annual funding support that has exceeded the President's request. However, this funding has not been sufficient to maintain Amtrak's infrastructure in a state of good repair or to enable Amtrak to become a truly modern national rail service. By passing this legislation, Congress will finally take the necessary steps to enable Amtrak to modernize all aspects of the service, including revitalizing infrastructure on the Northeast Corridor.

As part of that effort, H.R. 6003 supports the redevelopment of tunnel infrastructure in and around my City of Baltimore and the Potomac tunnel. Opened in 1873, the B&P tunnel's outdated design imposes a number of speed and height restrictions on trains and significantly slows travel time between Washington and New York. There are several studies underway to assess possible new rail alignments through Baltimore, and this bill authorizes $60 million to support the determination of the final alignment by 2023.

Modernizing rail alignments in Baltimore is essential to improving service between our Nation's Capitol and all of the States in the Northeast Corridor.

I thank Chairman OBERSTAR and I thank Chairwoman BROWN for working with me to address this very critical issue of national importance. I also applaud them for ensuring that at the same time H.R. 6003 makes significant investments in Amtrak, the bill takes appropriate steps to demand accountability of Amtrak for these investments, including requiring Amtrak to implement a modern financial accounting and reporting system not later than 1 year after the date of H.R. 6003's enactment.

I urge my colleagues to support this long-overdue legislation to provide the investments we need to ensure that America has a safe, effective, and efficient passenger rail system for years to come.

Mr. MICA. Mr. Chairman, I am pleased to yield 3 minutes to the distinguished former Chair of the Rail Subcommittee and current ranking member of the Coast Guard Committee, one of the leaders of the Transportation and Infrastructure Committee, the gentleman from Ohio (Mr. LATOURETTE).

Mr. LATOURETTE. I thank the chairman of the committee, and I thank him for yielding.

Mr. Chairman, this is my 14th year in the Congress. This is the first year that

we've not had a major dustup over Amtrak, and that is a direct credit to the hard work on our side of Mr. SHUSTER and Mr. MICA, and on the Democratic side to Chairwoman BROWN and the chairman of our full committee, who Ms. BROWN has referred to as the guru of transportation. And I think this bill is one that deserves every Member's support.

I was glad that Chairman OBERSTAR, in his remarks, talked about the high cost of fuel and gasoline, and he talked about airlines. And I just want to throw another one in. Continental Airlines is a big carrier in my part of the world. They just announced they're going to lay off 3,000 people out of a workforce of 54,000. And in talking to them, their jet fuel costs in the last year have gone up $2.3 billion. And if you think about what $2.3 billion means, translated over the workforce, it means that if fuel hadn't gone up by that amount, everybody that works for Continental Airlines could have gotten a raise of $50,000. I mean, we're talking real money.

I just left a presentation by Michael Ward, the CEO, President and CEO of CSX, and his new advertising campaign as he attempts to convince those of us in Ohio and West Virginia and Pennsylvania and Virginia and Maryland to build the national gateway project. They can take a ton, a ton of cargo from Cleveland, Ohio, to Baltimore, Maryland, on a gallon of diesel fuel. Now, that is where we should be making our investments, and if we can do it with freight, we can certainly do it with passenger rail.

I'm excited about this bill not only because we're going to stop the sort of nitpicking that's gone on here about how much Amtrak could get as a Federal subsidy. I've been here when we had the administration send up zero as the Federal contribution; I've been here when they sent up $500 million. I think this year they sent up $800 million when everybody agrees that that's not sufficient.

The chairwoman and I have traveled the world looking at passenger rail systems. There is not a passenger rail system in the country, in the world, that makes money and doesn't rely on their government to make a contribution.

We have a societal choice. We can either have people get in their car and pay $4.05 a gallon for one person listening to the radio, or we can convince them that for trips of 400 miles or less that passenger rail is a viable alternative in this country. And Mr. MICA's vision of high-speed passenger rail is a viable alternative in this country, and they can get from point A to point B in a cheap, clean, environmentally friendly way; and this bill moves us in that direction.

So congratulations, I think, go around to Mr. MICA, Mr. SHUSTER, Ms. BROWN, and Chairman OBERSTAR.

We should be embarrassed, Mr. Chairman, as Americans when you look at what the Asians and the Europeans are doing with passenger rail that we have such a sad state of affairs in the United States of America. It's time to stop it, and I just want to thank all four of the leaders of our committee for including a proposal to make a real commitment for the first time in the history, of recent history of passenger rail to the Midwestern part of this United States.

And I know, I know for a fact that if we put the Federal resources to build a high-speed rail line from Cleveland to Columbus to Cincinnati, people would beg, would beg to be on that train for 120 miles an hour to get their business done.

My congratulations. Good bill. We all need to vote for it.

Mr. OBERSTAR. Mr. Chairman, I yield myself 30 seconds.

I want to express my appreciation both to Mr. SHUSTER for his comments and to Mr. LATOURETTE for his observations. But it must also be added that in the bleak years of those starvation budgets for Amtrak, the gentleman from Ohio was out front with Ms. BROWN and myself advocating for increased funding for Amtrak.

If you look at the New York Times today, the gentleman referred to the price of fuel. Every increase in the price of fuel, already up 84 percent compared with last year, increases pressures on airlines. We have to pump 7,000 gallons into a 737 and 60,000 into a 747.

The CHAIRMAN. The gentleman's time has expired.

Mr. OBERSTAR. Mr. Chairman, I yield myself another 15 seconds.

So airlines are doing a whole host of new initiatives including washing their engines frequently. They get grime out of the engine which increases efficiency. And they're cutting back on a whole host of things like less water onboard aircraft for the lavatories, and they're trying to cut the paper manuals for the pilot and copilot in half to save weight onboard the aircrafts. It's all reported in today's New York Times and are things we've known on the committee.

The CHAIRMAN. The gentleman's time has expired.

Mr. OBERSTAR. Mr. Chairman, I yield myself another 15 seconds.

Today's bill puts us on course to do the right thing for the American public. Save fuel. Save the impact on the environment. Move people more efficiently.

Now I yield 2 minutes to the distinguished gentleman from the land of high-speed intercity rail passenger service, the gentleman from California (Mr. COSTA).

Mr. COSTA. Mr. Chairman, I rise today in strong support of H.R. 6003, the Passenger Rail Investment and Improvement Act of 2008. With over 21,000 miles that has already been mentioned of track in the United States and 44 routes throughout America, this reauthorization measure is sorely needed, and Chairman OBERSTAR and Chairwoman BROWN deserve a great deal of credit and thanks for their hard work and their efforts on this, along with my minority colleagues that are supporting this effort.

This legislation, as noted, will make improvements to existing lines throughout the country and in California. California provides over $70 million a year for intercity rail. We have the second, the third, and the sixth most frequently used corridors in the Nation. As a matter of fact, when people think about California, they think of the land of cars. But the fact of the matter is is that we have more intercity passenger ridership in California than any other State in the Union.

In my district, the Amtrak San Joaquin lines run from Bakersfield to Oakland to Sacramento. It's the sixth busiest corridor in the country and had nearly 800,000 riders in fiscal year 2006.

California, of course, obviously is not alone. This bill that Chairman OBERSTAR and Chairwoman BROWN have been working on so hard and diligently, the RIDE 21 Act, will promote the development, construction, and the potential for high-speed rail, which is the transportation system that I think is a part of America's 21st century intermodal, interconnected system that will be the state-of-the-art system that we will depend upon.

Our friends in Europe and Japan have had great success with developing over 6,000 miles of high-speed rail in Europe and over 2,000 miles of high-speed rail in Japan, and it is expanding. This is fourth generation state-of-the-art technology that we can have off the shelf. We don't have to reinvent the wheel.

This November in California we will have a $9 billion bond measure that will help us implement the first state-of-the-art high-speed rail system, 790 miles, trains that will go 225 miles an hour connecting 80 percent of California's population. This measure will be a big shot in the arm to help this State.

The CHAIRMAN. The gentleman's time has expired.

Mr. OBERSTAR. Mr. Chairman, I will yield an 30 additional seconds.

Mr. COSTA. This measure will give an added shot in the arm to assist California and other States throughout the country that want to implement, choose 21st-century state-of-the-art high-speed rail within their States. There are 11 corridors there. This notion that, in fact, we are giving a subsidy makes no sense. Every system of transportation in this country, roadways, airlines, freight, rail, and ports and harbors have had a public partnership, and there is a subsidy in them. And to think that we would not do anything less than that for rail in this country, for passenger rail, makes no sense.

I urge all of my colleagues to support these good measures for all of the right reasons.

Mr. MICA. Mr. Chairman, I would like to yield 3 minutes to the distinguished gentleman from Connecticut (Mr. SHAYS).

Mr. SHAYS. Mr. Chairman, I appreciate my colleague, Mr. MICA, yielding to me.

I rise in support today of H.R. 6003, the Passenger Rail Investment Improvement Act, because we can't afford our Nation's rail service to fail. Our economy depends on it, and the September 11 terrorist attacks made clear that our country can't rely on one mode of interstate public transportation.

Amtrak hasn't succeeded because it is underfunded, its line serves too many areas which don't need service, its customer service is poor, and it lacks imagination and creativity.

I am pleased this legislation begins to address Amtrak's funding needs by providing more funding for capital improvements in operations and encouraging private sector participation, which I think is huge.

I do, however, have concerns about writing Amtrak a check with no strings attached. Increased financial reports must be linked to the reforms. We must take a hard look at profitable lines across the country, and we must have a clearer sense of Amtrak's business plan.

Mr. Chairman, the inconvenient truth is the transportation infrastructure in our country is broken. We have not maintained our commitment to our roads and highways and public transportation systems, and as a result, our transportation system, particularly rail, is failing. Making passenger rail a viable option for commuters will get cars off our congested highways, reduce the stress on our aging roads, and decrease oil consumption.

□ 1130

Another inconvenient truth is the rising cost of oil which is driving the cost of gasoline to new highs on a daily basis. Investing in energy efficient rail reduces our reliance on foreign oil and is a step in the direction towards energy independence, a step we should have been taking after the terrorist attacks on September 11, 2001.

It is critical we conserve our fuel and develop the resources and technologies that will make us energy independent.

We are at a crossroads regarding our transportation infrastructure. I believe the time is right for an increased commitment to efficiency, on our highways, in our public transportation systems, and in our consumption of oil and the use of energy.

Mr. OBERSTAR. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Illinois (Mr. LIPINSKI).

Mr. LIPINSKI. Thank you, Mr. Chairman, for yielding.

Mr. Chairman, today I rise in strong support of H.R. 6003. I commend Chairman OBERSTAR, Chairwoman BROWN, Ranking Members MICA and SHUSTER for this bill.

This bill provides a vision for the future of passenger rail in the U.S. It provides the necessary investments to modernize our antiquated system.

Of special significance is section 217 which provides significant resources to Amtrak and to the States to address key chokepoints that slow down travel and commerce and cause unnecessary pollution from stalled trains. Illinois has already dedicated more funding to improve Amtrak's service. So I am pleased that the committee report addresses several critical bottlenecks reported by Amtrak that affect Illinois residents, including the Heritage Corridor line, which links Chicago to Joliet, as well other key routes from Chicago to Carbondale, Detroit, Michigan, and Porter, Indiana.

Mr. Speaker, H.R. 6003 puts American passenger rail back on track, and I look forward to continuing to work with my colleagues and Amtrak to improve and expand passenger rail service in our country. I urge passage of this visionary bill.

Mr. MICA. Mr. Chairman, may I inquire as to how much time remains on each side?

The CHAIRMAN. The gentleman from Florida has 12 minutes remaining, and the gentleman from Minnesota has 12 minutes remaining.

Mr. MICA. I have at this time no further speakers. I will reserve the balance of my time for my closing remarks and whatever time that Mr. OBERSTAR chooses to take, or if he needs additional time, I will be glad to assist him.

Mr. OBERSTAR. I yield 2 minutes to the distinguished gentleman from New Jersey (Mr. PASCRELL).

Mr. PASCRELL. Mr. Chairman, the Passenger Rail Investment and Improvement Act of 2008 is a great piece of legislation. I want to commend Chairman OBERSTAR and Chairwoman CORRINE BROWN. I know how hard you worked on this the last several years, both of you, and of course, Ranking Member MICA and Mr. SHUSTER from Pennsylvania.

The need for a strong, national passenger railroad system grows daily. The price of oil has reached $140 per barrel.

On the ground, congestion on our interstates mounts with increases of commuters and the movement of goods. In the air, many of our Nation's airlines are cutting back the number of planes and, therefore, the capacity by 10 to 20 percent. The American people need and deserve an alternative to driving their automobiles and traveling by airplane.

This legislation would bolster the fortunes of our intercity passenger rail system and put Amtrak on the path to success.

In addition to procuring new rolling stock and meeting its labor commitments, under this bill Amtrak would be able to make needed improvements to the heavily trafficked Northeast Corridor, NEC.

My home State of New Jersey and Amtrak have had an interesting, symbiotic relationship. The Northeast Corridor rail operations are important for New Jersey's economic growth and our competitiveness, as the NEC is the spine for New Jersey Transit's commuter rail system. Both Mr. OBERSTAR and Mr. MICA have come, seen. They understand what the situation is in terms of our relationship to economic growth. Eighty percent of all New Jersey Transit riders use the Northeast Corridor, nearly 200,000 daily trips.

New Jersey Transit is the major operator on the NEC, operating 385 trains per day to Newark, New York, and the 30th Street Philadelphia Station, as compared to Amtrak's 110 daily trains.

The CHAIRMAN. The time of the gentleman from New Jersey has expired.

Mr. OBERSTAR. I yield the gentleman 30 additional seconds.

Mr. PASCRELL. Accordingly, the State of New Jersey has invested more than $1.8 billion in the NEC for Amtrak stations like the Newark Airport Station, as well as for capital investments that benefit both Amtrak and New Jersey.

This is a great relationship. New Jersey's putting up its money, and the Federal Government now is leveraging that money. This is what it is all about, if we could get States to partner in what we're trying to do. That's why I commend the leadership on both sides.

New Jersey has a major interest in the success of the corridor. This stake will increase going forward as we work with Amtrak, the FTA, the FRA to build this critical infrastructure. The new tunnel that we're going to invest in through the Hudson River is just another way.

I want to thank both sides for this great legislation. I wish you both well.

Mr. MICA. I continue to reserve the balance of my time.

Mr. OBERSTAR. I yield 3 minutes to the distinguished gentleman from Colorado (Mr. SALAZAR), and before the gentleman, I yield myself 10 seconds to observe that the gentleman who just spoke representing New Jersey, New Jersey is the only State in America to have achieved a mode shift of 10 percent of all travel by transit. If the rest of America would do that, we would save 550 million barrels of oil a year, the amount we import from Saudi Arabia.

Mr. SALAZAR. I want to thank the gentleman from Minnesota for yielding, and I would like to recognize him as a real leader in our rail transportation system. Chairman OBERSTAR, Chairwoman BROWN and Ranking Member MICA and our Ranking Member SHUSTER, I want to thank you for your exceptional work and leadership on this important bill.

Mr. Chairman, I rise today in support of H.R. 6003, the Passenger Rail Investment and Improvement Act of 2008 and urge swift passage on this measure.

H.R. 6003 is long overdue, and it has been nearly 11 years since Congress has authorized funding for Amtrak. And without sufficient funds, Amtrak has

been forced to operate with its hands tied. Maintenance and legacy projects have been delayed, and salaries have been frozen, and infrastructure has been deteriorating.

Improving our passenger rail system is critical. It will mean better service reliability, reduced trip times, added capacity, and less congested highways.

I am also pleased that this bill addresses high-speed rail. A number of us had the opportunity to travel with Chairman DEFAZIO and Chairwoman BROWN and Ranking Member MICA to Europe several months ago, where we saw the advancements that have been made in various modes of transportation, notably high-speed rail. I think it is unacceptable that this country is so far behind other countries in this area.

We also saw how public and private partnerships work to be successful. Given the current budget constraints, we need to keep all funding options on the table, including these partnerships.

H.R. 6003 is a good bill that will allow for necessary improvements to be made to our Nation's transportation network. Hopefully, some day, we can have a high-speed rail system that will connect Denver to Grand Junction and all the ski areas in between. It will connect Fort Collins, the Pueblo, along the front range of Colorado.

I carefully support this beautiful piece of bipartisan legislation, and Mr. Chairman, I want to commend you for your strong leadership. I am proud to be a member of this bipartisan committee that works to improve America's transportation problems.

Mr. MICA. I continue to reserve the balance of my time.

Mr. OBERSTAR. I yield 2 minutes to the distinguished gentleman from New York (Mr. NADLER).

Mr. NADLER. Thank you, Mr. Chairman.

I rise in support of this bill to reauthorize Amtrak, create a State grant program for intercity passenger rail, and invest in high-speed rail corridors. I want to thank the chairman, JIM OBERSTAR, and CORRINE BROWN and Ranking Members MICA and SHUSTER for moving this bill, which is long overdue.

For years, Amtrak has been underfunded and threatened with bankruptcy. For the last several years, Amtrak has received just enough money to maintain its system while many critical capital improvements have had to be postponed. As of 2005, Amtrak had a backlog of $4.2 billion in capital investments, which rises to $6 billion if you include the necessary bridge and tunnel improvements. Even with adequate funding, it will probably take 10 years to complete the work to bring the system into a state of good repair.

We cannot afford to play catchup with our rail transportation system, certainly not as gas prices continue to skyrocket. We have to look for ways to reduce greenhouse gas emissions to combat global warming. We should be shifting people from cars and airplanes onto rail.

This bill is also of particular benefit to the Northeast and to New York. In addition to the investments in the Northeast Corridor, the bill authorizes $2.5 billion for a new State capital grant program for intercity passenger rail projects. I am particularly thankful to the committee for structuring this program so that projects such as the Moynihan Station project in New York City are eligible to apply for these grants. Penn Station in my district is the largest station in the passenger rail network and is the hub of the Northeast Corridor. It is basically at capacity. If we are to increase rail traffic, we have to look beyond just the track space between cities to improving the stations at the end of the line. I would like to thank Chairman OBERSTAR for working with us to ensure that the language was written in such a way that projects like Moynihan Station are eligible.

Investing in high-speed rail is an urgent issue. We must accelerate investment in our rail infrastructure. This bill finally starts to authorize rail investments at an adequate level. It makes eminent sense as part of a rational energy and transportation policy. I urge all of my colleagues to support it.

I thank again the chairman and the ranking member.

Mr. MICA. I continue to reserve.

Mr. OBERSTAR. I yield 2 minutes to the distinguished gentleman from Texas (Mr. CUELLAR).

Mr. CUELLAR. I thank the chairman from Minnesota; the chairwoman, Ms. BROWN; of course, our ranking members, Mr. MICA and Mr. SHUSTER, for the leadership that they provided in moving this bill from committee and bringing it down to the floor.

Mr. Chairman, I rise today in strong support of H.R. 6003, the Passenger Rail Investment and Improvement Act of 2008.

I also would like to thank Chairman OBERSTAR for including in the manager's amendment a proposed amendment both RUBÉN HINOJOSA and myself have, and I thank them.

The proposed amendment that is part of the manager's amendment would charge the Department of Transportation with studying the feasibility of extending the South Central High-Speed Rail Corridor from San Antonio into south Texas.

South Texas is home to a large population that is a great distance removed from the City of San Antonio. Laredo, my hometown as an example, has been identified as the fastest growing city in the State of Texas, the second fastest growing city in the United States.

South of San Antonio we have four counties in the Rio Grande Valley that boasts a population that's larger than nine States. The State Data Center projects that the population of the greater Laredo and greater McAllen areas will more than double in the next 2 decades.

With the high price of gas and the large geographic distance that separates many of the towns in south Texas, the presence of high-speed rail will make a significant impact on the mobility of south Texans. The presence of high-speed rail in this rapidly expanding region will provide south Texas with greater access and mobility, and I look forward to working with the Department of Transportation to explore those options.

Again, I want to thank you. I applaud the efforts of Chairman OBERSTAR and his leadership and the ranking members for their leadership.

I thank the Chairman from Minnesota and I thank the Gentleman and Ranking Member MICA for the leadership in moving this bill through committee and bringing it to the floor.

Ms. Chairman, I rise today in strong support of H.R. 6003, the Passenger Rail Investment and Improvement Act of 2008.

This legislation will bring much needed relief and reform to our rail systems by increasing capital and operating grants to Amtrak, developing State Passenger Corridor, and working to Reduce Amtrak's debt.

I would also like to thank the Chairman for including in the manager's amendment the proposed amendment submitted by me.

South Texas is home to a large population that is a great distance removed from the city of San Antonio.

The City of Laredo, the closest major metropolitan area south of San Antonio, is 150 miles away from San Antonio.

Laredo has been identified as the fastest growing city in Texas, and the second fastest growing city in the United States.

The City of Laredo is home to the largest inland port in the nation through which 40 percent of goods trucked into the U.S. are inspected and allowed to pass.

The State of Data Center projects that the population in the greater Laredo area will double in the next couple of decades.

For these reasons, it is my intent that the Secretary consider a south Texas Connection such as the City of Laredo as the location for a potential new connection to the south Central High Speed Rail Corridor.

With the high price of gas and the large geographic distance that separates many towns in South Texas, the presence of high speed rail will make a significant impact on my constituents.

My proposed amendment would charge the Department of Transportation with studying the feasibility of extending the South Central High-Speed Rail Corridor to serve the burgeoning population south of San Antonio.

I believe that the presence of high-speed rail in the rapidly expending area in South Texas will provide my constituents with a new way to travel, and I look forward to working with the Department of Transportation to explore these options.

Mr. MICA. Continuing to reserve, and I would be glad to yield some time to the other side if they do need it.

Mr. OBERSTAR. May I inquire how much time remains on both sides, Mr. Chairman?

The CHAIRMAN. The gentleman from Minnesota has 4 minutes remaining, and the gentleman from Florida continues to have 12 minutes remaining.

Mr. OBERSTAR. I yield 2 minutes to the distinguished gentleman from Massachusetts to engage in a discussion about Amtrak.

Mr. LYNCH. Mr. Chairman, I rise in support of the underlying bill, the Passenger Rail Investment and Improvement Act, and I want to congratulate the chairman, Mr. OBERSTAR, and also the ranking member for their great work on this.

Mr. Chairman, I rise to engage in a colloquy with you. As you know, I submitted an amendment on this bill earlier in the week related to security training for Amtrak frontline employees. I have been encouraged to withdraw the amendment in order to expedite consideration of this bill, which is very important and which I support. However, I remain troubled by one underlying issue.

As evidenced by the terrorist attacks against rail systems in Madrid and in London and in Moscow and in Tokyo and Mumbai, and 3 days ago in Algeria, terrorists have demonstrated their intent to continue to target public transit systems as a favored tactic against civilian populations.

In response to this continued threat, Congress in the 9/11 Commission Act of 2007 directed the Secretary of Homeland Security to issue comprehensive rail and transit worker training directives to prepare our rail workers and transit workers to prevent and respond to potential terrorist attacks against our public transit systems.

□ 1145

With respect to railroad employees, the law required the Secretary of Homeland Security to develop and issue security training regulations by last February, 4 months ago, so that each carrier could develop a training program based on this guidance.

Regrettably, however, and this gets to the issue of my amendment, the Secretary has failed to comply with the 9/11 Act's rail worker training directives and has not issued a single mandated regulation. Worse yet, this missed deadline comes on the heels of yet another missed deadline by the Department on issuing interim training regulations for transit workers.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. OBERSTAR. I yield the gentleman 1 additional minute.

Mr. LYNCH. If the locomotive engineers, security personnel, our dispatchers, our conductors, train workers and rail workers don't understand what our plan is in the event of an attack, then we really don't have a plan.

Mr. Chairman, in light of the continued reports from our Nation's front line rail workers, I respectfully ask you to join me in sending a letter to the Amtrak Inspector General asking him to conduct a review of the current state of security training provided to front line Amtrak employees. It is my understanding that the Inspector General would welcome this responsibility.

I yield to the gentleman from Minnesota.

Mr. OBERSTAR. I appreciate the gentleman raising this issue. It's a matter of very deep concern to us on the committee. It goes to the heart of safety and security on our domestic passenger rail system. I certainly will join enthusiastically with the gentleman in making this request to the Inspector General of the Department of Homeland Security.

Mr. LYNCH. Mr. Chairman, thank you. I want to congratulate you on the great work on this bill. I do want to encourage my colleagues to support the underlying bill.

Mr. OBERSTAR. I thank the gentleman for his concern.

Mr. MICA. Mr. Chairman, first of all I would like to insert in the RECORD a letter by the American Association of State Highway and Transportation Officials, commonly known as AASHTO, in support of the measure and also a letter from the Association of American Railroads in support of this measure.

AMERICAN ASSOCIATION OF STATE HIGHWAY AND TRANSPORTATION OFFICIALS,
Washington, DC, June 10, 2008.

Hon. JOHN L. MICA,
Ranking Republican Member, Transportation and Infrastructure Committee, House of Representatives, Washington, DC.

DEAR CONGRESSMAN MICA: On behalf of the Standing Committee on Rail Transportation and the Intercity Passenger Rail Leadership Group of the American Association of State Highway and Transportation Officials (AASHTO), I am writing to support House passage of H.R. 6003, the Passenger Rail Investment and Improvement Act of 2008.

The States have been leading the way in developing rail corridors through investment in capital projects to increase capacity, reduce travel times and improve on-time performance. In addition, 14 states support intercity passenger rail through payment of operating costs on additional frequencies on routes. According to a survey by AASHTO, at least 35 states are developing intercity passenger rail plans for additional future service. I would like to thank you for including funding for the intercity passenger rail capital grant program to assist states in improving infrastructure on intercity passenger rail routes.

As you know, intercity passenger rail ridership across the United States is on the rise in part due to congestion on the highways and at the airports and the rising cost of gasoline. Having another truly viable transportation option in intercity passenger rail will give consumers another choice in both business and leisure travel and a choice that is the most environmentally friendly. Intercity Passenger Rail consumes 17 percent less energy per passenger mile than airlines and 21 percent less per passenger mile than automobiles. The average intercity passenger rail train produces 60 percent lower carbon dioxide emissions per passenger mile than the average auto, and half the carbon dioxide emissions per passenger mile of an airplane.

For too long, intercity passenger rail has been an underutilized mode in our national transportation system. With this historic legislation, you will make intercity passenger rail competitive and marketable to an anxious public. The time for intercity passenger rail investment is now. I commend you for your leadership and for moving this legislation so quickly and pledge my support to the effort.

Sincerely,

ASTRID C. GLYNN,
Chair.

ASSOCIATION OF AMERICAN RAILROADS,
Washington, DC, June 10, 2008.

DEAR REPRESENTATIVE: The House of Representatives is scheduled to consider H.R. 6003, the ''Passenger Rail Investment and Improvement Act of 2008'' on the floor today. The Association of American Railroads (AAR) is writing to urge you to support the bill.

H.R. 6003 would authorize capital grants to help Amtrak bring the Northeast Corridor to a state-of-good-repair, procure new rolling stock, rehabilitate existing bridges, and make additional capital improvements and maintenance over its entire network. The bill would also provide congestion grants to Amtrak and the States for high-priority rail corridors in order to reduce congestion and facilitate ridership growth.

AAR commends the bipartisan leadership of the Committee on Transportation and Infrastructure for introducing and reporting this important bill. We urge the full House to approve H.R. 6003.

Sincerely,

EDWARD R. HAMBERGER,
President and Chief Executive Officer.

Mr. Chairman, as we conclude debate today, I do consider this an historic debate. You've heard other Members say they've been here for decades and they've never seen a resolution of some of the problems in the debate about Amtrak. Today, working together in a bipartisan fashion, you are seeing what we can do. This is what we can do and we can make this work because we combine the best of the proposals. And that's what the Founding Fathers really created this institution for.

We heard Mr. COSTA from California come and speak in favor from the Democrat side. We heard from Mr. LATOURETTE from Ohio come and speak in favor. We heard Mr. SALAZAR from Colorado. We heard Mr. SHAYS from Connecticut. We heard Mr. NADLER from New York. So from basically sea to shining sea, you see support for this measure because it takes the best of what this institution can offer.

I must take a moment to pay special tribute to the gentleman from Minnesota. Sometimes the good Lord has a special way of making things happen for people. Now he became the chairman after 32 years. I would have liked to have been the chairman rather than the ranking member, but how fitting for him after 32 years of working as a staffer, then a Member. When I came to Congress, he was chairman of the Aviation Subcommittee. The good Lord would have it in February of 2001 by sheer coincidence that would probably never be re-created, I became the chairman of Aviation through probably one of its most difficult times. We all worked together after 9/11. We kept the country safe, particularly in aviation which the enemy saw as our Achilles' heel. We did that by working together then and we're making a big change in this country today by working together to bring high-speed rail for the

first time in the history of this country—the first time, folks—and we took again the best ideas and melded them together through the efforts of everyone on the committee. I want to thank the staff. The staff has done a tremendous job in trying to work on this issue.

Let me say, too, that this proposal for high-speed rail and making it work isn't my idea. I like to borrow other people's good ideas. It's interesting that Richard Branson who created Virgin Air, which many people have heard of, he also bought the two north-south lines in England that go north and south. He instituted private investment in that line. He expanded employment, put in new equipment and expanded passenger service there. He's paid a dividend the last 5 years in that high-speed service and is actually on his way to almost eliminating the Federal subsidy the U.K. subsidy. Even Romania is privatizing its rail. So it's not improper that the United States, the bastion of free enterprise, now takes this important step. And it's not all about privatization because it is a public-private partnership.

Let me say to our friends, our brothers and sisters in labor, that some of them support this, some have questions about it, but all of the workers, whether it's a private system or Amtrak or combination, are guaranteed protections in this. For the first time they can see hope of an expanding rather than a contracting industry. When I came 16 years ago, the employment in Amtrak was 28,000. Today it's 19,000 and going down. The people want this service across the United States and will partner with this service so they have that great opportunity.

The American people aren't interested in us arguing and coming up here and making headlines of charges and countercharges and not getting anything done. The American people are facing $4 gasoline prices. They're not facing options like Europeans and Asians have to get around their country. We should have that here in the United States because we're the most innovative, creative and entrepreneurial people the good Lord ever put on the face of this earth. So, yes, I believe we can make this work. I thank so much the gentleman from Minnesota. John Brennan is not with us, one of our staffers. He left last Friday and took a job in the private sector. I want to pay tribute to John Brennan who left the minority side for the private sector. He worked hard over the years to try to make this happen, too.

To the gentleman from Minnesota (Mr. OBERSTAR), to the gentlewoman from Florida (Ms. BROWN), to the gentleman from Pennsylvania (Mr. SHUSTER), to everyone who made this day possible and staff, I thank you for your hard work and good efforts.

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

How much time do I have?

The CHAIRMAN. The gentleman has 6½ minutes remaining. The gentleman from Minnesota has 1 minute remaining.

Mr. MICA. Is it possible for me to yield 2 minutes to the gentlewoman from Texas?

The CHAIRMAN. Yes.

Mr. MICA. I want to make sure I do everything by the rules, Mr. Chairman.

Mr. OBERSTAR. The gentleman can yield directly to the gentlewoman.

Mr. MICA. Then I yield 2 minutes to the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON).

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, let me express my appreciation to the gentleman from Florida for the time.

At the outset, I would like also to express my congratulations to our chairman, Mr. OBERSTAR, and Rail Subcommittee Chairwoman BROWN of Florida for their good works on the bill and also the gentleman from Pennsylvania (Mr. SHUSTER) and the gentleman from Florida (Mr. MICA). It is a good bill that will have an immediate impact on improving the mobility of Americans all across the country.

I would particularly like to thank Chairman OBERSTAR and Chairwoman BROWN for working with me to include a provision that requests the Secretary to examine the feasibility of expanding the South Central Rail Corridor to Houston, Texas.

Passenger rail lowers American fuel consumption because it's more energy efficient than both cars and airplanes. Intercity passenger rail consumes 21 percent less energy per passenger mile than automobiles and 17 percent less energy per passenger mile than airlines. Passenger rail also reduces global warming because it cuts in half the carbon dioxide impact per passenger over cars and airplanes, meaning that expanding passenger rail will reduce global warming.

The average intercity passenger rail train produces 60 percent lower carbon dioxide emissions per passenger mile than the average automobile and 50 percent lower emissions than the average airplane. This bill is not only good energy policy, it is also good transportation policy. Intercity passenger rail is an increasingly necessary alternative to highway and air travel, as congestion grows in many regions of the country. For example, Amtrak removes 8 million cars from the road each year.

At a time when gas prices continue to skyrocket, the demand by commuters and other travelers for cost-efficient public transportation systems, including passenger rail, is growing rapidly. This critical bill will help meet this growing need.

I urge my colleagues to support this sound bipartisan piece of legislation.

□ 1200

Mr. MICA. Again how much time remains, Mr. Chairman?

The CHAIRMAN. The gentleman has 4½ minutes remaining.

Mr. MICA. Am I allowed to give Mr. OBERSTAR 2½ minutes or 3 minutes?

The CHAIRMAN. The gentleman may yield his remaining time, but not control thereof.

Mr. MICA. Let me just conclude by again thanking folks. Around this place it is very difficult to bring new ideas forward. I've said in the past that sometimes trying to get a new idea through Congress is like giving birth to a porcupine. I can't say that this has been the easiest task we have undertaken, but we have given birth today to a new idea.

And the answer is not to just say ''no,'' or to zero out a program that is so essential to this country. The answer is to come up with a positive solution, a positive solution for energy. And today, again, when gas is $4.05 a gallon, this gives some little hope, but it is probably the biggest thing that we are going to do. And it will have the greatest positive impact on America's environment and its energy needs of anything we have done this session.

So I am pleased at this time to yield time to Mr. OBERSTAR. How much time do I have remaining?

The CHAIRMAN. The gentleman has 3½ minutes remaining.

Mr. MICA. I would like to yield 3½ minutes to Chairman OBERSTAR.

The CHAIRMAN. The gentleman from Minnesota will be recognized for an additional 3½ minutes.

Mr. OBERSTAR. I thank the gentleman for yielding. And again I express my great appreciation for the many hours of consultation that we have had between the distinguished ranking member, the gentleman from Florida, and myself, and with Mr. SHUSTER and myself, and with Ms. BROWN. Mr. MICA has been a vigorous advocate for high-speed rail passenger service with changes, with changes in the way we conduct the business of passenger rail service in America. And as he said, this wasn't easy. But if it were easy, they wouldn't need us. They wouldn't need Congress if things were all easy.

But the point of the legislative process is to be open, to be receptive, to think constructively, to trust that the ideas advanced by one or the other side are set forth in earnest pursuit of a valid public purpose goal. And that has been a long tradition of this Committee on Transportation and Infrastructure and the principal reason that we have succeeded over so many years in being the building committee of the Congress.

The gentleman from Connecticut said that there weren't reforms or deplored the lack of significant reform in this legislation. I just want to say we have management improvement. It is requiring a financial accounting system for Amtrak operations and a 5-year financial plan monitored by the Department of Transportation's Inspector General, an overall assessment being to be done by the Inspector General, progress made by Amtrak management and by DOT in implementing the provisions of the bill. We direct the Secretary of Treasury, and there has been

a consultation with the Secretary of Transportation and Amtrak, to negotiate restructuring of Amtrak's debt. We include a corporate governance provision restructuring Amtrak's board, expanding the board to ten persons serving 5-year terms and requiring that the President consult with Congress to ensure balanced representation of regions served by Amtrak in that board, and to have rail transportation or business background among those members.

In consultation with the Service Transportation Board and Federal Railroad Administration, Amtrak is required to develop standards for measuring performance of quality of intercity train operations, including cost recovery, on time performance, ridership per train mile, on board and station services and interconnectivity of routes and requires the DOT IG to evaluate performance and service quality of intercity passenger rail service and identify the five worst performing Amtrak routes from which then IG will recommend a process for the DOT to consider proposals for competitive service by the private sector to Amtrak on that route.

Those are significant reforms. And I invite the attention of the gentleman from Connecticut, and I will send him the specifics that I just mentioned.

We are ready to move ahead with the balance of this bill. This is an exciting opportunity. This is the beginning of the transformation of passenger rail service in America. It is not going to lead us tomorrow to the Grande Vitesse, the TGV of France, or the Talgo of Spain, or the ICE of Germany, or the Shinkansen of Japan, or the 220-mile-per-hour train service between Beijing and Shanghai in China. But it will put us on a course to get there, to achieve those speeds over those distances.

When I traveled, as a student, to begin graduate studies in 1956 at the College of Europe, from Paris to Brussels, the trip was 6 hours. Today that trip is 80 minutes. There is no air service, no commercial air passenger service between the capital of Europe, Brussels, and the Capital of France, Paris. But there is a train leaving every 3 minutes in each direction with 1,100 passengers on board traveling at 184 miles per hour, all day long from 6 in the morning until midnight.

We should be able to achieve that kind of service on the east coast. We should be able to achieve that kind of service in the Southwest, as was referenced by the gentleman from Texas (Mr. CUELLAR). We should be able to do that in California, as was referenced by the gentleman from California (Mr. COSTA), and in the Pacific Northwest and in the Southeast of the United States. And this bill will put us on a track to do that.

Mrs. JONES of Ohio. Mr. Chairman, restoring passenger rail service to one of the most densely-populated urban corridors in Ohio . . . Cleveland-Columbus Cincinnati . . . is an idea beyond overdue at the station. This corridor is at the heart of a potentially vibrant passenger rail system in Ohio, a fact borne out by a number of studies dating back as far as the 1980's.

Public demand is growing for transportation choices in Ohio. Significant anecdotal evidence around the United States suggests that even basic passenger rail service such as this would draw heavy ridership and grow the demand for more service.

Today, the reality of ever-higher gasoline prices and their impact on the everyday mobility of our fellow Ohioans and on Ohio's economy makes the restoration of rail passenger service in Ohio a critical transportation need.

We are hearing from our constituents increasingly that "pain at the pump" leaves them few or only expensive options to travel on business, and to access everything from education to jobs to medical care.

Since January 2007 alone, the average price of unleaded gas in Cleveland has gone up 72 percent. In some cases, Ohioans are seeing more and more of their incomes going to feed their car and cutting into other life necessities

A recent study by the Ohio Rail Association discussed the economic impact that high-speed rail would have on Ohio and the surrounding region. Here are just a few statistics:

A seven corridor high speed rail systems in Ohio would save $9.4 million in fuel per year. There would be approximately 1.1 million annual riders just out of Cleveland alone by 2025. It would provide 16,700 permanent jobs as well as 6,100 temporary jobs to build the rail system.

I strongly urge my colleagues to vote for the passage of this bill to move Amtrak forward with high speed rail.

Mr. COSTELLO. Mr. Chairman, I rise today in strong support of H.R. 6003, the Passenger Rail investment and Improvement Act of 2008.

Since coming to Congress, I have been a strong supporter of Amtrak because of the benefits it brings, including congestion and environmental emissions relief. It continues to produce almost 20,000 jobs, services more than 25.8 million passengers, and provides a significant transportation link for communities in my congressional district and throughout the Nation.

In H.R. 6003, we authorize more than $14.4 billion for Amtrak capital and operating grants, state intercity passenger grants, and high-speed rail over the next five years. Further, we provide $1.75 billion for grants to states to finance construction and equipment for 11 authorized high-speed rail corridors, including the St. Louis-Chicago corridor.

Finally, I want to thank Chairman OBERSTAR and Chairwoman BROWN for working with me to include a provision that allows previous State investments for capital and operating Amtrak to be used toward the required 20% local match. The bill allows for States to use half of what they put into Amtrak in operating and capital investments toward their local match. Illinois has made significant investments in recent years into Amtrak and the language will help Illinois and other states continue to provide and expand service.

Mr. Chairman, I support H.R. 6003 and urge my colleagues to do the same.

Mr. BLUMENAUER. Mr. Chairman, I strongly support the reauthorization of Amtrak. This bipartisan bill authorizes $14.4 billion over five years and is Amtrak's first full reauthorization since 1997. The bill includes $4.2 billion for capital grants, $3 billion for operations, and $1.75 billion over five years for grants for high-speed rail corridors. This marks a major step in the right direction at a time when consumers around the country are struggling with high gasoline prices and limited transportation options.

At the same time, I am sobered by Chairman OBERSTAR's remarks highlighting a European initiative to spend $350 billion on their rail system. Over the past decade, the United States, by contrast, has barely doled out enough resources to allow Amtrak to limp along. Our Nation must invest in our infrastructure if we expect to remain competitive. This bill takes the first steps in that direction. I would support further action to expand and improve intercity passenger service in the United States.

In Oregon, the state transportation department partners with Amtrak to provide service along the Eugene-Portland-Seattle-Vancouver, BC corridor, a federally-designated high speed rail corridor, known as the Cascades line. While Oregon and Washington pay for the Cascades service, Amtrak operates the train, and this arrangement has proven to be a very successful partnership.

Ridership on the Oregon segment of the line, which has two daily roundtrip trains, has nearly quadrupled since it was initiated in 1994, rising to over 130,000 passengers in 2006. Total ridership on the Cascades service rose over 7 percent last year, reaching 674,000 passengers, making the Northwest high speed rail corridor the seventh most heavily traveled in the country. With gas prices high, ridership on the corridor for the first quarter of 2008 is up 14.4 percent compared to the first quarter of 2007. This train service is an important part of the region's transportation system on the congested 1–5 corridor.

As successful as the Cascades service is, however, reaching its full potential will require additional investments in the rail line to allow Oregon and Amtrak to increase the frequency and reliability of service. The authorization of capital grants for this purpose will provide needed system upgrades and will strengthen this successful partnership.

I am also supportive of Congressman OBERSTAR'S manager's amendment, which allows for grants to create bike storage on Amtrak trains. Much of the increased ridership in Oregon and around the country is a result of people changing their work commutes to include public transportation. Many commuters, however, still need their bikes to get to and from the train stations, or for transportation at their destination. By equipping our trains with bike storage we offer people more choices and we do so in a way that is efficient, economical, and good for the environment.

Mr. BRALEY of Iowa. Mr. Chairman, today I urge my colleagues to support H.R. 6003, the Passenger Rail Investment and Improvement Act of 2008. I am glad to see this bill on the House floor, as it shows a commitment by this Congress to strengthening and improving America's passenger rail system and moving Amtrak forward.

I am proud to be an original cosponsor of this legislation. This bill includes development of new intercity passenger rail services, including $500 million per year to states to cover the capital costs of investing in new intercity passenger rail services. By investing in new rail

infrastructure, this legislation creates jobs, increases tourism and spurs economic development in the communities impacted by new rail service.

In Iowa's First District, this bill will help fund two new routes that would both increase rail services and provide economic benefits. The routes between Chicago and the Quad Cities and Chicago to Dubuque, Iowa would encourage economic development in both Iowa and Illinois, while creating local jobs and decreasing traffic and congestion. Both of these routes would provide another piece to a new transportation corridor through the center of the country, which would be beneficial for business and recreation from coast-to-coast.

I am also glad to see Section 220 up for House passage today that includes the 'Study of the Use of Biobased Lubricants.' This language instructs the Federal Railroad Administration to issue a report on the feasibility of using readily biodegradable lubricants by freight and passenger railroads, partly through comparisons of these lubricants with the petroleum-based lubricants traditionally used. The National Ag-Based Lubricants Center (NABL) at the University of Northern Iowa would be a perfect partner for the Federal Railroad Administration in this study, as NABL's expertise and resources in biobased lubricants is unmatched, and it is the only entity whose primary mission is the research and testing of agricultural-based lubricants.

I thank Chairman OBERSTAR, Chairwoman BROWN, and the rest of Transportation & Infrastructure Committee for their work on this legislation, and I look forward to seeing these important changes becoming law.

Mrs. MALONEY of New York. Mr. Chairman, I rise in support of H.R. 6003, the Passenger Rail Investment and Improvement Act, authored by my friend and colleague, Chairman JAMES OBERSTAR of Minnesota. As a New Yorker, I strongly support making travel easier, safer, and more affordable for my constituents and for all Americans who choose this method of travel. This bill mandates that preference be given to rail projects that have high levels of projected ridership and punctuality which will include the development of a high speed rail project between Washington and New York City. H.R. 6003 serves to improve not only the quality of service on the most popular rail line in the country, but also will increase the availability and accessibility of mass transit to individuals. In this era of skyrocketing energy costs and global warming, encouraging the development of efficient mass transit options is very important to improve our economy and protect our environment.

As a frequent Amtrak user, I know how important it is for rail service in the Northeast Corridor to be in a constant state of "good repair." I am sure that thousands of my fellow passengers, men and women traveling for business or personal reasons on this popular railway also will appreciate this requirement.

Mr. VAN HOLLEN. Mr. Chairman, I rise today in support of final passage of the Passenger Rail Investment and Improvement Act and to commend Chairman OBERSTAR, Ranking Member MICA, and Subcommittee Chairwoman BROWN and Ranking Member SHUSTER for their leadership in constructing this bipartisan bill.

Mr. Chairman, the Passenger Rail Investment and Improvement Act of 2008—authorizes appropriations for Amtrak for FY2009–FY2013 and makes long overdue improvements and enhancements to the system. Millions of Americans rely on Amtrak and its local lines for everything from commuting to work to going on holiday. In 2007 alone, 28 million passengers rode Amtrak. Amtrak has become a critical part of the Nation's transportation infrastructure and every effort must be made to sustain the system as a safe and reliable source of transportation.

This bill authorizes $14.5 billion for commuter rail transit enhancements, a high-speed rail service route between New York and Washington, DC, and contains important reforms and operational enhancement. The bill also contains needed accountability measures and capital improvement funding.

To increase accountability, the bill requires Amtrak to implement a modern financial accounting and reporting system. Amtrak must also submit an annual budget and business plan.

With the passage of the Davis/Van Hollen/Hoyer amendment regarding WMATA, the bill also provides a more reliable source of funding for maintenance and improvement projects in the Washington, DC Metro area.

We all know that the Federal Government relies heavily on the Metro system to bring thousands of its employees to work each day: employees of our national security agencies, employees of the Department of Health and Human Services, and all the other Federal agencies that help provide services to the American people. But, the Metro system is also a critical link in any evacuation plan of the Nation's capital.

These are just a couple of the reasons the Federal government has invested billions of U.S. taxpayer dollars in WMATA construction and maintenance projects over the years. Since WMATA's creation, keeping the Metro up and running has become a national priority.

The Davis/Van Hollen/Hoyer amendment helps ensure the Metro remains a reliable source of transportation for Federal employees by authorizing $150 million a year in matching funds for ten years to help WMATA pay for critical improvement and maintenance. But, importantly, these matching funds can only be accessed when the local jurisdictions of Maryland, Virginia and the District of Columbia contribute their own funds from a dedicated source.

Currently, the Federal Government is at the whim of local jurisdictions on a year-to-year basis, as to whether they will uphold their part of this long-term Federal-local funding partnership regarding WMATA.

Our amendment specifically states that funds authorized in the legislation cannot be available until WMATA notifies the Department of Transportation that local jurisdictions have established a reliable source of funds to pay their share of Metro operating and maintenance costs.

Over the years, Amtrak has proven it is a critical and growing part of the country's transportation infrastructure. Last May, Amtrak ridership rose 12.3 percent from a year earlier, and ticket sales climbed 15.6 percent. Despite continued growth, Amtrak has not been reauthorized since 1997.

With the passage of this bill, we have an opportunity to end 8 years of starvation budgets that have strained Amtrak resources, frozen salaries and delayed capital improvements.

I encourage my colleagues to support final passage of this bill.

Mr. HOLT. Mr. Chairman, I rise today in support of H.R. 6003, the Passenger Rail Investment and Improvement Act of 2008, legislation that would authorize $14.9 billion in funding for Amtrak over the next 5 years.

Rail service has integrated small communities with large cities across the country providing opportunity for economic expansion, increased mobility, and environmentally sound transit. Since Amtrak was founded in 1971, our country has benefited from organized, reliable and safe service to individuals commuting to and from work and individuals using rail service for extended travel. With the skyrocketing costs of airline flights and gas prices at over $4 a gallon, individuals are relying more and more on rail service.

It is no exaggeration to say that rail service is the lifeline from which New Jersey's state economy draws nourishment. Our region's employers—small, medium, and large—depend upon an integrated rail operation to enable many of their employees to get to and from work. Clients, potential clients, and business partners use the train to come to New Jersey. Our local entrepreneurs use Amtrak to pitch their ideas and sell their products outside of our home state.

For the last 12 years, Amtrak has been suffering from a lack of federal support and for the last 6 years it has been operating without Congressional authorization. In order to keep from going out of business, Amtrak was forced to delay necessary repairs and security improvements, freeze the salaries of its employees, rescind on employee pensions and go billions of dollars into debt. The legislation before us today would authorize the funding necessary to improve Amtrak's operations throughout the country and bring our country's rail service into the 21st Century.

H.R. 6003 authorizes $14.9 billion for Amtrak over the next 5 years. $4.3 billion of which would be used for capital grants to help Amtrak afford to make necessary repairs and upgrades to the Northeast Corridor. It would also allow Amtrak to procure new rolling stock, rehabilitate existing bridges, as well as make additional capital improvements and maintenance over its entire network.

As a regular Amtrak rider, I appreciate the professionalism and service that customers enjoy every day. Amtrak's hard working employees, including the over 1,300 employed in New Jersey, have continued to provide high quality service despite Amtrak's payroll freezes and pension problems. The Passenger Rail Investment and Improvement Act would provide Amtrak with $3 billion in operating grants, which would help Amtrak make good on its promises to these employees. A portion of these funds would be used to pay employees salaries, health costs, and overtime pay. It would also help Amtrak pay for increasing fuel costs, facilities, maintenance and train operations.

This legislation would also create a new State Capital Grant program to provide grants for States for intercity passenger rail capital projects. In New Jersey the demand for public transportation has skyrocketed, with NJ Transit providing 900,000 trips per weekday on its trains, buses and light-rail vehicles. H.R. 6003 would authorize over $2.5 billion in grants to states over the next 5 years to help organizations like NJ Transit pay for the capital costs

of facilities and the equipment necessary to provide new or improved intercity passenger rail.

The Passenger Rail Investment Reauthorization Act would provide $1.7 billion annually to help Amtrak pay off the debt it incurred when Congress drastically cut its funding in 2000 and 2001. Amtrak has aggressively targeted this debt, paying down $600 million from 2002 through 2007. This bill would help Amtrak take further steps to reduce its debt, and allow Amtrak to focus its resources on improving existing services and making additional capital and operational improvements.

H.R. 6003 would bring American passenger rail into the 21st century, authorizing $1.7 billion for the construction of eleven high-speed rail network spanning the entire Nation. The first of which would be a high-speed rail corridor between Washington, D.C. and New York City. Countries like France, England and Japan have greatly improved the experience of commuters through the utilization of high speed corridors. This would lead to more efficient public transportation and help the over 1.5 million New Jerseyans who use Amtrak spend less time commuting and more time at home with their families.

Supporting public transportation especially passenger rail, should be a crucial element of our national effort to slow the rate of global climate change and reduce our dependence on foreign fuels. Passenger rail consumes 21 percent less energy per passenger mile than automobiles and 17 percent less than airplanes. It releases half the amount of greenhouse gases per passenger mile as both air and car travel. The continued operation of Amtrak is an essential component of easing traffic congestion, reducing wear and tear on roads, protecting our environment and preserving open space in New Jersey and across the country.

Rail service is a fundamental component of our Nation's continually growing transportation system, and Amtrak has demonstrated the capacity of integrated rail service to expand economic opportunity, commuter options, and make vital contributions to the fabric of our communities. I urge my colleagues to support H.R. 6003.

Mr. OBERSTAR. I yield back the balance of my time.

The CHAIRMAN. All time for general debate has expired.

Pursuant to the rule, the amendment in the nature of a substitute printed in the bill shall be considered as an original bill for the purpose of amendment under the 5-minute rule and shall be considered read.

The text of the committee amendment is as follows:

H.R. 6003

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 ''Passenger Rail Investment and Improvement Act of 2008''.

SEC. 2. AMENDMENT OF TITLE 49, UNITED STATES CODE.

Except as otherwise specifically provided, whenever in this Act an amendment is expressed in terms of an amendment to a section or other provision of law, the reference shall be considered to be made to a section or other provision of title 49, United States Code.

SEC. 3. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

Sec. 1. Short title.
Sec. 2. Amendment of title 49, United States Code.
Sec. 3. Table of contents.

TITLE I—AUTHORIZATIONS

Sec. 101. Authorization for Amtrak capital and operating expenses and State capital grants.
Sec. 102. Repayment of long-term debt and capital leases.
Sec. 103. Other authorizations.
Sec. 104. Tunnel project.

TITLE II—AMTRAK REFORM AND OPERATIONAL IMPROVEMENTS

Sec. 201. National railroad passenger transportation system defined.
Sec. 202. Amtrak Board of Directors.
Sec. 203. Establishment of improved financial accounting system.
Sec. 204. Development of 5-year financial plan.
Sec. 205. Establishment of grant process.
Sec. 206. State-supported routes.
Sec. 207. Metrics and standards.
Sec. 208. Northeast Corridor state-of-good-repair plan.
Sec. 209. Northeast Corridor infrastructure and operations improvements.
Sec. 210. Restructuring long-term debt and capital leases.
Sec. 211. Study of compliance requirements at existing intercity rail stations.
Sec. 212. Oversight of Amtrak's compliance with accessibility requirements.
Sec. 213. Access to Amtrak equipment and services.
Sec. 214. General Amtrak provisions.
Sec. 215. Amtrak management accountability.
Sec. 216. Passenger rail study.
Sec. 217. Congestion grants.
Sec. 218. Plan for restoration of service.
Sec. 219. Locomotive biofuel study.
Sec. 220. Study of the use of biobased lubricants.
Sec. 221. Applicability of Buy American Act.
Sec. 222. Intercity passenger rail service performance.
Sec. 223. Amtrak Inspector General utilization study.
Sec. 224. Amtrak service preference study.

TITLE III—INTERCITY PASSENGER RAIL POLICY

Sec. 301. Capital assistance for intercity passenger rail service; State rail plans.
Sec. 302. State rail plans.
Sec. 303. Next generation corridor train equipment pool.
Sec. 304. Rail cooperative research program.
Sec. 305. Passenger rail system comparison study.

TITLE IV—COMMUTER RAIL TRANSIT ENHANCEMENT

Sec. 401. Commuter rail transit enhancement.

TITLE V—HIGH-SPEED RAIL

Sec. 501. High-speed rail corridor program.
Sec. 502. Additional high-speed projects.
Sec. 503. High-speed rail study.
Sec. 504. Grant conditions.

TITLE I—AUTHORIZATIONS

SEC. 101. AUTHORIZATION FOR AMTRAK CAPITAL AND OPERATING EXPENSES AND STATE CAPITAL GRANTS.

(a) OPERATING GRANTS.—There are authorized to be appropriated to the Secretary of Transportation for the use of Amtrak for operating costs the following amounts:

(1) For fiscal year 2009, $525,000,000.
(2) For fiscal year 2010, $600,000,000.
(3) For fiscal year 2011, $614,000,000.
(4) For fiscal year 2012, $638,000,000.
(5) For fiscal year 2013, $654,000,000.

(b) INSPECTOR GENERAL.—Out of the amounts authorized under subsection (a), there are authorized to be appropriated to the Secretary of Transportation for the Office of the Inspector General of Amtrak the following amounts:

(1) For fiscal year 2009, $20,368,900.
(2) For fiscal year 2010, $22,586,000.
(3) For fiscal year 2011, $24,337,000.
(4) For fiscal year 2012, $26,236,000.
(5) For fiscal year 2013, $28,287,000.

(c) AMERICANS WITH DISABILITIES ACT COMPLIANCE.—There are authorized to be appropriated to the Secretary of Transportation for the use of Amtrak for compliance with the requirements of the Americans With Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) the following amounts:

(1) For fiscal year 2009, $68,500,000.
(2) For fiscal year 2010, $240,000,000.
(3) For fiscal year 2011, $240,000,000.
(4) For fiscal year 2012, $240,000,000.
(5) For fiscal year 2013, $240,000,000.

(d) CAPITAL GRANTS.—There are authorized to be appropriated to the Secretary of Transportation for the use of Amtrak for capital projects (as defined in subparagraphs (A) and (B) of section 24401(2) of title 49, United States Code) to bring the Northeast Corridor (as defined in section 24102(a)) to a state-of-good-repair, for capital expenses of the national rail passenger transportation system, and for purposes of making capital grants under section 24402 of that title to States, the following amounts:

(1) For fiscal year 2009, $1,202,000,000.
(2) For fiscal year 2010, $1,321,000,000.
(3) For fiscal year 2011, $1,321,000,000.
(4) For fiscal year 2012, $1,427,000,000.
(5) For fiscal year 2013, $1,427,000,000.

(e) AMOUNTS FOR STATE GRANTS.—Out of the amounts authorized under subsection (d), the following percentage shall be available each fiscal year for capital grants to States under section 24402 of title 49, United States Code, to be administered by the Secretary of Transportation:

(1) 41.60 percent for fiscal year 2009.
(2) 38 percent for fiscal year 2010.
(3) 38 percent for fiscal year 2011.
(4) 35 percent for fiscal year 2012.
(5) 35 percent for fiscal year 2013.

(f) PROJECT MANAGEMENT OVERSIGHT.—The Secretary may withhold up to ½ of 1 percent of amounts appropriated pursuant to subsection (d) for the costs of project management oversight of capital projects carried out by Amtrak.

SEC. 102. REPAYMENT OF LONG-TERM DEBT AND CAPITAL LEASES.

(a) AMTRAK PRINCIPAL AND INTEREST PAYMENTS.—

(1) PRINCIPAL AND INTEREST ON DEBT SERVICE.—There are authorized to be appropriated to the Secretary of Transportation for the use of Amtrak for retirement of principal and payment of interest on loans for capital equipment, or capital leases, not more than the following amounts:

(A) For fiscal year 2009, $345,000,000.
(B) For fiscal year 2010, $345,000,000.
(C) For fiscal year 2011, $345,000,000.
(D) For fiscal year 2012, $345,000,000.
(E) For fiscal year 2013, $345,000,000.

(2) EARLY BUYOUT OPTION.—There are authorized to be appropriated to the Secretary of Transportation such sums as may be necessary for the use of Amtrak for the payment of costs associated with early buyout options if the exercise of those options is determined to be advantageous to Amtrak.

(3) LEGAL EFFECT OF PAYMENTS UNDER THIS SECTION.—The payment of principal and interest on secured debt, with the proceeds of grants authorized by this section shall not—

(A) modify the extent or nature of any indebtedness of the National Railroad Passenger Corporation to the United States in existence of the date of enactment of this Act;

(B) change the private nature of Amtrak's or its successors' liabilities; or

(C) imply any Federal guarantee or commitment to amortize Amtrak's outstanding indebtedness.

SEC. 103. OTHER AUTHORIZATIONS.

There are authorized to be appropriated to the Secretary of Transportation—

(1) $5,000,000 for each of fiscal years 2009 through 2013 to carry out the rail cooperative research program under section 24910 of title 49, United States Code; and

(2) $5,000,000 for fiscal year 2009, to remain available until expended, for grants to Amtrak and States participating in the Next Generation Corridor Train Equipment Pool Committee established under section 303 of this Act for the purpose of designing, developing specifications for, and initiating the procurement of an initial order of 1 or more types of standardized next-generation corridor train equipment and establishing a jointly owned corporation to manage that equipment.

SEC. 104. TUNNEL PROJECT.

(a) NEW TUNNEL ALIGNMENT AND ENVIRONMENTAL REVIEW.—Not later than September 30, 2013, the Federal Railroad Administration, working with Amtrak, the City of Baltimore, State of Maryland, and rail operators described in subsection (b), shall—

(1) approve a new rail tunnel alignment in Baltimore that will permit an increase in train speed and service reliability; and

(2) ensure completion of the related environmental review process.

(b) AFFECTED RAIL OPERATORS.—Rail operators other than Amtrak may participate in activities described in subsection (a) to the extent that they can demonstrate the intention and ability to contribute to the construction of the new tunnel.

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Federal Railroad Administration for carrying out this section $60,000,000 for the period encompassing fiscal years 2009 through 2013.

TITLE II—AMTRAK REFORM AND OPERATIONAL IMPROVEMENTS

SEC. 201. NATIONAL RAILROAD PASSENGER TRANSPORTATION SYSTEM DEFINED.

(a) IN GENERAL.—Section 24102 is amended—

(1) by striking paragraph (2);

(2) by redesignating paragraphs (3), (4), and (5) as paragraphs (2), (3), and (4), respectively; and

(3) by inserting after paragraph (4) as so redesignated the following:

''(5) 'national rail passenger transportation system' means—

''(A) the segment of the Northeast Corridor between Boston, Massachusetts and Washington, DC;

''(B) rail corridors that have been designated by the Secretary of Transportation as high-speed corridors (other than corridors described in subparagraph (A)), but only after they have been improved to permit operation of high-speed service;

''(C) long distance routes of more than 750 miles between endpoints operated by Amtrak as of the date of enactment of the Passenger Rail Investment and Improvement Act of 2008; and

''(D) short-distance corridors, or routes of not more than 750 miles between endpoints, operated by—

''(i) Amtrak; or

''(ii) another rail carrier that receives funds under chapter 244.''.

(b) AMTRAK ROUTES WITH STATE FUNDING.—

(1) IN GENERAL.—Chapter 247 is amended by inserting after section 24701 the following:

''§ 24702. Transportation requested by States, authorities, and other persons

''(a) CONTRACTS FOR TRANSPORTATION.—Amtrak may enter into a contract with a State, a regional or local authority, or another person for Amtrak to operate an intercity rail service or route not included in the national rail passenger transportation system upon such terms as the parties thereto may agree.

''(b) DISCONTINUANCE.—Upon termination of a contract entered into under this section, or the cessation of financial support under such a contract by either party, Amtrak may discontinue such service or route, notwithstanding any other provision of law.''.

(2) CONFORMING AMENDMENT.—The chapter analysis for chapter 247 is amended by inserting after the item relating to section 24701 the following:

''24702. Transportation requested by States, authorities, and other persons.''.

(c) AMTRAK TO CONTINUE TO PROVIDE NON-HIGH-SPEED SERVICES.—Nothing in this Act is intended to preclude Amtrak from restoring, improving, or developing non-high-speed intercity passenger rail service.

(d) APPLICABILITY OF SECTION 24706.—Section 24706 is amended by adding at the end the following:

''(c) APPLICABILITY.—This section applies to all service over routes provided by Amtrak, notwithstanding any provision of section 24701 of this title or any other provision of this title except section 24702(b).''.

SEC. 202. AMTRAK BOARD OF DIRECTORS.

(a) IN GENERAL.—Section 24302 is amended to read as follows:

''§ 24302. Board of Directors

''(a) COMPOSITION AND TERMS.—

''(1) The Board of Directors of Amtrak is composed of the following 10 directors, each of whom must be a citizen of the United States:

''(A) The Secretary of Transportation.

''(B) The President of Amtrak, who shall serve ex officio, as a non-voting member.

''(C) 8 individuals appointed by the President of the United States, by and with the advice and consent of the Senate, with general business and financial experience, experience or qualifications in transportation, freight and passenger rail transportation, travel, hospitality, cruise line, and passenger air transportation businesses, or representatives of employees or users of passenger rail transportation or a State government.

''(2) In selecting individuals described in paragraph (1) for nominations for appointments to the Board, the President shall consult with the Speaker of the House of Representatives, the minority leader of the House of Representatives, the majority leader of the Senate, and the minority leader of the Senate and try to provide adequate and balanced representation of the major geographic regions of the United States served by Amtrak.

''(3) An individual appointed under paragraph (1)(C) of this subsection serves for 5 years or until the individual's successor is appointed and qualified. Not more than 5 individuals appointed under paragraph (1)(C) may be members of the same political party.

''(4) The Board shall elect a chairman and a vice chairman from among its membership. The vice chairman shall serve as chairman in the absence of the chairman.

''(5) The Secretary may be represented at board meetings by the Secretary's designee.

''(b) PAY AND EXPENSES.—Each director not employed by the United States Government is entitled to $300 a day when performing Board duties. Each Director is entitled to reimbursement for necessary travel, reasonable secretarial and professional staff support, and subsistence expenses incurred in attending Board meetings.

''(c) VACANCIES.—A vacancy on the Board is filled in the same way as the original selection, except that an individual appointed by the President of the United States under subsection (a)(1)(C) of this section to fill a vacancy occurring before the end of the term for which the predecessor of that individual was appointed is appointed for the remainder of that term. A vacancy required to be filled by appointment under subsection (a)(1)(C) must be filled not later than 120 days after the vacancy occurs.

''(d) QUORUM.—A majority of the members serving shall constitute a quorum for doing business.

''(e) BYLAWS.—The Board may adopt and amend bylaws governing the operation of Amtrak. The bylaws shall be consistent with this part and the articles of incorporation.''.

(b) EFFECTIVE DATE FOR DIRECTORS' PROVISION.—The amendment made by subsection (a) shall take effect 6 months after the date of enactment of this Act. The members of the Amtrak Board serving on the date of enactment of this Act may continue to serve for the remainder of the term to which they were appointed.

SEC. 203. ESTABLISHMENT OF IMPROVED FINANCIAL ACCOUNTING SYSTEM.

(a) IN GENERAL.—The Amtrak Board of Directors—

(1) may employ an independent financial consultant with experience in railroad accounting to assist Amtrak in improving Amtrak's financial accounting and reporting system and practices;

(2) shall implement a modern financial accounting and reporting system not later than 1 year after the date of enactment of this Act; and

(3) shall, not later than 90 days after the end of each fiscal year through fiscal year 2013—

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

(i) train operations;

(ii) equipment maintenance;

(iii) food service;

(iv) sleeping cars;

(v) ticketing; and

(vi) reservations;

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

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

(b) VERIFICATION OF SYSTEM; REPORT.—The Inspector General of the Department of Transportation shall review the accounting system designed and implemented under subsection (a) to ensure that it accomplishes the purposes for which it is intended. The Inspector General shall report his findings and conclusions, together with any recommendations, to the House of Representatives Committee on Transportation and Infrastructure and the Senate Committee on Commerce, Science, and Transportation.

(c) CATEGORIZATION OF REVENUES AND EXPENSES.—

(1) IN GENERAL.—In carrying out subsection (a), the Amtrak Board of Directors shall separately categorize routes, assigned revenues, and attributable expenses by type of service, including long distance routes, State-sponsored routes, commuter contract routes, and Northeast Corridor routes.

(2) NORTHEAST CORRIDOR.—Amtrak revenues generated by freight and commuter railroads operating on the Northeast Corridor shall be separately listed to include the charges per car mile assessed by Amtrak to other freight and commuter railroad entities.

(3) FIXED OVERHEAD EXPENSES.—Fixed overhead expenses that are not directly assigned or attributed to any route (or group of routes) shall be listed separately by line item and expense category.

SEC. 204. DEVELOPMENT OF 5-YEAR FINANCIAL PLAN.

(a) DEVELOPMENT OF 5-YEAR FINANCIAL PLAN.—The Amtrak Board of Directors shall submit an annual budget and business plan for Amtrak, and a 5-year financial plan for the fiscal year to which that budget and business plan relate and the subsequent 4 years, prepared in accordance with this section, to the Secretary of Transportation and the Inspector General of the Department of Transportation no later than—

(1) the first day of each fiscal year beginning after the date of enactment of this Act; or

(2) the date that is 60 days after the date of enactment of an appropriation Act for the fiscal year, if later.

(b) CONTENTS OF 5-YEAR FINANCIAL PLAN.—The 5-year financial plan for Amtrak shall include, at a minimum—

(1) all projected revenues and expenditures for Amtrak, including governmental funding sources;

(2) projected ridership levels for all Amtrak passenger operations;

(3) revenue and expenditure forecasts for non-passenger operations;

(4) capital funding requirements and expenditures necessary to maintain passenger service which will accommodate predicted ridership levels and predicted sources of capital funding;

(5) operational funding needs, if any, to maintain current and projected levels of passenger service, including state-supported routes and predicted funding sources;

(6) projected capital and operating requirements, ridership, and revenue for any new passenger service operations or service expansions;

(7) an assessment of the continuing financial stability of Amtrak, such as Amtrak's ability to efficiently manage its workforce, and Amtrak's ability to effectively provide passenger train service;

(8) estimates of long-term and short-term debt and associated principal and interest payments (both current and anticipated);

(9) annual cash flow forecasts;

(10) a statement describing methods of estimation and significant assumptions;

(11) specific measures that demonstrate measurable improvement year over year in the financial results of Amtrak's operations;

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

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

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

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

(c) STANDARDS TO PROMOTE FINANCIAL STABILITY.—In meeting the requirements of subsection (b), Amtrak shall—

(1) apply sound budgetary practices, including reducing costs and other expenditures, improving productivity, increasing revenues, or combinations of such practices;

(2) use the categories specified in the financial accounting and reporting system developed under section 203 when preparing its 5-year financial plan; and

(3) ensure that the plan is consistent with the authorizations of appropriations under title I of this Act.

SEC. 205. ESTABLISHMENT OF GRANT PROCESS.

(a) GRANT REQUESTS.—Amtrak shall submit grant requests (including a schedule for the disbursement of funds), consistent with the requirements of this Act, to the Secretary of Transportation for funds authorized to be appropriated to the Secretary for the use of Amtrak under sections 101(a), (c), and (d), 102, and 103(c) of this Act.

(b) PROCEDURES FOR GRANT REQUESTS.—The Secretary shall establish substantive and procedural requirements, including schedules, for grant requests under this section not later than 30 days after the date of enactment of this Act and shall transmit copies to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

(c) REVIEW AND APPROVAL.—

(1) 30-DAY APPROVAL PROCESS.—The Secretary shall complete the review of a complete grant request (including the disbursement schedule) and approve or disapprove the request within 30 days after the date on which Amtrak submits the grant request. If the Secretary disapproves the request or determines that the request is incomplete or deficient, the Secretary shall include the reason for disapproval or the incomplete items or deficiencies in the notice to Amtrak.

(2) 15-DAY MODIFICATION PERIOD.—Within 15 days after receiving notification from the Secretary under the preceding sentence, Amtrak shall submit a modified request for the Secretary's review.

(3) REVISED REQUESTS.—Within 15 days after receiving a modified request from Amtrak, the Secretary shall either approve the modified request, or, if the Secretary finds that the request is still incomplete or deficient, the Secretary shall identify in writing to the House of Representatives Committee on Transportation and Infrastructure and the Senate Committee on Commerce, Science, and Transportation the remaining deficiencies and recommend a process for resolving the outstanding portions of the request.

SEC. 206. STATE-SUPPORTED ROUTES.

(a) IN GENERAL.—Within 2 years after the date of enactment of this Act, the Board of Directors of Amtrak, in consultation with the Secretary of Transportation and the governors of each relevant State and the Mayor of the District of Columbia or groups representing those officials, shall develop and implement a single, Nationwide standardized methodology for establishing and allocating the operating and capital costs among the States and Amtrak associated with trains operated on routes described in section 24102(5)(B) or (D) or section 24702 that—

(1) ensures, within 5 years after the date of enactment of this Act, equal treatment in the provision of like services of all States and groups of States (including the District of Columbia); and

(2) allocates to each route the costs incurred only for the benefit of that route and a proportionate share, based upon factors that reasonably reflect relative use, of costs incurred for the common benefit of more than 1 route.

(b) REVIEW.—If Amtrak and the States (including the District of Columbia) in which Amtrak operates such routes do not voluntarily adopt and implement the methodology developed under subsection (a) in allocating costs and determining compensation for the provision of service in accordance with the date established therein, the Surface Transportation Board shall determine the appropriate methodology required under subsection (a) for such services in accordance with the procedures and procedural schedule applicable to a proceeding under section 24904(c) of title 49, United States Code, and require the full implementation of this methodology with regards to the provision of such service within 1 year after the Board's determination of the appropriate methodology.

(c) USE OF CHAPTER 244 FUNDS.—Funds provided to a State under chapter 244 of title 49, United States Code, may be used, as provided in that chapter, to pay capital costs determined in accordance with this section.

SEC. 207. METRICS AND STANDARDS.

(a) IN GENERAL.—Within 180 days after the date of enactment of this Act, the Administrator of the Federal Railroad Administration and Amtrak shall jointly, in consultation with the Surface Transportation Board, rail carriers over whose rail lines Amtrak trains operate, States, Amtrak employees, nonprofit employee organizations representing Amtrak employees, and groups representing Amtrak passengers, as appropriate, develop new or improve existing metrics and minimum standards for measuring the performance and service quality of intercity passenger train operations, including cost recovery, on-time performance and minutes of delay, ridership, on-board services, stations, facilities, equipment, and other services. Such metrics, at a minimum, shall include the percentage of avoidable and fully allocated operating costs covered by passenger revenues on each route, ridership per train mile operated, measures of on-time performance and delays incurred by intercity passenger trains on the rail lines of each rail carrier and, for long distance routes, measures of connectivity with other routes in all regions currently receiving Amtrak service and the transportation needs of communities and populations that are not well-served by other forms of public transportation. Amtrak shall provide reasonable access to the Federal Railroad Administration in order to enable the Administration to carry out its duty under this section.

(b) QUARTERLY REPORTS.—The Administrator of the Federal Railroad Administration shall collect the necessary data and publish a quarterly report on the performance and service quality of intercity passenger train operations, including Amtrak's cost recovery, ridership, on-time performance and minutes of delay, causes of delay, on-board services, stations, facilities, equipment, and other services.

(c) CONTRACT WITH HOST RAIL CARRIERS.—To the extent practicable, Amtrak and its host rail carriers shall incorporate the metrics and standards developed under subsection (a) into their access and service agreements.

(d) ARBITRATION.—If the development of the metrics and standards is not completed within the 180-day period required by subsection (a), any party involved in the development of those standards may petition the Surface Transportation Board to appoint an arbitrator to assist the parties in resolving their disputes through binding arbitration.

SEC. 208. NORTHEAST CORRIDOR STATE-OF-GOOD-REPAIR PLAN.

(a) IN GENERAL.—Within 9 months after the date of enactment of this Act, the National Railroad Passenger Corporation, in consultation with the Secretary and the States (including the District of Columbia) that make up the Northeast Corridor (as defined in section 24102 of title 49, United States Code), shall prepare a capital spending plan for capital projects required to return the railroad right-of-way (including track, signals, and auxiliary structures), facilities, stations, and equipment, of the Northeast Corridor to a state of good repair by the end of fiscal year 2024, consistent with the funding levels authorized in this Act and shall submit the plan to the Secretary.

(b) APPROVAL BY THE SECRETARY.—

(1) The Corporation shall submit the capital spending plan prepared under this section to the Secretary of Transportation for review and approval pursuant to the procedures developed under section 205 of this Act.

(2) The Secretary of Transportation shall require that the plan be updated at least annually and shall review and approve such updates. During review, the Secretary shall seek comments and review from the commission established under section 24905 of title 49, United States Code, and other Northeast Corridor users regarding the plan.

(3) The Secretary shall make grants to the Corporation with funds authorized by section 101(d) of this Act for Northeast Corridor capital investments contained within the capital spending plan prepared by the Corporation and approved by the Secretary.

(4) Using the funds authorized by section 101(f) of this Act, the Secretary shall review Amtrak's capital expenditures funded by this section to ensure that such expenditures are consistent with the capital spending plan and that Amtrak is providing adequate project management oversight and fiscal controls.

(c) ELIGIBILITY OF EXPENDITURES.—The Federal share of expenditures for capital improvements under this section may not exceed 100 percent.

SEC. 209. NORTHEAST CORRIDOR INFRASTRUCTURE AND OPERATIONS IMPROVEMENTS.

(a) IN GENERAL.—Section 24905 is amended to read as follows:

"§ 24905. Northeast Corridor Infrastructure and Operations Advisory Commission

''(a) NORTHEAST CORRIDOR INFRASTRUCTURE AND OPERATIONS ADVISORY COMMISSION.—

''(1) Within 180 days after the date of enactment of the Passenger Rail Investment and Improvement Act of 2008, the Secretary of Transportation shall establish a Northeast Corridor Infrastructure and Operations Advisory Commission (hereinafter referred to in this section as the 'Commission') to promote mutual cooperation and planning pertaining to the rail operations and related activities of the Northeast Corridor. The Commission shall be made up of—

''(A) members representing the National Railroad Passenger Corporation;

''(B) members representing the Secretary of Transportation and the Federal Railroad Administration;

''(C) 1 member from each of the States (including the District of Columbia) that constitute the Northeast Corridor as defined in section 24102, designated by, and serving at the pleasure of, the chief executive officer thereof; and

''(D) non-voting representatives of freight railroad carriers using the Northeast Corridor selected by the Secretary.

''(2) The Secretary shall ensure that the membership belonging to any of the groups enumerated under subparagraph (1) shall not constitute a majority of the commission's memberships.

''(3) The commission shall establish a schedule and location for convening meetings, but shall meet no less than four times per fiscal year, and the commission shall develop rules and procedures to govern the commission's proceedings.

''(4) A vacancy in the Commission shall be filled in the manner in which the original appointment was made.

''(5) Members shall serve without pay but shall receive travel expenses, including per diem in lieu of subsistence, in accordance with sections 5702 and 5703 of title 5, United States Code.

''(6) The Chairman of the Commission shall be elected by the members.

''(7) The Commission may appoint and fix the pay of such personnel as it considers appropriate.

''(8) Upon request of the Commission, the head of any department or agency of the United States may detail, on a reimbursable basis, any of the personnel of that department or agency to the Commission to assist it in carrying out its duties under this section.

''(9) Upon the request of the Commission, the Administrator of General Services shall provide to the Commission, on a reimbursable basis, the administrative support services necessary for the Commission to carry out its responsibilities under this section.

''(10) The commission shall consult with other entities as appropriate.

''(b) GENERAL RECOMMENDATIONS.—The Commission shall develop recommendations concerning Northeast Corridor rail infrastructure and operations including proposals addressing, as appropriate—

''(1) short-term and long-term capital investment needs beyond the state-of-good-repair under section 208 of the Passenger Rail Investment and Improvement Act of 2008;

''(2) future funding requirements for capital improvements and maintenance;

''(3) operational improvements of intercity passenger rail, commuter rail, and freight rail services;

''(4) opportunities for additional non-rail uses of the Northeast Corridor;

''(5) scheduling and dispatching;

''(6) safety enhancements;

''(7) equipment design;

''(8) marketing of rail services; and

''(9) future capacity requirements.

''(c) ACCESS COSTS.—

''(1) DEVELOPMENT OF FORMULA.—Within 1 year after verification of Amtrak's new financial accounting system pursuant to section 203(b) of the Passenger Rail Investment and Improvement Act of 2008, the Commission shall—

''(A) develop a standardized formula for determining and allocating costs, revenues, and compensation for Northeast Corridor commuter rail passenger transportation, as defined in section 24102 of this title, that use National Railroad Passenger Corporation facilities or services or that provide such facilities or services to the National Railroad Passenger Corporation that ensure that—

''(i) there is no cross-subsidization of commuter rail passenger, intercity rail passenger, or freight rail transportation; and

''(ii) each service is assigned the costs incurred only for the benefit of that service, and a proportionate share, based upon factors that reasonably reflect relative use, of costs incurred for the common benefit of more than 1 service;

''(B) develop a proposed timetable for implementing the formula before the end of the 6th year following the date of enactment of that Act;

''(C) transmit the proposed timetable to the Surface Transportation Board; and

''(D) at the request of a Commission member, petition the Surface Transportation Board to appoint a mediator to assist the Commission members through non-binding mediation to reach an agreement under this section.

''(2) IMPLEMENTATION.—The National Railroad Passenger Corporation and the commuter authorities providing commuter rail passenger transportation on the Northeast Corridor shall implement new agreements for usage of facilities or services based on the formula proposed in paragraph (1) in accordance with the timetable established therein. If the entities fail to implement such new agreements in accordance with the timetable, the Commission shall petition the Surface Transportation Board to determine the appropriate compensation amounts for such services in accordance with section 24904(c) of this title. The Surface Transportation Board shall enforce its determination on the party or parties involved.

''(d) TRANSMISSION OF RECOMMENDATIONS.—The commission shall annually transmit the recommendations developed under subsection (b) and the formula and timetable developed under subsection (c)(1) to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.''.

(b) CONFORMING AMENDMENTS.—(1) Section 24904(c)(2) is amended by—

(A) inserting ''commuter rail passenger and'' after ''between''; and

(B) striking ''freight'' in the second sentence.

(2) The chapter analysis for chapter 249 is amended by striking the item relating to section 24905 and inserting the following:

''24905. Northeast Corridor Infrastructure and Operations Advisory Commission.''.

(c) ACELA SERVICE STUDY.—

(1) IN GENERAL.—Amtrak shall conduct a conduct a study to determine the infrastructure and equipment improvements necessary to provide regular Acela service—

(A) between Washington, DC and New York City—

(i) in 2 hours and 30 minutes;

(ii) in 2 hours and 15 minutes; and

(iii) in 2 hours; and

(B) between New York City and Boston—

(i) in 3 hours and 15 minutes;

(ii) in 3 hours; and

(iii) in 2 hours and 45 minutes.

(2) ISSUES.—The study conducted under paragraph (1) shall include—

(A) an estimated time frame for achieving the trip time described in paragraph (1);

(B) an analysis of any significant obstacles that would hinder such an achievement; and

(C) a detailed description and cost estimate of the specific infrastructure and equipment improvements necessary for such an achievement.

(3) REPORT.—Within 1 year after the date of enactment of this Act, Amtrak shall submit a written report containing the results of the study required under this subsection to—

(A) the Committee on Transportation and Infrastructure of the House of Representatives;

(B) the Committee on Appropriations of the House of Representatives;

(C) the Committee on Commerce, Science, and Transportation of the Senate;

(D) the Committee on Appropriations of the Senate; and

(E) the Federal Railroad Administration.

(4) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary of Transportation to enable Amtrak to conduct the study under this subsection $5,000,000.

SEC. 210. RESTRUCTURING LONG-TERM DEBT AND CAPITAL LEASES.

(a) IN GENERAL.—The Secretary of the Treasury, in consultation with the Secretary of Transportation and Amtrak, may make agreements to restructure Amtrak's indebtedness as of the date of enactment of this Act. This authorization expires 18 months after the date of enactment of this Act.

(b) DEBT RESTRUCTURING.—The Secretary of the Treasury, in consultation with the Secretary of Transportation and Amtrak, shall enter into negotiations with the holders of Amtrak debt, including leases, outstanding on the date of enactment of this Act for the purpose of restructuring (including repayment) and repaying that debt. The Secretary of the Treasury may secure agreements for restructuring or repayment on such terms as the Secretary of the Treasury deems favorable to the interests of the Government.

(c) CRITERIA.—In restructuring Amtrak's indebtedness, the Secretary of the Treasury and Amtrak—

(1) shall take into consideration repayment costs, the term of any loan or loans, and market conditions; and

(2) shall ensure that the restructuring results in significant savings to Amtrak and the United States Government.

(d) PAYMENT OF RENEGOTIATED DEBT.—If the criteria under subsection (c) are met, the Secretary of the Treasury may assume or repay the restructured debt, as appropriate.

(e) AMTRAK PRINCIPAL AND INTEREST PAYMENTS.—

(1) PRINCIPAL ON DEBT SERVICE.—Unless the Secretary of the Treasury makes sufficient payments to creditors under subsection (d) so that Amtrak is required to make no payments to creditors in a fiscal year, the Secretary of Transportation shall use funds authorized by section 102(a)(1) of this Act for the use of Amtrak for retirement of principal on loans for capital equipment, or capital leases.

(2) INTEREST ON DEBT.—Unless the Secretary of the Treasury makes sufficient payments to creditors under subsection (d) so that Amtrak is required to make no payments to creditors in a fiscal year, the Secretary of Transportation shall use funds authorized by section 102(a)(1) of this Act for the use of Amtrak for the payment of interest on loans for capital equipment, or capital leases.

(3) REDUCTIONS IN AUTHORIZATION LEVELS.—Whenever action taken by the Secretary of the Treasury under subsection (a) results in reductions in amounts of principal or interest that Amtrak must service on existing debt, the corresponding amounts authorized by section 102(a)(1) shall be reduced accordingly.

(f) LEGAL EFFECT OF PAYMENTS UNDER THIS SECTION.—The payment of principal and interest on secured debt, other than debt assumed under subsection (d), with the proceeds of grants under subsection (e) shall not—

(1) modify the extent or nature of any indebtedness of the National Railroad Passenger Corporation to the United States in existence of the date of enactment of this Act;

(2) change the private nature of Amtrak's or its successors' liabilities; or

(3) imply any Federal guarantee or commitment to amortize Amtrak's outstanding indebtedness.

(g) SECRETARY APPROVAL.—Amtrak may not incur more debt after the date of enactment of this Act without the express advance approval of the Secretary of Transportation.

(h) REPORT.—The Secretary of the Treasury shall transmit a report to the Committee on Transportation and Infrastructure of the House of Representatives, the Committee on Appropriations of the House of Representatives, the Committee on Commerce, Science, and Transportation of the Senate, and the Committee on Appropriations of the Senate, by November 1, 2009—

(1) describing in detail any agreements to restructure the Amtrak debt; and

(2) providing an estimate of the savings to Amtrak and the United States Government.

SEC. 211. STUDY OF COMPLIANCE REQUIREMENTS AT EXISTING INTERCITY RAIL STATIONS.

Amtrak, in consultation with station owners and other railroads operating service through the existing stations that it serves, shall evaluate the improvements necessary to make these stations readily accessible to and usable by individuals with disabilities, as required by such section 242(e)(2) of the Americans with Disabilities Act of 1990, as amended (42 U.S.C. 12162(e)(2)). The evaluation shall include, for each applicable station, improvements required to bring it into compliance with the applicable parts of such section 242(e)(2), any potential barriers to achieving compliance, the estimated cost of the improvements necessary, the identification of the responsible person (as defined in section 241(5) of that Act (42 U.S.C. 12161(5))), and the earliest practicable date when such improvements can be made. The evaluation shall also include an overall schedule for bringing all applicable stations into compliance with the applicable parts of section 242(e)(2). Amtrak shall submit the evaluation to the Committee on Transportation and Infrastructure of the House of Representatives; the Committee on Commerce, Science, and Transportation of the Senate; the Department of Transportation; and the National Council on Disability by July 1, 2009, along with recommendations for funding the necessary improvements. Should the Department of Transportation issue the Final Rule to its Notice of Proposed Rulemaking of February 27, 2006, on ''Transportation for Individuals with Disabilities,'' after Amtrak submits its evaluation, Amtrak shall, not later than 120 days after the date the Final Rule is published, submit to the above parties a supplemental evaluation on the impact of those changes on its cost and schedule for achieving full compliance.

SEC. 212. OVERSIGHT OF AMTRAK'S COMPLIANCE WITH ACCESSIBILITY REQUIREMENTS.

Using the funds authorized by section 101(f) of this Act, the Federal Railroad Administration shall monitor and conduct periodic reviews of Amtrak's compliance with applicable sections of the Americans with Disabilities Act of 1990 and the Rehabilitation Act of 1974 to ensure that Amtrak's services and facilities are accessible to individuals with disabilities to the extent required by law.

SEC. 213. ACCESS TO AMTRAK EQUIPMENT AND SERVICES.

If a State desires to select or selects an entity other than Amtrak to provide services required for the operation of an intercity passenger train route described in section 24102(5)(D) or 24702 of title 49, United States Code, the State may make an agreement with Amtrak to use facilities and equipment of, or have services provided by, Amtrak under terms agreed to by the State and Amtrak to enable the State to utilize an entity other than Amtrak to provide services required for operation of the route. If the parties cannot agree upon terms, and the Surface Transportation Board finds that access to Amtrak's facilities or equipment, or the provision of services by Amtrak, is necessary to carry out this provision and that the operation of Amtrak's other services will not be impaired thereby, the Surface Transportation Board shall, within 120 days after submission of the dispute, issue an order that the facilities and equipment be made available, and that services be provided, by Amtrak, and shall determine reasonable compensation, liability and other terms for use of the facilities and equipment and provision of the services. Compensation shall be determined in accordance with the methodology established pursuant to section 206 of this Act.

SEC. 214. GENERAL AMTRAK PROVISIONS.

(a) REPEAL OF SELF-SUFFICIENCY REQUIREMENTS.—

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

(A) by striking ''plan to operate within the funding levels authorized by section 24104 of this chapter, including budgetary goals for fiscal years 1998 through 2002.'' and inserting ''plan, consistent with section 204 of the Passenger Rail Investment and Improvement Act of 2008, including the budgetary goals for fiscal years 2009 through 2013.''; and

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

(2) AMTRAK REFORM AND ACCOUNTABILITY ACT AMENDMENTS.—Title II of the Amtrak Reform and Accountability Act of 1997 (49 U.S.C. 24101 nt) is amended by striking sections 204 and 205.

(b) LEASE ARRANGEMENTS.—Amtrak may obtain services from the Administrator of General Services, and the Administrator may provide services to Amtrak, under section 201(b) and 211(b) of the Federal Property and Administrative Service Act of 1949 (40 U.S.C. 481(b) and 491(b)) for each of fiscal years 2009 through 2013.

(c) TRAVEL FACILITATION.—Using existing authority or agreements, or upon reaching additional agreements with Canada, the Secretary of Transportation and other Federal agencies, as appropriate, are authorized to establish facilities and procedures to conduct preclearance of passengers traveling on Amtrak trains from Canada to the United States. The Secretary shall seek to establish such facilities and procedures in areas determined appropriate by the Secretary.

SEC. 215. AMTRAK MANAGEMENT ACCOUNTABILITY.

(a) IN GENERAL.—Chapter 243 is amended by inserting after section 24309 the following:

''§ 24310. Management accountability

''(a) IN GENERAL.—Three years after the date of enactment of the Passenger Rail Investment and Improvement Act of 2008, and two years thereafter, the Inspector General of the Department of Transportation shall complete an overall assessment of the progress made by Amtrak management and the Department of Transportation in implementing the provisions of that Act.

''(b) ASSESSMENT.—The management assessment undertaken by the Inspector General may include a review of—

''(1) effectiveness in improving annual financial planning;

''(2) effectiveness in implementing improved financial accounting;

''(3) efforts to implement minimum train performance standards;

''(4) progress maximizing revenues and minimizing Federal subsidies and improving financial results; and

''(5) any other aspect of Amtrak operations the Inspector General finds appropriate to review.''.

(b) CONFORMING AMENDMENT.—The chapter analysis for chapter 243 is amended by inserting after the item relating to section 24309 the following:

''24310. Management accountability.''.

SEC. 216. PASSENGER RAIL STUDY.

(a) IN GENERAL.—The Comptroller General of the General Accountability Office shall conduct a study to determine the potential cost and benefits of expanding passenger rail service options in underserved communities.

(b) SUBMISSION.—Not later than 1 year after the date of the enactment of this Act, the Comptroller General shall submit a report containing the results of the study conducted under this section to—

(1) the Committee on Transportation and Infrastructure of the House of Representatives; and

(2) the Committee on Commerce, Science, and Transportation of the Senate.

SEC. 217. CONGESTION GRANTS.

(a) AUTHORITY.—The Secretary of Transportation may make grants to States, or to Amtrak in cooperation with States, for financing the capital costs of facilities, infrastructure, and equipment for high priority rail corridor projects necessary to reduce congestion or facilitate ridership growth in intercity passenger rail transportation.

(b) ELIGIBLE PROJECTS.—Projects eligible for grants under this section include projects—

(1) identified by Amtrak as necessary to reduce congestion or facilitate ridership growth in intercity passenger rail transportation along heavily traveled rail corridors; and

(2) designated by the Secretary as being sufficiently advanced in development to be capable of serving the purposes described in subsection (a) on an expedited schedule.

(c) COMPLIANCE WITH ENVIRONMENTAL LAWS.—The Secretary shall not make a grant under this section for a project without adequate assurances that the project will be completed in full compliance with all applicable Federal and State environmental laws and regulations.

(d) FEDERAL SHARE.—The Federal share of the cost of a project financed under this section shall not exceed 80 percent.

(e) EMPLOYEE PROTECTION.—The recipient of a grant under this section shall agree to comply with the standards of section 24312 of title 49, United States Code, as such section was in effect on September 1, 2003, with respect to the project in the same manner that the National Railroad Passenger Corporation is required to comply with those standards for construction work financed under an agreement made under section 24308(a) of such title.

SEC. 218. PLAN FOR RESTORATION OF SERVICE.

(a) IN GENERAL.—Not later than 9 months after the date of enactment of this Act, Amtrak shall transmit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a plan for restoring passenger rail service between New Orleans, Louisiana, and Sanford, Florida. The plan shall include a projected timeline for restoring such service, the costs associated with restoring such service, and any proposals for legislation necessary to support such restoration of service. In developing the plan, Amtrak shall consult with representatives from the States of Louisiana, Alabama, Mississippi, and Florida, railroad carriers whose tracks may be used for such service, rail passengers, rail labor, and other entities as appropriate.

(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary of Transportation to enable Amtrak to conduct the study under this subsection $1,000,000.

SEC. 219. LOCOMOTIVE BIOFUEL STUDY.

(a) IN GENERAL.—The Administrator of the Federal Railroad Administration, in consultation with the Secretary of Energy and the Administrator of the Environmental Protection Agency, shall conduct a study to determine the extent to which freight and passenger rail operators could use biofuel blends to power its locomotive fleet and other vehicles that operate on rail tracks.

(b) DEFINITION.—For purposes of this section, the term ''biofuel'' means a fuel that utilizes renewable resources and is composed substantially

of a renewable resource blended with ethanol, methanol, or other additive.

(c) FACTORS.—In conducting the study, the Federal Railroad Administration shall consider—

(1) the energy intensity of various biofuel blends compared to diesel fuel;

(2) the emission benefits of using various biofuel blends compared to locomotive diesel fuel;

(3) the cost of purchasing biofuel blends;

(4) the public benefits derived from the use of such fuels; and

(5) the effect of biofuel use on relevant locomotive and other vehicle performance.

(d) LOCOMOTIVE TESTING.—As part of the study, the Federal Railroad Administration shall test locomotive engine performance and emissions using blends of biofuel and diesel fuel in order to recommend a premium locomotive biofuel blend.

(e) REPORT.—Not later than 1 year after the date of enactment of this Act, the Federal Railroad Administration shall issue the results of this study to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary of Transportation $1,000,000 to carry out this section, to remain available until expended.

SEC. 220. STUDY OF THE USE OF BIOBASED LUBRICANTS.

Not later than 180 days after the date of enactment of this Act, the Federal Railroad Administration shall transmit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report containing the results of a study of the feasibility of using readily biodegradable lubricants by freight and passenger railroads. The Federal Railroad Administration shall work with an agricultural-based lubricant testing facility or facilities to complete this study. The study shall include—

(1) an analysis of the potential use of soy-based grease and soy-based hydraulic fluids to perform according to railroad industry standards;

(2) an analysis of the potential use of other readily biodegradable lubricants to perform according to railroad industry standards;

(3) a comparison of the health and safety of petroleum-based lubricants with biobased lubricants, which shall include an analysis of fire safety; and

(4) a comparison of the environmental impact of petroleum-based lubricants with biobased lubricants, which shall include rate and effects of biodegradability.

SEC. 221. APPLICABILITY OF BUY AMERICAN ACT.

Section 24305(f) is amended to read as follows:

''(f) APPLICABILITY OF BUY AMERICAN ACT.—Amtrak shall be subject to the Buy American Act (41 U.S.C. 10a–d) and the regulations thereunder, for purchases of $100,000 or more.''.

SEC. 222. INTERCITY PASSENGER RAIL SERVICE PERFORMANCE.

(a) DEVELOPMENT OF EVALUATION METRICS.—Not later than 6 months after the date of enactment of this Act, the Inspector General of the Department of Transportation shall, using the financial and performance metrics developed under section 207, develop metrics for the evaluation of the performance and service quality of intercity passenger rail services including cost recovery, on-time performance and minutes of delay, ridership, onboard services, maintenance of facilities and equipment, and other services.

(b) IDENTIFICATION OF WORST PERFORMING ROUTES.—On the basis of these metrics, the Inspector General shall identify the five worst performing Amtrak routes.

(c) ALTERNATIVE ROUTES.—The Inspector General shall also establish criteria for evaluating routes not currently served by Amtrak which might be able to support passenger rail service at a reasonable cost.

(d) REPORT TO CONGRESS.—The Inspector General shall submit a report to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate recommending a process for the Department of Transportation to consider proposals by Amtrak and others to serve underperforming routes, and routes not currently served by Amtrak. The proposals shall require that applicants follow grant requirements of section 504. The Inspector General shall recommend one route not currently served by Amtrak and two routes (from among the five worst routes identified under subsection (b)) currently served by Amtrak, for the Department of Transportation to consider under the selection process.

(e) IMPLEMENTATION.—The Secretary shall not implement the selection process recommended by the Inspector General under subsection (d) until legislation has been enacted authorizing the Secretary to take such action.

SEC. 223. AMTRAK INSPECTOR GENERAL UTILIZATION STUDY.

Not later than 9 months after the date of enactment of this Act, the Amtrak Inspector General shall transmit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on Amtrak's utilization of its facilities, including the Beech Grove Repair facility in Indiana. The report shall include an examination of Amtrak's utilization of its existing facilities to determine the extent Amtrak is maximizing the opportunities for each facility, including any attempts to provide maintenance and repair to other rail carriers. In developing this report, the Amtrak Inspector General shall consult with other railroad carriers as it deems appropriate.

SEC. 224. AMTRAK SERVICE PREFERENCE STUDY.

Not later than 6 months after the date of enactment of this Act, the Surface Transportation Board shall transmit to the Congress a report containing—

(1) the findings of a study of the effectiveness of the implementation of section 24308(c) of title 49, United States Code, in ensuring the preference of Amtrak service over freight transportation service; and

(2) recommendations with respect to any regulatory or legislative actions that would improve such effectiveness.

TITLE III—INTERCITY PASSENGER RAIL POLICY

SEC. 301. CAPITAL ASSISTANCE FOR INTERCITY PASSENGER RAIL SERVICE; STATE RAIL PLANS.

(a) IN GENERAL.—Part C of subtitle V is amended by inserting the following after chapter 243:

''CHAPTER 244—INTERCITY PASSENGER RAIL SERVICE CORRIDOR CAPITAL ASSISTANCE

''Sec.
''24401. Definitions.
''24402. Capital investment grants to support intercity passenger rail service.
''24403. Project management oversight.
''24404. Use of capital grants to finance first-dollar liability of grant project.
''24405. Grant conditions.

''§ 24401. Definitions

''In this chapter:

''(1) APPLICANT.—The term 'applicant' means a State (including the District of Columbia), a group of States, an Interstate Compact, or a public agency established by one or more States and having responsibility for providing intercity passenger rail service.

''(2) CAPITAL PROJECT.—The term 'capital project' means a project or program in a State rail plan developed under chapter 225 of this title for—

''(A) acquiring, constructing, improving, or inspecting equipment, track and track structures, or a facility for use in or for the primary benefit of intercity passenger rail service, expenses incidental to the acquisition or construction (including designing, engineering, location surveying, mapping, environmental studies, and acquiring rights-of-way), payments for the capital portions of rail trackage rights agreements, highway-rail grade crossing improvements related to intercity passenger rail service, mitigating environmental impacts, communication and signalization improvements, relocation assistance, acquiring replacement housing sites, and acquiring, constructing, relocating, and rehabilitating replacement housing;

''(B) rehabilitating, remanufacturing or overhauling rail rolling stock and facilities used primarily in intercity passenger rail service;

''(C) costs associated with developing State rail plans; and

''(D) the first-dollar liability costs for insurance related to the provision of intercity passenger rail service under section 24404.

''(3) INTERCITY PASSENGER RAIL SERVICE.—The term 'intercity passenger rail service' means transportation services with the primary purpose of passenger transportation between towns, cities and metropolitan areas by rail, including high-speed rail, as defined in section 24102 of this title.

''§ 24402. Capital investment grants to support intercity passenger rail service

''(a) GENERAL AUTHORITY.—

''(1) The Secretary of Transportation may make grants under this section to an applicant to assist in financing the capital costs of facilities, infrastructure, and equipment necessary to provide or improve intercity passenger rail transportation.

''(2) The Secretary shall require that a grant under this section be subject to the terms, conditions, requirements, and provisions the Secretary decides are necessary or appropriate for the purposes of this section, including requirements for the disposition of net increases in value of real property resulting from the project assisted under this section and shall prescribe procedures and schedules for the awarding of grants under this title, including application and qualification procedures and a record of decision on applicant eligibility. The Secretary shall issue a final rule establishing such procedures not later than 90 days after the date of enactment of the Passenger Rail Investment and Improvement Act of 2008.

''(b) PROJECT AS PART OF STATE RAIL PLAN.—

''(1) The Secretary may not approve a grant for a project under this section unless the Secretary finds that the project is part of a State rail plan developed under chapter 225 of this title, or under the plan required by section 302 of the Passenger Rail Investment and Improvement Act of 2008, and that the applicant or recipient has or will have the legal, financial, and technical capacity to carry out the project, satisfactory continuing control over the use of the equipment or facilities, and the capability and willingness to maintain the equipment or facilities.

''(2) An applicant shall provide sufficient information upon which the Secretary can make the findings required by this subsection.

''(3) If an applicant has not selected the proposed operator of its service competitively, the applicant shall provide written justification to the Secretary showing why the proposed operator is the best, taking into account price and other factors, and that use of the proposed operator will not unnecessarily increase the cost of the project.

''(c) PROJECT SELECTION CRITERIA.—The Secretary, in selecting the recipients of financial assistance to be provided under subsection (a), shall—

''(1) require that each proposed project meet all safety requirements that are applicable to the project under law;

''(2) give preference to projects with high levels of estimated ridership, increased on-time performance, reduced trip time, additional service frequency to meet anticipated or existing demand, or other significant service enhancements as measured against minimum standards developed under section 207 of the Passenger Rail Investment and Improvement Act of 2008;

''(3) encourage intermodal connectivity through projects that provide direct connections between train stations, airports, bus terminals, subway stations, ferry ports, and other modes of transportation;

''(4) ensure that each project is compatible with, and is operated in conformance with—

''(A) plans developed pursuant to the requirements of section 135 of title 23, United States Code; and

''(B) the national rail plan (if it is available); and

''(5) favor the following kinds of projects:

''(A) Projects that are expected to have a significant favorable impact on air or highway traffic congestion, capacity, or safety.

''(B) Projects that improve freight or commuter rail operations.

''(C) Projects that have significant environmental benefits, including projects that involve the purchase of environmentally sensitive, fuel-efficient, and cost-effective passenger rail equipment.

''(D) Projects that are—

''(i) at a stage of preparation that all pre-commencement compliance with environmental protection requirements has already been completed; and

''(ii) ready to be commenced.

''(E) Projects with positive economic and employment impacts.

''(F) Projects that encourage the use of positive train control technologies.

''(G) Projects that have commitments of funding from non-Federal Government sources in a total amount that exceeds the minimum amount of the non-Federal contribution required for the project.

''(H) Projects that involve donated property interests or services.

''(I) Projects that are identified by the Surface Transportation Board as necessary to improve the on time performance and reliability of intercity passenger rail under section 24308(f).

''(J) Projects described in section 5302(a)(1)(G) of this title that are designed to support intercity passenger rail service.

''(K) Projects that encourage intermodal connectivity, create significant opportunity for State and private contributions toward station development, are energy and environmentally efficient, and have economic benefits.

''(d) AMTRAK ELIGIBILITY.—To receive a grant under this section, the National Railroad Passenger Corporation may enter into a cooperative agreement with 1 or more States to carry out 1 or more projects on a State rail plan's ranked list of rail capital projects developed under section 22504(a)(5) of this title.

''(e) LETTERS OF INTENT, FULL FUNDING GRANT AGREEMENTS, AND EARLY SYSTEMS WORK AGREEMENTS.—

''(1)(A) The Secretary may issue a letter of intent to an applicant announcing an intention to obligate, for a major capital project under this section, an amount from future available budget authority specified in law that is not more than the amount stipulated as the financial participation of the Secretary in the project.

''(B) At least 30 days before issuing a letter under subparagraph (A) of this paragraph or entering into a full funding grant agreement, the Secretary shall notify in writing the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate and the House and Senate Committees on Appropriations of the proposed letter or agreement. The Secretary shall include with the notification a copy of the proposed letter or agreement as well as the evaluations and ratings for the project.

''(C) An obligation or administrative commitment may be made only when amounts are appropriated.

''(2)(A) The Secretary may make a full funding grant agreement with an applicant. The agreement shall—

''(i) establish the terms of participation by the United States Government in a project under this section;

''(ii) establish the maximum amount of Government financial assistance for the project;

''(iii) cover the period of time for completing the project, including a period extending beyond the period of an authorization; and

''(iv) make timely and efficient management of the project easier according to the law of the United States.

''(B) An agreement under this paragraph obligates an amount of available budget authority specified in law and may include a commitment, contingent on amounts to be specified in law in advance for commitments under this paragraph, to obligate an additional amount from future available budget authority specified in law. The agreement shall state that the contingent commitment is not an obligation of the Government and is subject to the availability of appropriations made by Federal law and to Federal laws in force on or enacted after the date of the contingent commitment. Interest and other financing costs of efficiently carrying out a part of the project within a reasonable time are a cost of carrying out the project under a full funding grant agreement, except that eligible costs may not be more than the cost of the most favorable financing terms reasonably available for the project at the time of borrowing. The applicant shall certify, in a way satisfactory to the Secretary, that the applicant has shown reasonable diligence in seeking the most favorable financing terms.

''(3)(A) The Secretary may make an early systems work agreement with an applicant if a record of decision under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) has been issued on the project and the Secretary finds there is reason to believe—

''(i) a full funding grant agreement for the project will be made; and

''(ii) the terms of the work agreement will promote ultimate completion of the project more rapidly and at less cost.

''(B) A work agreement under this paragraph obligates an amount of available budget authority specified in law and shall provide for reimbursement of preliminary costs of carrying out the project, including land acquisition, timely procurement of system elements for which specifications are decided, and other activities the Secretary decides are appropriate to make efficient, long-term project management easier. A work agreement shall cover the period of time the Secretary considers appropriate. The period may extend beyond the period of current authorization. Interest and other financing costs of efficiently carrying out the work agreement within a reasonable time are a cost of carrying out the agreement, except that eligible costs may not be more than the cost of the most favorable financing terms reasonably available for the project at the time of borrowing. The applicant shall certify, in a way satisfactory to the Secretary, that the applicant has shown reasonable diligence in seeking the most favorable financing terms. If an applicant does not carry out the project for reasons within the control of the applicant, the applicant shall repay all Government payments made under the work agreement plus reasonable interest and penalty charges the Secretary establishes in the agreement.

''(4) The total estimated amount of future obligations of the Government and contingent commitments to incur obligations covered by all outstanding letters of intent, full funding grant agreements, and early systems work agreements may be not more than the amount authorized under section 101(d) of the Passenger Rail Investment and Improvement Act of 2008, less an amount the Secretary reasonably estimates is necessary for grants under this section not covered by a letter. The total amount covered by new letters and contingent commitments included in full funding grant agreements and early systems work agreements may be not more than a limitation specified in law.

''(f) FEDERAL SHARE OF NET PROJECT COST.—

''(1)(A) Based on engineering studies, studies of economic feasibility, and information on the expected use of equipment or facilities, the Secretary shall estimate the net project cost.

''(B) A grant for the project shall not exceed 80 percent of the project net capital cost.

''(C) The Secretary shall give priority in allocating future obligations and contingent commitments to incur obligations to grant requests seeking a lower Federal share of the project net capital cost.

''(2) Up to an additional 20 percent of the required non-Federal funds may be funded from amounts appropriated to or made available to a department or agency of the Federal Government that are eligible to be expended for transportation.

''(3) 50 percent of the average amounts expended by a State or group of States (including the District of Columbia) for capital projects to benefit intercity passenger rail service and operating costs in fiscal years 2002, 2003, 2004, 2005, 2006, 2007, and 2008 shall be credited towards the matching requirements for grants awarded in fiscal years 2009, 2010, and 2011 under this section. The Secretary may require such information as necessary to verify such expenditures.

''(4) 50 percent of the average amounts expended by a State or group of States (including the District of Columbia) in a fiscal year, beginning in fiscal year 2007, for capital projects to benefit intercity passenger rail service or for the operating costs of such service above the average capital and operating expenditures made for such service in fiscal years 2004, 2005, 2006, 2007, and 2008 shall be credited towards the matching requirements for grants awarded under this section. The Secretary may require such information as necessary to verify such expenditures.

''(g) UNDERTAKING PROJECTS IN ADVANCE.—

''(1) The Secretary may pay the Federal share of the net capital project cost to an applicant that carries out any part of a project described in this section according to all applicable procedures and requirements if—

''(A) the applicant applies for the payment;

''(B) the Secretary approves the payment; and

''(C) before carrying out the part of the project, the Secretary approves the plans and specifications for the part in the same way as other projects under this section.

''(2) The cost of carrying out part of a project includes the amount of interest earned and payable on bonds issued by the applicant to the extent proceeds of the bonds are expended in carrying out the part. However, the amount of interest under this paragraph may not be more than the most favorable interest terms reasonably available for the project at the time of borrowing. The applicant shall certify, in a manner satisfactory to the Secretary, that the applicant has shown reasonable diligence in seeking the most favorable financial terms.

''(3) The Secretary shall consider changes in capital project cost indices when determining the estimated cost under paragraph (2) of this subsection.

''(h) 2-YEAR AVAILABILITY.—Funds appropriated under this section shall remain available until expended. If any amount provided as a grant under this section is not obligated or expended for the purposes described in subsection (a) within 2 years after the date on which the

State received the grant, such sums shall be returned to the Secretary for other intercity passenger rail development projects under this section at the discretion of the Secretary.

''(i) SPECIAL TRANSPORTATION CIRCUMSTANCES.—In carrying out this section, the Secretary shall allocate an appropriate portion of the amounts available under this section to provide grants to States—

''(1) in which there is no intercity passenger rail service for the purpose of funding freight rail capital projects that are on a State rail plan developed under chapter 225 of this title that provide public benefits (as defined in chapter 225) as determined by the Secretary; or

''(2) in which the rail transportation system is not physically connected to rail systems in the continental United States or may not otherwise qualify for a grant under this section due to the unique characteristics of the geography of that State or other relevant considerations, for the purpose of funding transportation-related capital projects.

''(j) SMALL CAPITAL PROJECTS.—The Secretary shall make available $10,000,000 annually from the amounts authorized under section 101(d) of the Passenger Rail Investment and Improvement Act of 2008 beginning in fiscal year 2009 for grants for capital projects eligible under this section not exceeding $2,000,000, including costs eligible under section 206(c) of that Act. The Secretary may wave requirements of this section, including state rail plan requirements, as appropriate.

''§ 24403. Project management oversight

''(a) PROJECT MANAGEMENT PLAN REQUIREMENTS.—To receive Federal financial assistance for a major capital project under this chapter, an applicant must prepare and carry out a project management plan approved by the Secretary of Transportation. The plan shall provide for—

''(1) adequate recipient staff organization with well-defined reporting relationships, statements of functional responsibilities, job descriptions, and job qualifications;

''(2) a budget covering the project management organization, appropriate consultants, property acquisition, utility relocation, systems demonstration staff, audits, and miscellaneous payments the recipient may be prepared to justify;

''(3) a construction schedule for the project;

''(4) a document control procedure and recordkeeping system;

''(5) a change order procedure that includes a documented, systematic approach to handling the construction change orders;

''(6) organizational structures, management skills, and staffing levels required throughout the construction phase;

''(7) quality control and quality assurance functions, procedures, and responsibilities for construction, system installation, and integration of system components;

''(8) material testing policies and procedures;

''(9) internal plan implementation and reporting requirements;

''(10) criteria and procedures to be used for testing the operational system or its major components;

''(11) periodic updates of the plan, especially related to project budget and project schedule, financing, and ridership estimates; and

''(12) the recipient's commitment to submit a project budget and project schedule to the Secretary each month.

''(b) SECRETARIAL OVERSIGHT.—

''(1) The Secretary may use no more than 0.5 percent of amounts made available in a fiscal year for capital projects under this chapter to enter into contracts to oversee the construction of such projects.

''(2) The Secretary may use amounts available under paragraph (1) of this subsection to make contracts for safety, procurement, management, and financial compliance reviews and audits of a recipient of amounts under paragraph (1).

''(3) The Federal Government shall pay the entire cost of carrying out a contract under this subsection.

''(c) ACCESS TO SITES AND RECORDS.—Each recipient of assistance under this chapter shall provide the Secretary and a contractor the Secretary chooses under subsection (c) of this section with access to the construction sites and records of the recipient when reasonably necessary.

''§ 24404. Use of capital grants to finance first-dollar liability of grant project

''Notwithstanding the requirements of section 24402 of this chapter, the Secretary of Transportation may approve the use of capital assistance under this chapter to fund self-insured retention of risk for the first tier of liability insurance coverage for rail passenger service associated with the capital assistance grant, but the coverage may not exceed $20,000,000 per occurrence or $20,000,000 in aggregate per year.

''§ 24405. Grant conditions

''(a) DOMESTIC BUYING PREFERENCE.—

''(1) REQUIREMENT.—

''(A) IN GENERAL.—In carrying out a project funded in whole or in part with a grant under this title, the grant recipient shall purchase only—

''(i) unmanufactured articles, material, and supplies mined or produced in the United States; or

''(ii) manufactured articles, material, and supplies manufactured in the United States substantially from articles, material, and supplies mined, produced, or manufactured in the United States.

''(B) DE MINIMIS AMOUNT.—Subparagraph (A) applies only to a purchase in an total amount that is not less than $1,000,000.

''(2) EXEMPTIONS.—On application of a recipient, the Secretary may exempt a recipient from the requirements of this subsection if the Secretary decides that, for particular articles, material, or supplies—

''(A) such requirements are inconsistent with the public interest;

''(B) the cost of imposing the requirements is unreasonable; or

''(C) the articles, material, or supplies, or the articles, material, or supplies from which they are manufactured, are not mined, produced, or manufactured in the United States in sufficient and reasonably available commercial quantities and are not of a satisfactory quality.

''(3) UNITED STATES DEFINED.—In this subsection, the term 'the United States' means the States, territories, and possessions of the United States and the District of Columbia.

''(b) OPERATORS DEEMED RAIL CARRIERS AND EMPLOYERS FOR CERTAIN PURPOSES.—A person that conducts rail operations over rail infrastructure constructed or improved with funding provided in whole or in part in a grant made under this title shall be considered a rail carrier as defined in section 10102(5) of this title for purposes of this title and any other statute that adopts that definition or in which that definition applies, including—

''(1) the Railroad Retirement Act of 1974 (45 U.S.C. 231 et seq.);

''(2) the Railway Labor Act (43 U.S.C. 151 et seq.); and

''(3) the Railroad Unemployment Insurance Act (45 U.S.C. 351 et seq.).

''(c) GRANT CONDITIONS.—The Secretary shall require as a condition of making any grant under this title for a project that uses rights-of-way owned by a railroad that—

''(1) a written agreement exist between the applicant and the railroad regarding such use and ownership, including—

''(A) any compensation for such use;

''(B) assurances regarding the adequacy of infrastructure capacity to accommodate both existing and future freight and passenger operations;

''(C) an assurance by the railroad that collective bargaining agreements with the railroad's employees (including terms regulating the contracting of work) will remain in full force and effect according to their terms for work performed by the railroad on the railroad transportation corridor; and

''(D) an assurance that an applicant complies with liability requirements consistent with section 28103 of this title; and

''(2) the applicant agrees to comply with—

''(A) the standards of section 24312 of this title, as such section was in effect on September 1, 2003, with respect to the project in the same manner that the National Railroad Passenger Corporation is required to comply with those standards for construction work financed under an agreement made under section 24308(a) of this title; and

''(B) the protective arrangements established under section 504 of the Railroad Revitalization and Regulatory Reform Act of 1976 (45 U.S.C. 836) with respect to employees affected by actions taken in connection with the project to be financed in whole or in part by grants under this chapter.

''(d) REPLACEMENT OF EXISTING INTERCITY PASSENGER RAIL SERVICE.—

''(1) COLLECTIVE BARGAINING AGREEMENT FOR INTERCITY PASSENGER RAIL PROJECTS.—Any entity providing intercity passenger railroad transportation that begins operations after the date of enactment of this Act on a project funded in whole or in part by grants made under this title and replaces intercity rail passenger service that was provided by Amtrak, unless such service was provided solely by Amtrak to another entity, as of such date shall enter into an agreement with the authorized bargaining agent or agents for adversely affected employees of the predecessor provider that—

''(A) gives each such qualified employee of the predecessor provider priority in hiring according to the employee's seniority on the predecessor provider for each position with the replacing entity that is in the employee's craft or class and is available within 3 years after the termination of the service being replaced;

''(B) establishes a procedure for notifying such an employee of such positions;

''(C) establishes a procedure for such an employee to apply for such positions; and

''(D) establishes rates of pay, rules, and working conditions.

''(2) IMMEDIATE REPLACEMENT SERVICE.—

''(A) NEGOTIATIONS.—If the replacement of preexisting intercity rail passenger service occurs concurrent with or within a reasonable time before the commencement of the replacing entity's rail passenger service, the replacing entity shall give written notice of its plan to replace existing rail passenger service to the authorized collective bargaining agent or agents for the potentially adversely affected employees of the predecessor provider at least 90 days before the date on which it plans to commence service. Within 5 days after the date of receipt of such written notice, negotiations between the replacing entity and the collective bargaining agent or agents for the employees of the predecessor provider shall commence for the purpose of reaching agreement with respect to all matters set forth in subparagraphs (A) through (D) of paragraph (1). The negotiations shall continue for 30 days or until an agreement is reached, whichever is sooner. If at the end of 30 days the parties have not entered into an agreement with respect to all such matters, the unresolved issues shall be submitted for arbitration in accordance with the procedure set forth in subparagraph (B).

''(B) ARBITRATION.—If an agreement has not been entered into with respect to all matters set forth in subparagraphs (A) through (D) of paragraph (1) as described in subparagraph (A) of this paragraph, the parties shall select an arbitrator. If the parties are unable to agree upon the selection of such arbitrator within 5 days, either or both parties shall notify the National Mediation Board, which shall provide a list of

seven arbitrators with experience in arbitrating rail labor protection disputes. Within 5 days after such notification, the parties shall alternately strike names from the list until only 1 name remains, and that person shall serve as the neutral arbitrator. Within 45 days after selection of the arbitrator, the arbitrator shall conduct a hearing on the dispute and shall render a decision with respect to the unresolved issues among the matters set forth in subparagraphs (A) through (D) of paragraph (1). This decision shall be final, binding, and conclusive upon the parties. The salary and expenses of the arbitrator shall be borne equally by the parties; all other expenses shall be paid by the party incurring them.

''(3) SERVICE COMMENCEMENT.—A replacing entity under this subsection shall commence service only after an agreement is entered into with respect to the matters set forth in subparagraphs (A) through (D) of paragraph (1) or the decision of the arbitrator has been rendered.

''(4) SUBSEQUENT REPLACEMENT OF SERVICE.—If the replacement of existing rail passenger service takes place within 3 years after the replacing entity commences intercity passenger rail service, the replacing entity and the collective bargaining agent or agents for the adversely affected employees of the predecessor provider shall enter into an agreement with respect to the matters set forth in subparagraphs (A) through (D) of paragraph (1). If the parties have not entered into an agreement with respect to all such matters within 60 days after the date on which the replacing entity replaces the predecessor provider, the parties shall select an arbitrator using the procedures set forth in paragraph (2)(B), who shall, within 20 days after the commencement of the arbitration, conduct a hearing and decide all unresolved issues. This decision shall be final, binding, and conclusive upon the parties.

''(e) INAPPLICABILITY TO CERTAIN RAIL OPERATIONS.—Nothing in this section applies to—

''(1) commuter rail passenger transportation (as defined in section 24102(4) of this title) operations of a State or local government authority (as those terms are defined in section 5302(11) and (6), respectively, of this title) eligible to receive financial assistance under section 5307 of this title, or to its contractor performing services in connection with commuter rail passenger operations (as so defined);

''(2) the Alaska Railroad or its contractors; or

''(3) the National Railroad Passenger Corporation's access rights to railroad rights of way and facilities under current law.''.

(b) CONFORMING AMENDMENT.—The chapter analysis for subtitle V is amended by inserting the following after the item relating to chapter 243:

''244. INTERCITY PASSENGER RAIL SERVICE CORRIDOR CAPITAL ASSISTANCE ..... 24401''.

SEC. 302. STATE RAIL PLANS.

(a) IN GENERAL.—Part B of subtitle V is amended by adding at the end the following:

''CHAPTER 225—STATE RAIL PLANS AND HIGH PRIORITY PROJECTS

''Sec.
''22501. Definitions.
''22502. Authority.
''22503. Purposes.
''22504. Transparency; coordination; review.
''22505. Content.
''22506. Review.

''§ 22501. Definitions

''In this chapter:

''(1) PRIVATE BENEFIT.—

''(A) IN GENERAL.—The term 'private benefit'—

''(i) means a benefit accrued to a person or private entity, other than the National Railroad Passenger Corporation, that directly improves the economic and competitive condition of that person or entity through improved assets, cost reductions, service improvements, or any other means as defined by the Secretary; and

''(ii) shall be determined on a project-by-project basis, based upon an agreement between the parties.

''(B) CONSULTATION.—The Secretary may seek the advice of the States and rail carriers in further defining this term.

''(2) PUBLIC BENEFIT.—

''(A) IN GENERAL.—The term 'public benefit'—

''(i) means a benefit accrued to the public in the form of enhanced mobility of people or goods, environmental protection or enhancement, congestion mitigation, enhanced trade and economic development, improved air quality or land use, more efficient energy use, enhanced public safety, reduction of public expenditures due to improved transportation efficiency or infrastructure preservation, and any other positive community effects as defined by the Secretary; and

''(ii) shall be determined on a project-by-project basis, based upon an agreement between the parties.

''(B) CONSULTATION.—The Secretary may seek the advice of the States and rail carriers in further defining this term.

''(3) STATE.—The term 'State' means any of the 50 States and the District of Columbia.

''(4) STATE RAIL TRANSPORTATION AUTHORITY.—The term 'State rail transportation authority' means the State agency or official responsible under the direction of the Governor of the State or a State law for preparation, maintenance, coordination, and administration of the State rail plan.

''§ 22502. Authority

''(a) IN GENERAL.—Each State may prepare and maintain a State rail plan in accordance with the provisions of this chapter.

''(b) REQUIREMENTS.—For the preparation and periodic revision of a State rail plan, a State shall—

''(1) establish or designate a State rail transportation authority to prepare, maintain, coordinate, and administer the plan;

''(2) establish or designate a State rail plan approval authority to approve the plan;

''(3) submit the State's approved plan to the Secretary of Transportation for review; and

''(4) revise and resubmit a State-approved plan no less frequently than once every 5 years for reapproval by the Secretary.

''§ 22503. Purposes

''(a) PURPOSES.—The purposes of a State rail plan are as follows:

''(1) To set forth State policy involving freight and passenger rail transportation, including commuter rail operations, in the State.

''(2) To establish the period covered by the State rail plan.

''(3) To present priorities and strategies to enhance rail service in the State that benefits the public.

''(4) To serve as the basis for Federal and State rail investments within the State.

''(b) COORDINATION.—A State rail plan shall be coordinated with other State transportation planning goals and programs and set forth rail transportation's role within the State transportation system.

''§ 22504. Transparency; coordination; review

''(a) PREPARATION.—A State shall provide adequate and reasonable notice and opportunity for comment and other input to the public, rail carriers, commuter and transit authorities operating in, or affected by rail operations within the State, units of local government, and other interested parties in the preparation and review of its State rail plan.

''(b) INTERGOVERNMENTAL COORDINATION.—A State shall review the freight and passenger rail service activities and initiatives by regional planning agencies, regional transportation authorities, and municipalities within the State, or in the region in which the State is located, while preparing the plan, and shall include any recommendations made by such agencies, authorities, and municipalities as deemed appropriate by the State.

''§ 22505. Content

''(a) IN GENERAL.—Each State rail plan shall contain the following:

''(1) An inventory of the existing overall rail transportation system and rail services and facilities within the State and an analysis of the role of rail transportation within the State's surface transportation system.

''(2) A review of all rail lines within the State, including proposed high-speed rail corridors and significant rail line segments not currently in service.

''(3) A statement of the State's passenger rail service objectives, including minimum service levels, for rail transportation routes in the State.

''(4) A general analysis of rail's transportation, economic, and environmental impacts in the State, including congestion mitigation, trade and economic development, air quality, land-use, energy-use, and community impacts.

''(5) A long-range rail investment program for current and future freight and passenger infrastructure in the State that meets the requirements of subsection (b).

''(6) A statement of public financing issues for rail projects and service in the State, including a list of current and prospective public capital and operating funding resources, public subsidies, State taxation, and other financial policies relating to rail infrastructure development.

''(7) An identification of rail infrastructure issues within the State that reflects consultation with all relevant stake holders.

''(8) A review of major passenger and freight intermodal rail connections and facilities within the State, including seaports, and prioritized options to maximize service integration and efficiency between rail and other modes of transportation within the State.

''(9) A review of publicly funded projects within the State to improve rail transportation safety, including all major projects funded under section 130 of title 23.

''(10) A performance evaluation of passenger rail services operating in the State, including possible improvements in those services, and a description of strategies to achieve those improvements.

''(11) A compilation of studies and reports on high-speed rail corridor development within the State not included in a previous plan under this chapter, and a plan for funding any recommended development of such corridors in the State.

''(12) A statement that the State is in compliance with the requirements of section 22102.

''(b) LONG-RANGE SERVICE AND INVESTMENT PROGRAM.—

''(1) PROGRAM CONTENT.—A long-range rail investment program included in a State rail plan under subsection (a)(5) shall include the following matters:

''(A) A list of any rail capital projects expected to be undertaken or supported in whole or in part by the State.

''(B) A detailed funding plan for those projects.

''(2) PROJECT LIST CONTENT.—The list of rail capital projects shall contain—

''(A) a description of the anticipated public and private benefits of each such project; and

''(B) a statement of the correlation between—

''(i) public funding contributions for the projects; and

''(ii) the public benefits.

''(3) CONSIDERATIONS FOR PROJECT LIST.—In preparing the list of freight and intercity passenger rail capital projects, a State rail transportation authority should take into consideration the following matters:

''(A) Contributions made by non-Federal and non-State sources through user fees, matching funds, or other private capital involvement.

''(B) Rail capacity and congestion effects.

''(C) Effects on highway, aviation, and maritime capacity, congestion, or safety.

''(D) Regional balance.

''(E) Environmental impact.

''(F) Economic and employment impacts.

''(G) Projected ridership and other service measures for passenger rail projects.

''§ 22506. Review

''The Secretary shall prescribe procedures for States to submit State rail plans for review under this title, including standardized format and data requirements. State rail plans completed before the date of enactment of the Passenger Rail Investment and Improvement Act of 2008 that substantially meet the requirements of this chapter, as determined by the Secretary, shall be deemed by the Secretary to have met the requirements of this chapter.''.

(b) CONFORMING AMENDMENT.—The chapter analysis for subtitle V is amended by inserting the following after the item relating to chapter 223:

''225. STATE RAIL PLANS AND HIGH PRIORITY PROJECTS ..... 22501''.

SEC. 303. NEXT GENERATION CORRIDOR TRAIN EQUIPMENT POOL.

(a) IN GENERAL.—Within 180 days after the date of enactment of this Act, Amtrak shall establish a Next Generation Corridor Equipment Pool Committee, comprised of representatives of Amtrak, the Federal Railroad Administration, host freight railroad companies, passenger railroad equipment manufacturers, and other passenger railroad operators as appropriate and interested States. The purpose of the Committee shall be to design, develop specifications for, and procure standardized next-generation corridor equipment.

(b) FUNCTIONS.—The Committee may—

(1) determine the number of different types of equipment required, taking into account variations in operational needs and corridor infrastructure;

(2) establish a pool of equipment to be used on corridor routes funded by participating States; and

(3) subject to agreements between Amtrak and States, utilize services provided by Amtrak to design, maintain and remanufacture equipment.

(c) COOPERATIVE AGREEMENTS.—Amtrak and States participating in the Committee may enter into agreements for the funding, procurement, remanufacture, ownership and management of corridor equipment, including equipment currently owned or leased by Amtrak and next-generation corridor equipment acquired as a result of the Committee's actions, and may establish a corporation, which may be owned or jointly owned by Amtrak, participating States or other entities, to perform these functions.

(d) FUNDING.—In addition to the authorization provided in section 103(2) of this Act, capital projects to carry out the purposes of this section shall be eligible for grants made pursuant to chapter 244 of title 49, United States Code.

SEC. 304. RAIL COOPERATIVE RESEARCH PROGRAM.

(a) ESTABLISHMENT AND CONTENT.—Chapter 249 is amended by adding at the end the following:

''§ 24910. Rail cooperative research program

''(a) IN GENERAL.—The Secretary shall establish and carry out a rail cooperative research program. The program shall—

''(1) address, among other matters, intercity rail passenger and freight rail services, including existing rail passenger and freight technologies and speeds, incrementally enhanced rail systems and infrastructure, and new high-speed wheel-on-rail systems;

''(2) address ways to expand the transportation of international trade traffic by rail, enhance the efficiency of intermodal interchange at ports and other intermodal terminals, and increase capacity and availability of rail service for seasonal freight needs;

''(3) consider research on the interconnectedness of commuter rail, passenger rail, freight rail, and other rail networks; and

''(4) give consideration to regional concerns regarding rail passenger and freight transportation, including meeting research needs common to designated high-speed corridors, long-distance rail services, and regional intercity rail corridors, projects, and entities.

''(b) CONTENT.—The program to be carried out under this section shall include research designed—

''(1) to identify the unique aspects and attributes of rail passenger and freight service;

''(2) to develop more accurate models for evaluating the impact of rail passenger and freight service, including the effects on highway and airport and airway congestion, environmental quality, and energy consumption;

''(3) to develop a better understanding of modal choice as it affects rail passenger and freight transportation, including development of better models to predict utilization;

''(4) to recommend priorities for technology demonstration and development;

''(5) to meet additional priorities as determined by the advisory board established under subsection (c), including any recommendations made by the National Research Council;

''(6) to explore improvements in management, financing, and institutional structures;

''(7) to address rail capacity constraints that affect passenger and freight rail service through a wide variety of options, ranging from operating improvements to dedicated new infrastructure, taking into account the impact of such options on operations;

''(8) to improve maintenance, operations, customer service, or other aspects of intercity rail passenger and freight service;

''(9) to recommend objective methodologies for determining intercity passenger rail routes and services, including the establishment of new routes, the elimination of existing routes, and the contraction or expansion of services or frequencies over such routes;

''(10) to review the impact of equipment and operational safety standards on the further development of high-speed passenger rail operations connected to or integrated with non-high-speed freight or passenger rail operations;

''(11) to recommend any legislative or regulatory changes necessary to foster further development and implementation of high-speed passenger rail operations while ensuring the safety of such operations that are connected to or integrated with non-high-speed freight or passenger rail operations; and

''(12) to review rail crossing safety improvements, including improvements using new safety technology.

''(c) ADVISORY BOARD.—

''(1) ESTABLISHMENT.—In consultation with the heads of appropriate Federal departments and agencies, the Secretary shall establish an advisory board to recommend research, technology, and technology transfer activities related to rail passenger and freight transportation.

''(2) MEMBERSHIP.—The advisory board shall include—

''(A) representatives of State transportation agencies;

''(B) transportation and environmental economists, scientists, and engineers; and

''(C) representatives of Amtrak, the Alaska Railroad, freight railroads, transit operating agencies, intercity rail passenger agencies, railway labor organizations, and environmental organizations.

''(d) NATIONAL ACADEMY OF SCIENCES.—The Secretary may make grants to, and enter into cooperative agreements with, the National Academy of Sciences to carry out such activities relating to the research, technology, and technology transfer activities described in subsection (b) as the Secretary deems appropriate.''.

(b) CLERICAL AMENDMENT.—The chapter analysis for chapter 249 is amended by adding at the end the following:

''24910. Rail cooperative research program.''.

SEC. 305. PASSENGER RAIL SYSTEM COMPARISON STUDY.

(a) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Comptroller General of the United States shall complete a study that compares the passenger rail system in the United States with the passenger rail systems in Canada, Germany, Great Britain, France, China, Spain, and Japan.

(b) ISSUES TO BE STUDIED.—The study conducted under subsection (a) shall include a country-by-country comparison of—

(1) the development of high-speed rail;

(2) passenger rail operating costs;

(3) the amount and payment source of rail line construction and maintenance costs;

(4) the amount and payment source of station construction and maintenance costs;

(5) passenger rail debt service costs;

(6) passenger rail labor agreements and associated costs;

(7) the net profit realized by the major passenger rail service providers in each of the 4 most recent quarters;

(8) the percentage of the passenger rail system's costs that are paid from general government revenues; and

(9) the method used by the government to provide the subsidies described in paragraph (8).

(c) REPORT.—Not later than 180 days after the completion of the study under subsection (a), the Comptroller General shall submit a report containing the findings of such study to—

(1) the Committee on Transportation and Infrastructure of the House of Representatives; and

(2) the Committee on Commerce, Science, and Transportation of the Senate.

TITLE IV—COMMUTER RAIL TRANSIT ENHANCEMENT

SEC. 401. COMMUTER RAIL TRANSIT ENHANCEMENT.

(a) AMENDMENT.—Part E of subtitle V is amended by adding at the end the following:

''CHAPTER 285—COMMUTER RAIL TRANSIT ENHANCEMENT

''Sec.

''28501. Definitions

''28502. Surface Transportation Board mediation of trackage use requests.

''28503. Surface Transportation Board mediation of rights-of-way use requests.

''28504. Applicability of other laws.

''28505. Rules and regulations.

''§ 28501. Definitions

''In this chapter—

''(1) the term 'Board' means the Surface Transportation Board;

''(2) the term 'capital work' means maintenance, restoration, reconstruction, capacity enhancement, or rehabilitation work on trackage that would be treated, in accordance with generally accepted accounting principles, as a capital item rather than an expense;

''(3) the term 'fixed guideway transportation' means public transportation (as defined in section 5302(a)(10)) provided on, by, or using a fixed guideway (as defined in section 5302(a)(4));

''(4) the term 'public transportation authority' means a local governmental authority (as defined in section 5302(a)(6)) established to provide, or make a contract providing for, fixed guideway transportation;

''(5) the term 'rail carrier' means a person, other than a governmental authority, providing common carrier railroad transportation for compensation subject to the jurisdiction of the Board under chapter 105;

''(6) the term 'segregated fixed guideway facility' means a fixed guideway facility constructed within the railroad right-of-way of a rail carrier

but physically separate from trackage, including relocated trackage, within the right-of-way used by a rail carrier for freight transportation purposes; and

''(7) the term 'trackage' means a railroad line of a rail carrier, including a spur, industrial, team, switching, side, yard, or station track, and a facility of a rail carrier.

''§ 28502. Surface Transportation Board mediation of trackage use requests

''If, after a reasonable period of negotiation, a public transportation authority cannot reach agreement with a rail carrier to use trackage of, and have related services provided by, the rail carrier for purposes of fixed guideway transportation, the public transportation authority or the rail carrier may apply to the Board for nonbinding mediation. The Board shall conduct the nonbinding mediation in accordance with the mediation process of section 1109.4 of title 49, Code of Federal Regulations, as in effect on the date of enactment of this section.

''§ 28503. Surface Transportation Board mediation of rights-of-way use requests

''If, after a reasonable period of negotiation, a public transportation authority cannot reach agreement with a rail carrier to acquire an interest in a railroad right-of-way for the construction and operation of a segregated fixed guideway facility, the public transportation authority or the rail carrier may apply to the Board for nonbinding mediation. The Board shall conduct the nonbinding mediation in accordance with the mediation process of section 1109.4 of title 49, Code of Federal Regulations, as in effect on the date of enactment of this section.

''§ 28504. Applicability of other laws

''Nothing in this chapter shall be construed to limit a rail transportation provider's right under section 28103(b) to enter into contracts that allocate financial responsibility for claims.

''§ 28505. Rules and regulations

''Not later than 180 days after the date of enactment of this section, the Board shall issue such rules and regulations as may be necessary to carry out this chapter.''.

(b) CLERICAL AMENDMENT.—The table of chapters of such subtitle is amended by adding after the item relating to chapter 283 the following:

''285. COMMUTER RAIL TRANSIT ENHANCEMENT ..... 28501''.

TITLE V—HIGH-SPEED RAIL

SEC. 501. HIGH-SPEED RAIL CORRIDOR PROGRAM.

(a) IN GENERAL.—Chapter 261 is amended by adding at the end thereof the following:

''§ 26106. High-speed rail corridor program

''(a) IN GENERAL.—The Secretary of Transportation shall establish and implement a high-speed rail corridor program.

''(b) DEFINITIONS.—In this section, the following definitions apply:

''(1) APPLICANT.—The term 'applicant' means a State, a group of States, an Interstate Compact, a public agency established by one or more States and having responsibility for providing high-speed rail service, or Amtrak.

''(2) CORRIDOR.—The term 'corridor' means a corridor designated by the Secretary pursuant to section 104(d)(2) of title 23.

''(3) CAPITAL PROJECT.—The term 'capital project' means a project or program in a State rail plan developed under chapter 225 of this title for acquiring, constructing, improving, or inspecting equipment, track, and track structures, or a facility of use in or for the primary benefit of high-speed rail service, expenses incidental to the acquisition or construction (including designing, engineering, location surveying, mapping, environmental studies, and acquiring rights-of-way), payments for the capital portions of rail trackage rights agreements, highway-rail grade crossing improvements related to high-speed rail service, mitigating environmental impacts, communication and signalization improvements, relocation assistance, acquiring replacement housing sites, and acquiring, constructing, relocating, and rehabilitating replacement housing.

''(4) HIGH-SPEED RAIL.—The term 'high-speed rail' means intercity passenger rail service that is reasonably expected to reach speeds of at least 110 miles per hour.

''(5) INTERCITY PASSENGER RAIL SERVICE.—The term 'intercity passenger rail service' means transportation services with the primary purpose of passenger transportation between towns, cities, and metropolitan areas by rail, including high-speed rail, as defined in section 24102 of this title.

''(6) SECRETARY.—The term 'Secretary' means the Secretary of Transportation.

''(7) STATE.—The term 'State' means any of the 50 States or the District of Columbia.

''(c) GENERAL AUTHORITY.—The Secretary may make grants under this section to an applicant to finance capital projects in high-speed rail corridors.

''(d) APPLICATIONS.—Each applicant seeking to receive a grant under this section to develop a high-speed rail corridor shall submit to the Secretary an application in such form and in accordance with such requirements as the Secretary shall establish.

''(e) COMPETITIVE GRANT SELECTION AND CRITERIA FOR GRANTS.—

''(1) IN GENERAL.—The Secretary shall—

''(A) establish criteria for selecting among projects that meet the criteria specified in paragraph (2);

''(B) conduct a national solicitation for applications; and

''(C) award grants on a competitive basis.

''(2) GRANT CRITERIA.—The Secretary may approve a grant under this section for a project only if the Secretary determines that the project—

''(A) is part of a State rail plan developed under chapter 225 of this title, or under the plan required by section 302 of the Passenger Rail Investment and Improvement Act of 2008;

''(B) is based on the results of preliminary engineering;

''(C) has the legal, financial, and technical capacity to carry out the project; and

''(D) is justified based on the ability of the project—

''(i) to generate national economic benefits, including creating jobs, expanding business opportunities, and impacting the gross domestic product;

''(ii) to increase mobility of United States citizens and reduce congestion, including impacts in the State, region, and Nation; and

''(iii) to otherwise enhance the national transportation system.

''(3) PROJECT SELECTION CRITERIA.—In selecting a project under this section, the Secretary shall consider the extent to which the project—

''(A) makes a substantial contribution to providing the infrastructure and equipment required to complete a high-speed rail corridor;

''(B) leverages Federal investment by encouraging non-Federal financial commitments, including evidence of stable and dependable financing sources to construct, maintain, and operate the high-speed rail corridor and service; and

''(C) helps protect the environment.

''(f) FEDERAL SHARE.—The Federal share of the cost of a project financed under this section shall not exceed 80 percent of the project net capital cost.

''(g) ISSUANCE OF REGULATIONS.—Not later than 1 year after the date of enactment of this section, the Secretary shall issue regulations for carrying out this section.

''(h) AUTHORIZATION.—There are authorized to be appropriated to the Secretary to carry out this section $350,000,000 for each of fiscal years 2009 through 2013.''.

(b) TABLE OF SECTIONS AMENDMENT.—The table of sections for chapter 261 is amended by adding after the item relating to section 26105 the following new item:

''26106. High-speed rail corridor program.''.

SEC. 502. ADDITIONAL HIGH-SPEED PROJECTS.

(a) SOLICITATION OF PROPOSALS.—

(1) IN GENERAL.—

(A) NORTHEAST CORRIDOR.—Not later than 60 days after the date of enactment of this Act, the Secretary of Transportation shall issue a request for proposals for projects for the financing, design, construction, and operation of an initial high-speed rail system operating between Washington, DC, and New York City. Such proposals shall be submitted to the Secretary not later than 150 days after the publication of such request for proposals.

(B) OTHER PROJECTS.—After a report is transmitted under subsection (e) with respect to projects described in subparagraph (A), the Secretary of Transportation may issue a request for proposals for additional projects for the financing, design, construction, and operation of a high-speed rail system operating on any other corridor in the United States. Such proposals shall be submitted to the Secretary not later than 150 days after the publication of such request for proposals.

(2) CONTENTS.—A proposal submitted under paragraph (1) shall include—

(A) the names and qualifications of the persons submitting the proposal;

(B) a detailed description of the proposed route and its engineering characteristics and of all infrastructure improvements required to achieve the planned operating speeds and trip times;

(C) how the project would comply with Federal rail safety regulations which govern the track and equipment safety requirements for high-speed rail operations;

(D) the peak and average operating speeds to be attained;

(E) the type of equipment to be used, including any technologies for—

(i) maintaining an operating speed the Secretary determines appropriate; or

(ii) in the case of a proposal submitted under paragraph (1)(A), achieving less than 2-hour express service between Washington, DC, and New York City;

(F) the locations of proposed stations;

(G) a detailed description of any proposed legislation needed to facilitate the project;

(H) a financing plan identifying—

(i) sources of revenue;

(ii) the amount of any proposed public contribution toward capital costs or operations;

(iii) ridership projections;

(iv) the amount of private investment;

(v) projected revenue;

(vi) annual operating and capital costs;

(vii) the amount of projected capital investments required (both initially and in subsequent years to maintain a state of good repair); and

(viii) the sources of the private investment required, including the identity of any person or entity that has made or is expected to make a commitment to provide or secure funding and the amount of such commitment;

(I) a description of how the project would contribute to the development of a national high-speed rail system, and an intermodal plan describing how the system will connect with other transportation links;

(J) labor protections that would comply with the requirements of section 504;

(K) provisions to ensure that the proposal will be designed to operate in harmony with existing and projected future intercity, commuter, and freight service;

(L) provisions for full fair market compensation for any asset, property right or interest, or service acquired from, owned, or held by a private person or non-Federal entity that would be acquired, impaired, or diminished in value as a

result of a project, except as otherwise agreed to by the private person or entity; and

(M) a detailed description of the environmental impacts of the project, and how any adverse impacts would be mitigated.

(3) DOCUMENTS.—Documents submitted or developed pursuant to this subsection shall not be subject to section 552 of title 5, United States Code.

(b) DETERMINATION OF COST EFFECTIVENESS AND ESTABLISHMENT OF COMMISSIONS.—Not later than 60 days after receipt of a proposal under subsection (a), the Secretary of Transportation shall—

(1) make a determination as to whether the proposal is cost effective; and

(2) for each corridor for which one or more cost effective proposals are received, establish a commission under subsection (c).

(c) COMMISSIONS.—

(1) MEMBERS.—The commission referred to in subsection (b)(2) shall consist of—

(A) the governor of the affected State or States, or their respective designees;

(B) a rail labor representative, a representative from a rail freight carrier using the relevant corridor, and a commuter authority using the relevant corridor, appointed by the Secretary of Transportation, in consultation with the chairman and ranking minority member of the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate;

(C) the Secretary of Transportation or his designee;

(D) the president of Amtrak or his designee; and

(E) the mayors of the three largest municipalities serviced by the proposed high-speed rail corridor.

(2) CHAIRPERSON AND VICE-CHAIRPERSON SELECTION.—The Chairperson and Vice Chairperson shall be elected from among members of the Commission.

(3) QUORUM AND VACANCY.—

(A) QUORUM.—A majority of the members of the Commission shall constitute a quorum.

(B) VACANCY.—Any vacancy in the Commission shall not affect its powers and shall be filled in the same manner in which the original appointment was made.

(d) COMMISSION CONSIDERATION.—

(1) IN GENERAL.—Each commission established under subsection (b)(2) shall be responsible for reviewing the proposal or proposals with respect to which the commission was established, and not later than 90 days after the establishment of the commission, shall transmit to the Secretary, and to the chairman and ranking minority member of the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate, a report which includes—

(A) a summary of each proposal received;

(B) a ranking of the order of the proposals according to cost effectiveness, advantages over existing services, projected revenue, and cost and benefit to the public and private parties;

(C) an indication of which proposal or proposals are recommended by the commission; and

(D) an identification of any proposed legislative provisions which would facilitate implementation of the recommended project.

(2) VERBAL PRESENTATION.—Proposers shall be given an opportunity to make a verbal presentation to the commission to explain their proposals.

(e) SELECTION BY SECRETARY.—Not later than 60 days after receiving a report from a commission under subsection (d)(1), the Secretary of Transportation shall transmit to the Congress a report that ranks all of the recommended proposals according to cost effectiveness, advantages over existing services, projected revenue, and cost and benefit to the public and private parties.

(f) NORTHEAST CORRIDOR ECONOMIC DEVELOPMENT STUDY.—Not later than 9 months after the date of enactment of this Act, the Secretary of Transportation shall transmit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate the results of an economic development study of Amtrak's Northeast Corridor service between Washington, DC, and New York City. Such study shall examine how to achieve maximum utilization of the Northeast Corridor as a transportation asset, including—

(1) maximizing the assets of the Northeast Corridor for potential economic development purposes;

(2) real estate improvement and financial return;

(3) improved intercity, commuter, and freight services;

(4) optimum utility utilization in conjunction with potential separated high-speed rail passenger services; and

(5) any other means of maximizing the economic potential of the Northeast Corridor.

SEC. 503. HIGH-SPEED RAIL STUDY.

Not later than 1 year after the date of enactment of this Act, the Secretary of Transportation shall conduct—

(1) an alternatives analysis of the Secretary's December 1, 1998, extension of the designation of the Southeast High-Speed Rail Corridor as authorized under section 104(d)(2) of title 23, United States Code; and

(2) a feasibility analysis regarding the expansion of the South Central High-Speed Rail Corridor to the Port of Houston, Texas.

These analyses shall consider changes that have occurred in the region's population, anticipated patterns of population growth, connectivity with other modes of transportation, ability of the designation to reduce regional traffic congestion, and the ability of current and proposed routings to meet the needs of tourists. The Secretary shall submit recommendations to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate and conduct a redesignation of one or both corridors if necessary.

SEC. 504. GRANT CONDITIONS.

(a) DOMESTIC BUYING PREFERENCE.—

(1) REQUIREMENT.—

(A) IN GENERAL.—In carrying out a project funded in whole or in part with a grant under this title, or the amendments made by this title, the grant recipient shall purchase only—

(i) unmanufactured articles, material, and supplies mined or produced in the United States; or

(ii) manufactured articles, material, and supplies manufactured in the United States substantially from articles, material, and supplies mined, produced, or manufactured in the United States.

(B) DE MINIMIS AMOUNT.—Subparagraph (A) applies only to a purchase in an total amount that is not less than $1,000,000.

(2) EXEMPTIONS.—On application of a recipient, the Secretary may exempt a recipient from the requirements of this subsection if the Secretary decides that, for particular articles, material, or supplies—

(A) such requirements are inconsistent with the public interest;

(B) the cost of imposing the requirements is unreasonable; or

(C) the articles, material, or supplies, or the articles, material, or supplies from which they are manufactured, are not mined, produced, or manufactured in the United States in sufficient and reasonably available commercial quantities and are not of a satisfactory quality.

(3) UNITED STATES DEFINED.—In this subsection, the term ''the United States'' means the States, territories, and possessions of the United States and the District of Columbia.

(b) OPERATORS DEEMED RAIL CARRIERS AND EMPLOYERS FOR CERTAIN PURPOSES.—A person that conducts rail operations over rail infrastructure constructed or improved with funding provided in whole or in part in a grant made under this title, or the amendments made by this title, shall be considered a rail carrier as defined in section 10102(5) of title 49, United States Code, for purposes of this title and any other statute that adopts that definition or in which that definition applies, including—

(1) the Railroad Retirement Act of 1974 (45 U.S.C. 231 et seq.);

(2) the Railway Labor Act (43 U.S.C. 151 et seq.); and

(3) the Railroad Unemployment Insurance Act (45 U.S.C. 351 et seq.).

(c) GRANT CONDITIONS.—The Secretary shall require as a condition of making any grant under this title, or the amendments made by this title, for a project that uses rights-of-way owned by a railroad that—

(1) a written agreement exist between the applicant and the railroad regarding such use and ownership, including—

(A) any compensation for such use;

(B) assurances regarding the adequacy of infrastructure capacity to accommodate both existing and future freight and passenger operations;

(C) an assurance by the railroad that collective bargaining agreements with the railroad's employees (including terms regulating the contracting of work) will remain in full force and effect according to their terms for work performed by the railroad on the railroad transportation corridor; and

(D) an assurance that an applicant complies with liability requirements consistent with section 28103 of title 49, United States Code; and

(2) the applicant agrees to comply with—

(A) the standards of section 24312 of title 49, United States Code, as such section was in effect on September 1, 2003, with respect to the project in the same manner that the National Railroad Passenger Corporation is required to comply with those standards for construction work financed under an agreement made under section 24308(a) of title 49, United States Code; and

(B) the protective arrangements established under section 504 of the Railroad Revitalization and Regulatory Reform Act of 1976 (45 U.S.C. 836) with respect to employees affected by actions taken in connection with the project to be financed in whole or in part by grants under this chapter.

(d) REPLACEMENT OF EXISTING INTERCITY PASSENGER RAIL SERVICE.—

(1) COLLECTIVE BARGAINING AGREEMENT FOR INTERCITY PASSENGER RAIL PROJECTS.—Any entity providing intercity passenger railroad transportation that begins operations after the date of enactment of this Act on a project funded in whole or in part by grants made under this title, or the amendments made by this title, and replaces intercity rail passenger service that was provided by Amtrak, unless such service was provided solely by Amtrak to another entity, as of such date shall enter into an agreement with the authorized bargaining agent or agents for adversely affected employees of the predecessor provider that—

(A) gives each such qualified employee of the predecessor provider priority in hiring according to the employee's seniority on the predecessor provider for each position with the replacing entity that is in the employee's craft or class and is available within 3 years after the termination of the service being replaced;

(B) establishes a procedure for notifying such an employee of such positions;

(C) establishes a procedure for such an employee to apply for such positions; and

(D) establishes rates of pay, rules, and working conditions.

(2) IMMEDIATE REPLACEMENT SERVICE.—

(A) NEGOTIATIONS.—If the replacement of preexisting intercity rail passenger service occurs

concurrent with or within a reasonable time before the commencement of the replacing entity's rail passenger service, the replacing entity shall give written notice of its plan to replace existing rail passenger service to the authorized collective bargaining agent or agents for the potentially adversely affected employees of the predecessor provider at least 90 days before the date on which it plans to commence service. Within 5 days after the date of receipt of such written notice, negotiations between the replacing entity and the collective bargaining agent or agents for the employees of the predecessor provider shall commence for the purpose of reaching agreement with respect to all matters set forth in subparagraphs (A) through (D) of paragraph (1). The negotiations shall continue for 30 days or until an agreement is reached, whichever is sooner. If at the end of 30 days the parties have not entered into an agreement with respect to all such matters, the unresolved issues shall be submitted for arbitration in accordance with the procedure set forth in subparagraph (B).

(B) ARBITRATION.—If an agreement has not been entered into with respect to all matters set forth in subparagraphs (A) through (D) of paragraph (1) as described in subparagraph (A) of this paragraph, the parties shall select an arbitrator. If the parties are unable to agree upon the selection of such arbitrator within 5 days, either or both parties shall notify the National Mediation Board, which shall provide a list of seven arbitrators with experience in arbitrating rail labor protection disputes. Within 5 days after such notification, the parties shall alternately strike names from the list until only 1 name remains, and that person shall serve as the neutral arbitrator. Within 45 days after selection of the arbitrator, the arbitrator shall conduct a hearing on the dispute and shall render a decision with respect to the unresolved issues among the matters set forth in subparagraphs (A) through (D) of paragraph (1). This decision shall be final, binding, and conclusive upon the parties. The salary and expenses of the arbitrator shall be borne equally by the parties; all other expenses shall be paid by the party incurring them.

(3) SERVICE COMMENCEMENT.—A replacing entity under this subsection shall commence service only after an agreement is entered into with respect to the matters set forth in subparagraphs (A) through (D) of paragraph (1) or the decision of the arbitrator has been rendered.

(4) SUBSEQUENT REPLACEMENT OF SERVICE.—If the replacement of existing rail passenger service takes place within 3 years after the replacing entity commences intercity passenger rail service, the replacing entity and the collective bargaining agent or agents for the adversely affected employees of the predecessor provider shall enter into an agreement with respect to the matters set forth in subparagraphs (A) through (D) of paragraph (1). If the parties have not entered into an agreement with respect to all such matters within 60 days after the date on which the replacing entity replaces the predecessor provider, the parties shall select an arbitrator using the procedures set forth in paragraph (2)(B), who shall, within 20 days after the commencement of the arbitration, conduct a hearing and decide all unresolved issues. This decision shall be final, binding, and conclusive upon the parties.

(e) INAPPLICABILITY TO CERTAIN RAIL OPERATIONS.—Nothing in this section applies to—

(1) commuter rail passenger transportation (as defined in section 24102(4) of title 49, United States Code) operations of a State or local government authority (as those terms are defined in section 5302(11) and (6), respectively, of title 49, United States Code) eligible to receive financial assistance under section 5307 of title 49, United States Code, or to its contractor performing services in connection with commuter rail passenger operations (as so defined);

(2) the Alaska Railroad or its contractors; or

(3) the National Railroad Passenger Corporation's access rights to railroad rights of way and facilities under current law.

The CHAIRMAN. No amendment to the committee amendment is in order except those printed in House Report 110–703. Each amendment may be offered only in the order printed in the report; by a Member designated in the report; shall be considered read; shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent of the amendment; shall not be subject to amendment; and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. OBERSTAR

The CHAIRMAN. It is now in order to consider amendment No. 1 printed in House Report 110–703.

Mr. OBERSTAR. Mr. Chairman, I rise in support of the amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 1 offered by Mr. OBERSTAR:

In section 101(c)—

(1) strike ''AMERICANS WITH DISABILITIES ACT COMPLIANCE'' in the subsection heading and insert ''ACCESSIBILITY IMPROVEMENTS AND BARRIER REMOVAL FOR PEOPLE WITH DISABILITIES''; and

(2) strike ''for compliance with the requirements of the Americans With Disabilities Act of 1990 (42 U.S.C. 12101 et seq.)'' and insert ''to improve the accessibility of facilities, including rail platforms, and services''.

In title I, add at the end the following new section (and amend the table of contents accordingly):

SEC. 105. COMPLIANCE WITH IMMIGRATION AND NATIONALITY ACT.

Notwithstanding any other provision of this Act, none of the funds authorized by this Act may be used to employ workers in violation of section 274A of the Immigration and Nationality Act (8 U.S.C. 1324a).

In section 205(a), strike ''103(c)'' and insert ''103(2)''.

In section 209(a), in the proposed section 24905(b)—

(1) strike ''and'' at the end of paragraph (8);

(2) strike the period at the end of paragraph (9) and insert ''; and''; and

(3) after paragraph (9), insert the following new paragraph:

''(10) potential funding and financing mechanisms for projects of corridor-wide significance.

In section 209(a), in the proposed section 24905(c)(1)(A)—

(1) strike ''and'' at the end of clause (i);

(2) insert ''and'' at the end of clause (ii); and

(3) after clause (ii), insert the following new clause:

''(iii) all financial contributions made by an operator of a service, including but not limited to, for any capital infrastructure investments, as well as for any in-kind services, are considered;

In section 209(c)(2)(B), insert '', including but not limited to, any adverse impact on existing and projected intercity, commuter, and freight service'' after ''such an achievement''.

In section 211, insert ''including issues related to the raising of passenger rail station platforms,'' after ''to achieving compliance,''.

In section 211, strike ''an overall schedule'' and insert ''a detailed plan and schedule''.

In section 211, insert ''by the 2010 statutory deadline for station accessibility'' after ''parts of section 242(e)(2)''.

In section 211, strike ''July 1, 2009'' and insert ''February 1, 2009''.

Strike subsection (c) of section 214.

In title II, add at the end the following new section (and amend the table of contents accordingly):

SEC. 225. HISTORIC PRESERVATION AND RAILROAD SAFETY.

(a) STUDY; OTHER ACTIONS.—The Secretary of Transportation shall—

(1) conduct a study, in consultation with the Advisory Council on Historic Preservation, the National Conference of State Historic Preservation Officers, the Department of the Interior, appropriate representatives of the railroad industry, and representative stakeholders, on ways to streamline compliance with the requirements of section 303 of title 49, United States Code, and section 106 of the National Historic Preservation Act (16 U.S.C. 470f) for federally funded railroad infrastructure repair and improvement projects;

(2) take immediate action to cooperate with the Alaska Railroad, the Alaska State Historic Preservation Office, the Advisory Council on Historic Preservation, and the Department of the Interior, in expediting the decisionmaking process for safety-related projects of the railroad involving property and facilities that have disputed historic significance; and

(3) take immediate action to cooperate with the North Carolina Department of Transportation, the North Carolina State Historic Preservation Office, the Virginia State Historic Preservation Office, the Advisory Council on Historic Preservation, and the Department of the Interior, in expediting the decisionmaking process for safety-related projects of the railroad and the Southeast High Speed Rail Corridor involving property and facilities that have disputed historic significance.

(b) REPORT.—Not later than one year after the date of enactment of this Act, the Secretary shall submit, to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate, a report on the results of the study conducted under subsection (a)(1) and the actions directed under subsection (a)(2) and (3). The report shall include recommendations for any regulatory or legislative amendments that may streamline compliance with the requirements described in subsection (a)(1) in a manner consistent with railroad safety and the policies and purposes of section 106 of the National Historic Preservation Act (16 U.S.C. 470f), section 303 of title 49, United States Code, and section 8(d) of Public Law 90-543 (16 U.S.C. 1247(d)).

In section 301, in the proposed section 24402, add at the end the following new subsection:

''(k) BICYCLE ACCESS.—Grants under this chapter may be used to provide bicycle access into rolling stock, and to provide bicycle racks in trains.''.

In section 301, in the proposed section 24405(e), strike paragraph (1) and redesignate paragraphs (2) and (3) as paragraphs (1) and (2), respectively.

In section 502(a)(2), amend subparagraph (F) to read as follows:

(F) the locations of proposed stations, identifying, in the case of a proposal submitted under paragraph (1) (A), a plan allowing for station stops at or in close proximity to the busiest Amtrak stations;

In section 503—

(1) strike ''and'' at the end of paragraph (1);

(2) strike the period at the end of paragraph (2) and insert a semicolon; and

(3) insert after paragraph (2) the following new paragraphs:

(3) a feasibility analysis regarding the expansion of the South Central High-Speed Rail Corridor to Memphis, Tennessee; and

(4) a feasibility analysis regarding the expansion of the South Central High-Speed Rail Corridor south of San Antonio to a location in far south Texas to be chosen at the discretion of the Secretary.

In section 504(e), strike paragraph (1) and redesignate paragraphs (2) and (3) as paragraphs (1) and (2), respectively.

The CHAIRMAN. Pursuant to House Resolution 1253, the gentleman from Minnesota (Mr. OBERSTAR) and a Member opposed each will control 15 minutes.

The Chair recognizes the gentleman from Minnesota.

Mr. OBERSTAR. Mr. Chairman, I yield myself 4 minutes.

The manager's amendment requires the Secretary of Transportation to conduct a study on ways to streamline compliance with the National Historic Preservation Act requirements for Federally funded rail infrastructure projects. This issue was raised in committee by the gentleman from Pennsylvania, the ranking member, Mr. SHUSTER, for himself, for North Carolina and for Alaska. I felt that we needed to explore the matter further, so we scheduled a hearing on the issue because this matter had not been raised previously.

We heard from the Alaska Railroad, the North Carolina Department of Transportation, the Advisory Council on Historic Preservation, the National Trust For Historic Preservation and the Rails-to-Trails Conservancy.

At the conclusion of that meeting, it was obvious we weren't going to be able, in the course of the hearing, to reach agreement. But we saw a path toward agreement. And I directed the parties and the staff to work through the weekend to develop a compromise proposal, which they did, and we have reflected that understanding in the manager's amendment.

I want to thank the gentleman from Alaska (Mr. YOUNG), the gentleman from North Carolina (Mr. COBLE), and the gentleman from Pennsylvania (Mr. SHUSTER) for bringing this matter to our attention, and to Mr. MICA for participating and working out what I think is a reasonable approach.

I also what to thank colleagues who had amendments that were proposed to the bill for agreeing to incorporate those amendments into the manager's amendment to expedite consideration. The gentleman from New York (Mr. ARCURI), the gentleman from Arkansas (Mr. BERRY), and Tennessee (Mr. COHEN), from Delaware (Mr. CASTLE) Mr. CUELLAR and Mr. HINOJOSA from Texas, Mr. WEINER and Mr. BLUMENAUER, from New York and Oregon respectively.

The Arcuri amendments ensure that the financial contributions and in kind services provided by commuter rails are taken into account in developing a standardized formula for Northeast Corridor commuter cost allocation.

The Berry-Cohen amendment requires a feasibility analysis on extending south central high-speed rail service to Memphis, Tennessee. The Castle amendment ensures that all proposals for high-speed rail on the Northeast Corridor plans to allow station stops at or in close proximity to the busiest Amtrak stations. The Cuellar-Hinojosa amendment requires a feasibility analysis on extending South Central high-speed rail to a location in south Texas to be determined by the Secretary.

The Weiner-Blumenauer amendment authorizes intercity passenger rail grants for bicycle access on rolling stock and bicycle racks on trains. And the amendment also provides that none of the funds may be used to employ workers in violation of section 274A of the Immigration and Nationality Act and makes a number of technical corrections in the reported bill.

There are other items of a bipartisan nature included in the manager's amendment, and I think we have worked these matters out satisfactorily.

I urge all Members to support it.

I reserve the balance of my time.

Mr. SHUSTER. Mr. Chairman, I rise to claim the time in opposition, although I am not opposed to the amendment.

The CHAIRMAN. Without objection, the gentleman from Pennsylvania is recognized for 15 minutes.

There was no objection.

Mr. SHUSTER. I yield myself as much time as I may consume.

I rise in support of this amendment. And I am not going to run down through. The chairman did a good job of going over all the provisions in this manager's amendment. But we have reached a bipartisan agreement between Mr. OBERSTAR and Ms. BROWN, Mr. MICA and myself, so we support the amendment.

I reserve the balance of my time.

Mr. OBERSTAR. I yield 2 minutes to the distinguished gentlewoman from California (Mrs. NAPOLITANO).

Mrs. NAPOLITANO. Mr. Chairman, I want to thank Chairman OBERSTAR for yielding the time. I am rising in support, in very strong support of the manager's amendment which includes some very important provisions especially the one regarding the Americans with Disabilities Act compliance and the raising of the stations' platforms. The Los Angeles Metrolink and many other commuter railroads have fully complied with ADA rules by putting ramps and lifts in all of their stations so the disabled community can safely and easily board the trains.

DOT has proposed a rule that would require all railroad stations to fully raise their platforms. It would be a very great cost to all the different railroads that service our people and then most passenger rail stations are serviced by multiple railroad companies with different train settings. Raising the platform will create major vertical and horizontal gaps between the trains and the platforms, making it harder for the disabled community to safely and efficiently enter and exit trains.

The manager's amendment requires Amtrak to study how raising station platforms will affect the safe and efficient boarding of trains for all passengers.

I fully support the manager's amendment and thank Mr. OBERSTAR, Ms. BROWN, Ranking Members MICA and SHUSTER for their work on the reauthorization of the bill which helps provide many needed improvements in the sadly lacking rail transportation, and hopefully will provide enticement to people leaving their cars at home, saving gasoline, arrive rested and avoid the traffic jams, creates for us in California a desperately needed program where we have three of the top five busiest rail corridors in the U.S., the Pacific Surfliner, the Capitol Corridor and San Joaquin Corridors, alleviating the choke points and being able to help us look at the San Diego to Los Angeles San Francisco high-speed rail. It will help Metrolink, and I strongly support the passage of the manager's amendment in the bill.

Mr. SHUSTER. At this time I would like to yield 3 minutes to the gentleman from Delaware (Mr. CASTLE).

Mr. CASTLE. I thank the gentleman from Pennsylvania for yielding.

Mr. Chairman, I rise in support of the legislation's amendment before us today. I never thought I would be involved in a love fest in a discussion for reauthorization of Amtrak. I would like to credit that to Chairman OBERSTAR and everybody on the committee who put this together. On Monday I submitted an important amendment to the Rules Committee which fortunately has been included as part of this manager's amendment.

For anybody who has driven on I–95 recently, it is strikingly clear that highway congestion has become a critical problem threatening business productivity, increasing safety risk and hindering efforts to improve air quality. In fact a recent study found that road congestion in the top four metropolitan areas cost Americans 4.2 billion hours and 2.9 billion gallons of fuel sitting in traffic delays. Try multiplying that by $4.

In contrast, passenger and commuter rail systems have proven to be the most efficient options for travelers in heavily congested areas of the country. Between Boston and Washington, ridership on Amtrak has surged 20 percent with nearly 2,000 trains operating along the corridor every day. Clearly the Northeast's entire transportation system would stagger to a halt if these trains ever stopped running. In fact, a few weeks ago, I was pleased to welcome Ranking Member MICA to my home station in Wilmington, Delaware, to discuss the importance of rail transportation in alleviating congestion in the Northeast.

In this era of high gas prices, congested roadways and overcrowded airports, rail transportation has become imperative for many travelers. For this reason, I strongly support the provisions in the bill to begin developing a high-speed rail corridor between New York and Washington, D.C.

My amendment to this bill will simply ensure that proposals to build a high-speed rail system in the Northeast allow for station stops at the corridor's busiest rail hubs. For example, last year nearly 1 million people boarded or exited a train in Wilmington, Delaware, which is centrally located on the corridor between New York's Penn Station and Union Station here in Washington. As a regular Amtrak commuter myself, I can attest to the fact that thousands of travelers rely on the Wilmington train station when it comes to visiting friends and relatives who are traveling for business, making it the fifth busiest station on the Northeast Corridor. Therefore my amendment makes clear that heavily utilized high-ridership stations like Wilmington should be included in any proposal for building a high-speed rail system in the Northeast.

As co-chairman of the House Passenger Rail Caucus, I commend Chairman OBERSTAR, Congressman MICA, Congresswoman BROWN, Congressman SHUSTER and everyone who has worked hard to expand transportation options and cut delays for travelers in this part of the country.

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Mr. Chairman, I thank the committee for including my amendment as part of the legislation before us today. I believe this bill is vital to exploring the untapped potential of passenger rail, and I look forward to working with my colleagues on these critical transportation issues.

Mr. OBERSTAR. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, a distinguished member of our committee, the gentleman from Iowa (Mr. BRALEY), intended to be here and had actually requested time to be heard on general debate. But, unfortunately, he is home in his district, probably handling sandbags to deal with flooding in Waterloo. Late yesterday, the flooding washed away a Union Pacific Railroad bridge over the Cedar River in downtown Waterloo and our committee colleague is back home with his constituents, as he rightly should be.

I also want to express my appreciation to the gentleman from Iowa (Mr. BRALEY), who I know wanted to be here during consideration of the bill.

Regrettably, he is home in his District to help his constituents deal with flooding in Waterloo.

Yesterday, the flooding washed away a Union Pacific railroad bridge over the Cedar River in downtown Waterloo.

I include a report from the local newspaper on the tragedies in Iowa.

UPDATE: RAILROAD BRIDGE IN DOWNTOWN W'LOO COLLAPSES; CF ORDERS MORE EVACUATIONS

(By Jim Offner, Courier Business Editor)

WATERLOO, June 10.—One-third of the Union Pacific railroad bridge parallel to Sixth Street over the Cedar River in downtown Waterloo has washed away in the flood waters.

The third of the bridge adjacent to the east bank of the Cedar River washed away at 2:45 p.m.

Roger Verch saw the bridge section give way.

''We were actually standing on the 18th Street Bridge'' downstream when it gave way. It struck the 18th Street Bridge. '' We really felt the vibrations,'' Verch said. A portion of it remained lodged in the 18th Street Bridge and another portion of it washed down river.

The bridge is used by the Iowa Northern Railroad to serve John Deere's East Donald Street Tractor Works, and Deere tractors are transported by rail over that line to Cedar Rapids.

Iowa Northern general manager Mark Sabin said the railroad is assessing the flood's impacts all along its line and had not yet had an opportunity to assess the effects of the bridge washout.

We will provide more details as they become available.

Also, the city of Cedar Falls has now expanded its area of evacuation. The mayor has ordered an immediate evacuation of everyone in the following areas:

—On Franklin Street from Sixth Street to the north; on Sixth Street to the east toward Main Street; on Main Street from Ninth Street to the north; and all downtown areas from those streets toward the river.

Unauthorized vehicles will be removed beginning at 3 p.m.

People who are evacuating are urged to turn off their power, utilities, water and gas. Security will be provided for the area to safeguard property by the Cedar Falls Police Department and the National Guard.

Volunteers may remain in this area if they are assisting with the sandbagging efforts. Volunteers will be needed throughout the night. It cannot be emphasized enough that volunteers are needed and must report to the north parking lot of the UNI-Dome to assist with sandbagging. Volunteers must not travel downtown or go near the levy. Transportation will be provided to volunteers.

EARLIER STORY

Businesses in downtown Waterloo were struggling to hold back the waters—with some success—as the Cedar River was spilling over the flood wall that protects rivers lining the riverbanks Tuesday.

''Right now, we're cleaning up some groundwater,'' said Vern Nelson, owner of the River Plaza and Black's buildings downtown. ''We're doing what we can to prevent any more damage.''

The River Plaza building had some water seepage, but it was under control at midday Tuesday, Nelson said.

''We haven't had very much—some groundwater coming up—but it's continuous,'' Nelson said. ''Just carpets are damp and maybe an inch of water.''

Donna Nelson, Vernon Nelson's wife and co-owner of the properties, said any problems that existed in either the River Plaza the Black's Building, were manageable.

''We're coping pretty good in our buildings,'' Donna Nelson said. ''But we have relocated some Cedar Falls businesses into our buildings.''

The couple also own the Gasser Building and Winter Bottom.

''We're having a little groundwater over at River Plaza,'' Donna Nelson said. ''The city has walls in front of River Plaza, and I believe they're another 10 feet high.''

She praised the city officials' response to the deluge.

''The city has been really good,'' she said. ''They've been in constant contact. I've got hundreds of calls from our tenants and, of course, they're nervous. But the city has been very good at keeping us updated. Some people are parking at ground levels. The city has been very kind to let them relocate.''

She said three Cedar Falls businesses had moved temporarily into the River Plaza.

Vern Nelson said seepage through the River Plaza's basement floor has been the primary problem there.

''It's not coming through the walls,'' Nelson said.

A plan of action, should the situation deteriorate, was being devised Tuesday afternoon, Nelson said.

''We're deciding on what we're going to do, whether we're going to stay open,'' he said. ''We have two rooms—a free weight room and a cafe—that have water in them that we've closed down. Half the athletic club is open.''

The hope is to reopen as soon as officials give the go-ahead, he said.

''We hope to do that immediately,'' he said.

Diane Graham, administrative assistant for Main Street Waterloo, said the downtown-based organization was still dry at noon.

''I'm a little nervous, but so far, so good,'' she said. ''Even the basement is dry at this point. It's all dry on Fourth Street.''

Gene Leonhart, chief executive officer of Cardinal Construction, said the Waterloo Building, which houses his company, had some seepage.

''We're fortunate that our building hasn't taken on any more water than it has,'' he said. ''Our basement that has the boilers has a deep sump, and we're able to keep ahead of it.''

The company's inventory of sump pumps had long since been depleted.

''We had calls for pumps, but those are long since dispersed.''

The company was continuing to function, however, Leonhart said.

''We're functioning, and the building is functioning,'' he said, ''Given what the city has to do with the sewers and water, it's a concern here. since we're only one block away from the river.''

Traffic downtown was bottled up. Police officers directing snarled traffic around the Five Sullivan Brothers Convention Center, which was hosting the Heartland Conference 2008, a medical supply convention that was expecting an estimated 1,000 attendees, said at noon that getting out of downtown would be a 20-minute ordeal.

''It's a busy day downtown,'' said Jim Walsh, CEO of VGM Group, who owns several properties downtown and whose company is attending the convention. ''In addition to the concerns we have about floodwater both direct and indirect, we also have staff and traffic issues. Many employees have floodwaters in their houses, and we're trying to help them as much as we can I know a number of businesses have sent their people home and moving things out of their homes.''

Walsh said the convention was proceeding as scheduled, with a couple of small exceptions.

''We did have to relocate our major social event from the Electric Park Ballroom (near the Cattle Congress) to UNI,'' he said.

There's only so much downtown merchants can do, Walsh said.

''If the levees are topped, of course, it's game over, as far as anything but life safety,'' he said. ''Right now, the plan is to get

things out of lower levels that can be moved and cut losses from any basement flooding.

''There's quite a bit of consternation.''

Walsh said his properties were in acceptable shape—for the moment.

''We don't have much more than seepage right now,'' he said. ''We have stopped all the elevators at upper floors, so nobody is using any elevators in the downtown buildings. Of course, we're trying to get our people out of the offices, which is hard. We have some people helping with the work, and it is a business day,''

Leonhart said he had never seen this type of flooding.

''Not even in '93,'' he said. ''I never sew this, not since the dikes were built,'' he said.

A pickup truck at Fifth and Commercial tried to ply its way through flowing down Fifth with its wheels half-submerged.

''There's quite a bit of consternation,'' Walsh said.

Mr. Chairman, I yield 2 minutes to the distinguished gentlewoman from the District of Columbia (Ms. NORTON), the Chair of the Public Buildings and FEMA Subcommittee.

Ms. NORTON. Mr. Chairman, I thank the chairman for yielding. I have to thank him first for a bill that is the breakthrough of the decades. Not only is this a bill about the beginning of an entirely new train system for the United States, it is a bill about keeping the old system, Amtrak, in check, a bill we have been needing it seems forever.

Everybody who rides Amtrak, I have to say to you and to my good friend the Chair of the subcommittee, Ms. BROWN, is enormously indebted to you both, particularly in this region, and, if I may say so, across the country. At least 43 different districts are affected by what you do here today, and it has been a long time coming.

It is important in every way. It is important for the workers at Amtrak, trained workers who have suffered through a period when we have not brought forward what it takes to keep such trained people on the job, and it is most important for Amtrak, which the Federal Government has today only because the private sector threw it at us because it was unprofitable. We are now making up for years of neglect of this system.

I also want to say a word on the Davis amendment. It makes sense that it is a part of this bill. Both are in my district. The nation's capital is the hub for Amtrak and it is the hub, of course, for Metro. Metro mostly serves Federal workers. It is in this bill. The region has ponied up and said, we will pay for what it takes for capital improvements.

But the fact is that we should watch what we wish for, because we told people to get on the Metro, and we said, especially after 9/11, Federal workers better learn how to get on the Metro. So many have gotten on the Metro that they have broken down the Metro. The obligation falls to the Federal Government to do its share, along with the region.

This amendment would not be on the floor if the District first, then Maryland and then Virginia, hadn't passed local bills, saying all right, we will have dedicated funding every year for our share, for the first time. This is the only major system that does not have dedicated funding. The system has suffered for it.

What the Congress says in this amendment is in return for that, D.C., Maryland and Virginia, particularly because the people who ride back and forth are mostly Federal employees on weekdays, we will do our share for capital improvements as well.

I thank the chairmen, both Chairs, very much.

Mr. SHUSTER. Mr. Chairman, I yield 3 minutes to the gentleman from Florida (Mr. MICA), the ranking member.

Mr. MICA. Mr. Chairman, I thank the gentleman for yielding.

I brought this chart that shows $4.05 a gallon gasoline today. That is the average national cost. In some jurisdictions it is more. This is not an energy policy. This is not acceptable to the American people, $4.05 a gallon gasoline.

First of all, I strongly support the manager's amendment. Contained in it are provisions that we would have high-speed rail service. We heard the gentleman, the former Governor of Delaware, Mr. CASTLE, the distinguished Representative now from Delaware, talk about having stops. I think when I visited Wilmington, when I visited Philadelphia and New York and stops along the way, people were excited about this proposal, because it offered them an option to expensive gasoline.

The proposal that we bring forward is revolutionary. It does allow the Secretary of Transportation to take proposals. The reason we took the Northeast Corridor first is because that is the only real estate and asset that Amtrak wholly owns, almost all of it all the way to Boston. There is a little bit between New York and Boston that they don't own. That is why we took the first leg of this high speed proposal from Washington, D.C., right down the block to downtown Manhattan.

We don't specify technology, but we say it must be there within 2 hours, and we have a provision that assures stops along the way. Revolutionary. Again, what it would do for air travel congestion would be monumental for this Nation.

This isn't limited to the Northeast Corridor, that first segment. Everyone has a possibility of doing that through the provision Mr. SHUSTER, Ms. BROWN and Mr. OBERSTAR worked out.

We also have the possibility of opening for the first time public-private partnerships cutting the cost and the subsidy of some of the money-losing routes and bringing in private sector innovation. This whole attempt today, again, is revolutionary.

So, again, this outlines the high-speed rail proposal, and it shows that it is not just limited to Washington and to New York. It is open to the entire Nation, and it provides a cost-effective alternative to just saying no, to trying to zero out Amtrak, and to not having high-speed rail passenger service either in that corridor or any other corridor of the United States.

So I urge adoption of the manager's amendment and I urge passage of the final bill. I think most of the amendments are acceptable. We have a couple of questions on them. They will be debated here and Members will have to pick and choose between those amendments. But, all in all, this is a good, bipartisan effort to get us away from being dependent on $4.05 gasoline, escalating energy costs and limited choices for the traveling public. This is a very significant step forward, and I thank again Mr. OBERSTAR, Ms. BROWN and Mr. SHUSTER.

Mr. OBERSTAR. Mr. Chairman, I yield myself 5 seconds to express my appreciation to the gentleman from Florida for that statement, for his charts, for the genuinely sincere effort that brought us to this point today.

Mr. Chairman, I yield 3 minutes to the distinguished Chair of the Rail Subcommittee, the gentlewoman from Florida (Ms. CORRINE BROWN).

Ms. CORRINE BROWN of Florida. Mr. Chairman, once again I want to thank Mr. OBERSTAR, Ranking Member MICA, Subcommittee Chairman SHUSTER and the staff. On behalf of the American people, I thank you. This is really a great day.

Let me say thank you, Mr. OBERSTAR, for your hard work on this bill and helping to develop this manager's amendment which incorporates provisions in the bill that would improve the overall Amtrak system. We are falling behind other industrialized nations who have prepared their country for the future by investing heavily in high-speed rail.

Mr. OBERSTAR talked about what he did when he was right out of college with his scholarship and how it took him 6 hours to go from downtown Brussels to downtown Paris. Now it takes 1 hour and 15 minutes, over 200 miles. We went less than 6 months ago to visit a new system, downtown Barcelona, Spain, to downtown Madrid, over 300 miles, 2½ hours, and we didn't even know we were moving.

That is our competition. That is who we are competing against as far as when we talk about trade and other issues. They are able to move their people, goods and services, and we are falling behind.

Amtrak reauthorization legislation is one of the few pieces of transportation legislation that has passed the Senate. Let me repeat that. Amtrak reauthorization legislation is one of the only pieces of legislation that has passed the other body. We have a great opportunity to go to conference and send a bill to the President's desk that provides a tremendous benefit for the traveling public, creating economic development and decreased energy consumption.

The American people deserve the best passenger rail system in the world. I have said over and over and over again, we are the caboose, and we don't use cabooses anymore.

This legislation takes a proactive step in addressing the outrageous cost of gas, now over $4 a gallon, and it makes a statement that we are serious about improving our dependence on foreign oil. Rail travel is more efficient and uses less fuel than both cars and airplanes.

I would encourage all of my colleagues to support this amendment and support the bill so we can quickly move this bill through the process and have it on the President's desk for his signature.

Mr. SHUSTER. Mr. Chairman, I have no further speakers. I am prepared to close, if the gentleman is through.

Mr. OBERSTAR. We have no further speakers on our side.

Mr. SHUSTER. I yield myself such time as I may consume.

Mr. Chairman, I just wanted to close by talking directly to my colleagues who have over the years been on the floor arguing against Amtrak, arguing to cut Amtrak. I think that this agreement we have here today, there are two important reasons to support this.

First, because of the energy situation in our country. Amtrak does provide a positive alternative to get people out of their cars and to travel, inter-city travel around this country. So that is the first point.

Energy, it is a positive thing we can do for America for energy, and we haven't done anything positive in the last 18 months. Here is something positive we can do on that front.

Second, my colleagues who argue against Amtrak talk about the private sector and how they can do things. Well, this bill has three provisions in it that allow for pilot projects for the private sector to come in to take over underperforming lines, to reestablish lines that are no longer in operation by Amtrak and reestablish them, and to demonstrate what the private sector can do in passenger rail service.

After these lines are taken over, we will have concrete evidence as to what the private sector can do. I feel confident they will be able to perform very well and we will no longer be on the floor theoretically debating. We will say, look what the private sector has done on this line. Look what they have done on the other line. We will have that evidence and have real world facts before us, and that is a positive thing.

So those are two things that my colleagues that have been down here opposing Amtrak today can come to the floor for. I urge them to support the manager's amendment and I urge them to support the underlying legislation.

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

The Acting CHAIRMAN (Mr. CUELLAR). The gentleman from Minnesota has 3½ minutes remaining.

Mr. OBERSTAR. I yield myself the balance of my time.

Mr. Chairman, we have all spoken to one another as colleagues about the work that we have done and the time we have invested to bring this legislation to the floor in the shape that it is in, which is remarkable. But we stand on the shoulders of skilled, dedicated professionals who make our work possible and make it effective.

On the full committee, our Chief of Staff, Dave Heymsfeld, Ward McCarragher, Jen Walsh and Erik Hansen. On the Republican side, Jim Coon and Amy Steinmann.

On the subcommittee, our very dedicated Jennifer Esposito, John Drake, who has filled in for Jennifer while she was raising a new passenger for Amtrak, Rose Hamlin, Niels Knutson and Nick Martinelli of Chairwoman BROWN's staff. On the Republican side, Allison Cullin and Joyce Rose, whose distinguished service and experience contributes enormously, and Mike Meenan and John Brennan, who Ranking Member MICA mentioned has left the committee staff to take an operating position with a railroad.

The Office of Legislative Counsel has been of enormous help, Tim Brown. And at CBO, Sarah Puro.

All of whom have made their unique contribution without whose wise professional guidance we couldn't be at this point. And, believe me, I know. I served on the staff for 12 years in this body, and I know what hard work it is.

□ 1230

I know what hard work it is. All the digging is done there, and I thank them, the staff.

The gentleman from Pennsylvania cited one of the cornerstone breakthrough provisions of this legislation, and that is opening up an opportunity for competition from the private sector to demonstrate whether private sector funding, financing, management, expertise, can operate passenger rail routes successfully, and I welcome that opportunity.

I know that for good friends in the railroad brotherhoods it initially caused a great deal of concern, but I recall the words of President John F. Kennedy, who said we should never fear to negotiate, but we should never negotiate out of fear. There is nothing to fear in this proposition.

There is an opportunity for us to expand the horizons. We are going to have to do this in the surface transportation authorization next year, inviting private sector investments in key elements of our national transportation system.

To open Amtrak to that kind of investment, that challenge of expanding the horizon, is necessary, and I welcome that opportunity. We will monitor it very closely, we will have a very careful evaluation step-by-step of how these provisions will proceed. But I think, net, it will be a benefit to our passenger rail service in America.

Mr. Chairman, I yield back the balance of our time and ask for a favorable vote on the manager's amendment.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota (Mr. OBERSTAR).

The amendment was agreed to.

AMENDMENT NO. 2 OFFERED BY MR. DAVIS OF VIRGINIA

The Acting CHAIRMAN. It is now in order to consider amendment No. 2 printed in House Report 110–703.

Mr. DAVIS of Virginia. Mr. Chairman, I have an amendment made in order under the rule.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 2 offered by Mr. DAVIS of Virginia:

Add at the end of title I the following new section:

SEC. 105. AUTHORIZATION FOR CAPITAL AND PREVENTIVE MAINTENANCE PROJECTS FOR WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY.

(a) AUTHORIZATION.—

(1) IN GENERAL.—Subject to the succeeding provisions of this section, the Secretary of Transportation is authorized to make grants to the Transit Authority, in addition to the contributions authorized under sections 3, 14, and 17 of the National Capital Transportation Act of 1969 (sec. 9—1101.01 et seq., D.C. Official Code), for the purpose of financing in part the capital and preventive maintenance projects included in the Capital Improvement Program approved by the Board of Directors of the Transit Authority.

(2) DEFINITIONS.—In this section—

(A) the term ''Transit Authority'' means the Washington Metropolitan Area Transit Authority established under Article III of the Compact; and

(B) the term ''Compact'' means the Washington Metropolitan Area Transit Authority Compact (80 Stat. 1324; Public Law 89—774).

(b) USE OF FUNDS.—The Federal grants made pursuant to the authorization under this section shall be subject to the following limitations and conditions:

(1) The work for which such Federal grants are authorized shall be subject to the provisions of the Compact (consistent with the amendments to the Compact described in subsection (d)).

(2) Each such Federal grant shall be for 50 percent of the net project cost of the project involved, and shall be provided in cash from sources other than Federal funds or revenues from the operation of public mass transportation systems. Consistent with the terms of the amendment to the Compact described in subsection (d)(1), any funds so provided shall be solely from undistributed cash surpluses, replacement or depreciation funds or reserves available in cash, or new capital.

(3) Such Federal grants may be used only for the maintenance and upkeep of the systems of the Transit Authority as of the date of the enactment of this Act and may not be used to increase the mileage of the rail system.

(c) APPLICABILITY OF REQUIREMENTS FOR MASS TRANSPORTATION CAPITAL PROJECTS RECEIVING FUNDS UNDER FEDERAL TRANSPORTATION LAW.—Except as specifically provided in this section, the use of any amounts appropriated pursuant to the authorization under this section shall be subject to the requirements applicable to capital projects for

which funds are provided under chapter 53 of title 49, United States Code, except to the extent that the Secretary of Transportation determines that the requirements are inconsistent with the purposes of this section.

(d) AMENDMENTS TO COMPACT.—No amounts may be provided to the Transit Authority pursuant to the authorization under this section until the Transit Authority notifies the Secretary of Transportation that each of the following amendments to the Compact (and any further amendments which may be required to implement such amendments) have taken effect:

(1)(A) An amendment requiring that all payments by the local signatory governments for the Transit Authority for the purpose of matching any Federal funds appropriated in any given year authorized under subsection (a) for the cost of operating and maintaining the adopted regional system are made from amounts derived from dedicated funding sources.

(B) For purposes of this paragraph, the term ''dedicated funding source'' means any source of funding which is earmarked or required under State or local law to be used to match Federal appropriations authorized under this Act for payments to the Transit Authority.

(2) An amendment establishing an Office of the Inspector General of the Transit Authority.

(3) An amendment expanding the Board of Directors of the Transit Authority to include 4 additional Directors appointed by the Administrator of General Services, of whom 2 shall be nonvoting and 2 shall be voting, and requiring one of the voting members so appointed to be a regular passenger and customer of the bus or rail service of the Transit Authority.

(e) ACCESS TO WIRELESS SERVICE IN METRORAIL SYSTEM.—

(1) REQUIRING TRANSIT AUTHORITY TO PROVIDE ACCESS TO SERVICE.—No amounts may be provided to the Transit Authority pursuant to the authorization under this section unless the Transit Authority ensures that customers of the rail service of the Transit Authority have access within the rail system to services provided by any licensed wireless provider that notifies the Transit Authority (in accordance with such procedures as the Transit Authority may adopt) of its intent to offer service to the public, in accordance with the following timetable:

(A) Not later than 1 year after the date of the enactment of this Act, in the 20 underground rail station platforms with the highest volume of passenger traffic.

(B) Not later than 4 years after such date, throughout the rail system.

(2) ACCESS OF WIRELESS PROVIDERS TO SYSTEM FOR UPGRADES AND MAINTENANCE.—No amounts may be provided to the Transit Authority pursuant to the authorization under this section unless the Transit Authority ensures that each licensed wireless provider who provides service to the public within the rail system pursuant to paragraph (1) has access to the system on an ongoing basis (subject to such restrictions as the Transit Authority may impose to ensure that such access will not unduly impact rail operations or threaten the safety of customers or employees of the rail system) to carry out emergency repairs, routine maintenance, and upgrades to the service.

(3) PERMITTING REASONABLE AND CUSTOMARY CHARGES.—Nothing in this subsection may be construed to prohibit the Transit Authority from requiring a licensed wireless provider to pay reasonable and customary charges for access granted under this subsection.

(4) REPORTS.—Not later than 1 year after the date of the enactment of this Act, and each of the 3 years thereafter, the Transit Authority shall submit to the Committee on Oversight and Government Reform of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report on the implementation of this subsection.

(5) DEFINITION.—In this subsection, the term ''licensed wireless provider'' means any provider of wireless services who is operating pursuant to a Federal license to offer such services to the public for profit.

(f) AMOUNT.—There are authorized to be appropriated to the Secretary of Transportation for grants under this section an aggregate amount not to exceed $1,500,000,000 to be available in increments over 10 fiscal years beginning in fiscal year 2009, or until expended.

(g) AVAILABILITY.—Amounts appropriated pursuant to the authorization under this section shall remain available until expended.

The Acting CHAIRMAN. Pursuant to House Resolution 1253, the gentleman from Virginia (Mr. DAVIS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. DAVIS of Virginia. Mr. Chairman, I yield myself such time as I may consume.

I rise today in strong support of the Davis-Van Hollen-Hoyer amendment to the Passenger Rail and Investment Improvement Act of 2008. This amendment would reaffirm the Federal Government's longstanding commitment to the regional transportation system critical to keeping the Government open and operating efficiently.

The precedent for Federal investment in the Washington Metropolitan Area Transit Authority dates back to 1960, when President Eisenhower signed the ''National Capital Transportation Act,'' creating the agency responsible for developing a regional rail system for the Nation's Capital.

Since that time, Congress has infused the system with funding for construction of the original 103–mile system on multiple occasions.

The Federal Government has a vested interest in the long-term sustainability of the Metro system. After all, approximately half of the system's peak ridership is composed of Federal employees and contractors and over 50 Federal agencies in the National Capital Region are located adjacent to Metro stations. These Federal agencies rely on Metro to get their employees to and from the workplace year-round, in all types of weather.

Unlike other transit systems throughout the country, however, the Washington Metropolitan Area Transit Authority cannot generate revenues from the property adjacent to Metro stations because the property is disproportionately occupied by Federal buildings, embassies and non-profit organizations. This amendment would make up for this discrepancy.

In exchange for the reauthorization, the Davis-Van Hollen-Hoyer amendment would require Maryland, D.C. and Virginia—at long last—to develop dedicated funding sources for the Metro system. All three local jurisdictions have already taken steps to fulfill this Federal requirement—although the job is not yet done. Virginia's efforts to establish a dedicated source of funding for Metro was recently struck down by the Virginia Supreme Court, forcing local legislators to go back to the drawing board to develop a new mechanism to fund Metro.

In addition, in order to address some of the significant management challenges facing Metro, the amendment would require the establishment of an independent inspector general for the Washington Metropolitan Area Transit Authority to oversee its spending and finances, and it would add four federal members to WMATA's Board of Directors to help ensure the transportation needs of the federal government are adequately addressed.

The reauthorization of Federal funding, as well as the increased federal oversight of WMATA, must not face further delay. Earlier this year, the Washington Post reported that the Transit Authority is in dire need of additional financing—to the tune of $489 million—to address short-term capital improvement needs such as track replacement, rail car safety improvements, and repairs to deteriorating infrastructure. This needed funding for the agency's capital budget is above and beyond the additional funding generated by Metro's recent fare increase, which goes to the agency's operating budget.

This federal funding will not be going toward expansions to the Metro system—the funding will be dedicated exclusively to overhauling the agency's capital and infrastructure, which has not undergone a comprehensive overhaul since the system was created several decades ago.

The House passed legislation similar to this amendment during the 109th Congress but we were unable to get it through the Senate before time ran out.

I urge my colleagues to support this critical investment in the transportation infrastructure which supports our Federal Government. It is only a matter of time before the reports of potential disasters in the transit system serving the Nation's capital become reports of actual disasters involving collapsed platforms or derailed trains. We must not stand by and wait for that to happen before we take action.

Thank you, Mr. Chairman. I urge my colleagues to support this amendment.

Mr. Chairman, I would yield 2 minutes to the gentleman from Maryland (Mr. VAN HOLLEN), who is a cosponsor of this amendment with me and Mr. HOYER.

Mr. VAN HOLLEN. Let me begin by congratulating Chairman OBERSTAR and Ranking Member MICA and the Transportation Committee for all the work they have done in bringing this very important legislation to the floor, and to my colleague, Mr. DAVIS from Virginia, for his leadership on this issue of the WMATA system, the Washington Metro system. I am pleased to join with him and others in a bipartisan basis from the Washington region to offer this amendment.

I think we all know that the Federal Government relies very heavily on the Metro system to bring thousands and thousands of Federal employees to work each day at our national security agencies, at the Department of Health and Human Services, and other Federal agencies throughout this region that help provide essential services to the American people. It's also a critical part of any evacuation plan in the

event of a national emergency that would require the evacuation of the Capitol.

That's one of the reasons the Federal Government has made large investments in the WMATA construction in the past and its maintenance, and that is why it's important that we continue to have a Federal role. What the purpose of this amendment is to protect that Federal amendment, because right now the Federal Government is at the whim of local jurisdictions as to whether or not they are going to make their payments into this system as part of a partnership.

What this does is it says, yes, the Federal Government will provide, authorizes up to $150 million a year in matching funds. Those funds may only be released when WMATA certifies and notifies the Department of Transportation that local jurisdictions have established a reliable and dedicated source of funding to do their share of the funds in partnership here.

It also increases accountability to protect that Federal investment by creating an inspector general to oversee WMATA's finances and adds four new federally appointed directors to WMATA. This is to protect the Federal investment that has been made and make sure the interests of the people in this area, consumers as well as the Federal interest, is protected.

This has passed the House. I want to stress this. This Davis provision has passed the House in the past in 2006. We passed it. It's been sitting over in the Senate. I just urge all our colleagues to come together in 2008 to do what we did in 2006 and adopt this important provision.

Ms. FOXX. Mr. Chairman, I seek time to speak in opposition to this amendment.

The Acting CHAIRMAN. The gentlewoman from North Carolina is recognized for 5 minutes.

Ms. FOXX. Mr. Chairman, I want to congratulate people on both sides of the aisle who have worked out a way to have Amtrak work. My family and I travel on Amtrak every chance we get, and I believe that we need an efficient, strong, train system in the United States.

I want to especially commend Ranking Member MICA and subcommittee Ranking Member SHUSTER for their work in pushing for private-sector initiatives.

As a member of the Oversight and Government Reform Committee, it's also been my pleasure to work with Ranking Member DAVIS on a variety of issues. I appreciate his passion for this issue, but I have to say that this amendment is eerily similar to a bill that came before that committee, H.R. 401, the National Capital Transportation Amendments Act, which summed up the largest earmark in history and would direct $1.5 billion in new Federal spending towards the Washington Metropolitan Transit Authority, or WMATA.

When that bill came before the committee, I raised a number of concerns, including the fact that it was not referred to or considered by the Transportation Committee. When I raised these concerns, I was concerned that the OGR committee had appropriate jurisdiction to consider the issue, which begs the question why it is now appropriate to consider this amendment on a Transportation Committee bill. The fact that it's here now, it seems, proves to me, that H.R. 401 should not have been in Oversight but in Transportation.

However, there are a variety of other concerns I have with this proposition. It's true that WMATA has been plagued by reports of mismanagement that compromise the fiscal integrity of the system. Management is beholding to employee unions that have run amok with overtime pay and retirement benefits, warping the system's fiscal priorities. Providing another Federal line item for WMATA is the last thing we needed to spur reform of this mismanaged system.

Mr. Chairman, I would like to submit for the RECORD three pieces I believe articulate many of my concerns in this respect.

[From the Examiner, Apr. 13, 2007]

BLOATED PAYROLL BEHIND METRO'S BUDGETARY WOES

WASHINGTON.—Now we know why the Washington Metropolitan Area Transit Authority alsways seems to be out of money.

Examiner reporter Joe Rogalsky examined Metro payroll records (available online at www.examiner.com/wecan) and found that the transit agency paid out a staggering $70 million in overtime last year. More than half of the top 200 hourly employees who racked up the most overtime in 2006 took home six-figure paychecks that equaled or exceeded the already generous salaries of Metro's top managers.

There's something wrong when a bus driver makes more than an assistant general manager, or a Metro police officer is paid more than the director of emergency management. This is especially true when Metro managers themselves are more than amply compensated. According to the Bureau of Economic Analysis, average per-capita income in the Washington region in 2005 was $49,530—the fourth-highest in the U.S. But the total pay for Many metro employees is three times that amount.

General Manager John Catoe Jr. says he won't ask for a fare increase this year. Instead, he plans to cut spending and eliminate 100 positions in an attempt to make up a $116 million budget shortfall. But if Metro is really stretched so thin that it had to spend an extra $70 million in overtime to keep the trains and buses running, Catoe should be hiring people, not downsizing.

The answer to this apparent contradiction is that Metro's bloated payroll has long been padded by politically sensitive management with no interest in keeping down costs for passengers or relieving the taxpayers who have been bailing them out for decades. Metro's latest bailout scheme is the controversial $1.5 billion federal earmark that if adopted will also mean higher taxes for District, Virginia and Maryland residents.

The scandal here is not just overtime abuses, however. Metro pensions are based on the three-highest earning years, so a unionized bus operator with an annual base salary of $50,000 and lots of overtime during those ''High Three'' years can easily end up with $80,000 in annual pension benefits. This is substantially more generous than even the old federal Civil Service Retirement System.

Sooner or later, Metro will have to address its growing unfunded pension liability. Major management reforms are probably impossible under the present union contract and political leadership, which means that higher taxes, more fare increases, deferred maintenance and diminished service are likely unavoidable. Catoe is paid $360,000—more than any area elected official—and his perks include a company car, so it will be tough for him to demand austerity from the union without practicing it himself. And Metro Board members—political creatures who should be looking out for taxpayers but don't—need to learn some new pitches instead of always begging for more tax dollars.

Metro employees deserve good working conditions and competitive salaries, but they shouldn't be allowed to take the rest of us to the cleaners.

[From The Washington Times, May 5, 2008]

TIME TO END METRO'S GRAVY TRAIN

(By Tom Coburn)

There are a lot of words to describe the D.C. Metrorail system, but ''underfunded'' is not one. Still, many local politicians are incensed that I oppose a proposal to give the Metro an additional $1.5 billion for infrastructure improvements. Proponents of this plan argue that the answer to Metro's problems is another huge influx of federal dollars.

I respectfully disagree. The biggest problem facing Metro may actually be too much federal funding. Like most rail systems around the country, Metro has grown accustomed to the huge subsidies it gets every year from federal taxpayers. In the last five years alone, Metro was given over $1 billion—hardly a small amount.

The difference between Metro and other municipal transit systems, however, is that other systems are both accountable to and better supported by their local users and governments. Keeping Metro on life support primarily through ever-increasing federal subsidies will only exacerbate the problems the system already faces and insulate Metro from meaningful, customer-centered reform.

Metro riders themselves are all too familiar with the system's problems. When trains are late, riders are left standing on the platform not knowing when, or if, it will ever come. Little effort is made to keep escalators working. In 2005, there were typically more than 50 broken escalators on any given day. According to Metro, it would take several months to fix an escalator, forcing people to walk up huge flights of stairs instead while they were inoperable.

Many efforts to improve the system have been a bust due to poor management. So-called refurbished trains break down more often than those that haven't been updated. Lavish ''culture change'' management programs have done nothing to improve management while wasting nearly half a million dollars. Meanwhile, management has failed to manage spiraling overtime costs. By 2006, Metro was spending 14 percent of its entire payroll budget on overtime, costing it $91 million that year. Although management must have known about the problem for years, it wasn't addressed until the negative publicity became too much to ignore.

The expectation of more federal dollars that aren't connected to performance has caused the system to overextend itself. Consider the $5 billion Dulles extension being sought by the state of Virginia. To keep the project alive, local politicians are forced to

claim on the one hand that there is absolutely no money in the budget to fix the current system. On the other hand, they have billions available to build a 23–mile extension to Dulles Airport that few think will have an impact on traffic congestion. Is it too much to ask local governments to fix the system they already have before asking for money for expansions?

Federal taxpayers—including those from my home state of Oklahoma—have been extremely generous to the D.C. Metro. Most taxpayers will never get to set foot in a Metro car that they helped pay for. This is a helpful reminder considering the fact that the average Oklahoman, who earns $40,000 a year, subsidizes the Metro rides of federal workers in D.C. who earn $90,000 a year. Those federal workers who earn very good money make up nearly half of Metro's riders. Asking them to pay a little more would hardly be unfair or burdensome.

It also is not too much to ask supporters of this plan in Congress to propose spending offsets to pay for this additional $1.5 billion request. My office alone has identified $300 billion in annual waste, fraud and duplication in the federal budget. Any member of Congress who can't find a little fat in the federal budget is out of touch with the real-world budget choices families face every day. In the real world, Americans tighten their belts in tough times and spend less in some areas if they have to spend more in other areas. Dismissing an additional $1.5 billion for the Metro as a blip in the budget is precisely the mentality that has caused Congress to rack up a $600 billion annual deficit this year and a long-term debt of nearly $10 trillion. I make no apologies for opposing this reckless status quo culture of spending that puts the interests of career politicians ahead of the next generation.

The real solution for Metro is to return to local control, even though that means more local funding and less federal funding. If more funding came from local sources, Metro officials would have no choice but to be more accountable to local governments that are elected by local citizens. As long as I'm in the Senate, the policy that says we have to pump more federal money into a system regardless of performance and outcome is a train that will never leave the station.

[From the Heritage Foundation, Oct. 16, 2007]

WASHINGTON METRO NEEDS REFORM, NOT A FEDERAL BAILOUT

(By Ronald D. Utt, Ph.D.)

Both the House and Senate will soon have an opportunity to vote on legislation introduced by Representative Tom Davis (R—VA) to divert $1.5 billion of federal revenues over 10 years to provide additional subsidies to the deeply troubled Washington Metropolitan Area Transit Authority (WMATA), which serves the nation's capital and his congressional district with buses and a metro rail system Titled the ''National Capital Transportation Amendments Act of 2007,'' both the Senate version (S. 1446) and the House version (H.R. 401) have been reported out of committee and now await action on the floor. These proposed subsidies, and the tax increases needed to fund them, would be in addition to the other subsidies and tax increases being sought to extend WMATA's metro rail service to Dulles Airport.

Defined as an earmark because of its location-specific applicability and the distribution of benefits to a small number of people in a limited number of communities, this massive earmark would be one of the largest ever passed—larger than even Alaska's infamous ''Bridge to Nowhere,'' which Congress and the state of Alaska have since canceled. Congress should reject the bailout approach and instead link the continuation of existing federal subsidies to management and labor reforms at WMATA.

Overstepping Federal Bounds. As bad as this legislation may be from a federal budget perspective, the Davis bailout also promotes tax-and-spend policies at the state and local levels. Section 18 (d)(1)(A) requires jurisdictions in Metro's service area to raise local matching funds through a ''dedicated funding source'' in order to receive the federal funds This, of course, implies the imposition of a dedicated tax. This 10-year, $1.5 billion commitment would be on top of the $671 million the Local communities already provide WMATA each year.

Seduced by the federal largesse, legislators in Virginia recently enacted a controversial transportation law (HB 3202) that empowered a transportation taxing authority for Virginia's Washington suburbs. The authority's unelected board would be allowed to impose theses taxes, and would guarantee that the first $50 million in taxes raised by the authority each year would go to WMATA, despite the fact that only a small number of people in the region use the system. Widely unpopular among voters, the Virginia legislation is now the subject of court challenges based on its constitutionality, and some analysts believe that voters' adverse reaction may lead to a change in party control of the Virginia legislature.

Rewarding Poor Performance. Mr. Davis justifies the earmark on the grounds that ''Metro, the public transit system of the Washington metropolitan area, is essential for the continued and effective performance of the functions of the Federal Government, and for the orderly movement of people during major events and times of regional and national emergency.''

But Metro provides no such service. Unreliable and poorly run, the system is subject to frequent shutdowns and service interruptions due to equipment failure, bad weather, suicides, driver error, and passenger medical emergencies. During one recent setback, a Metro spokeswoman noted that ''Because nearly half of Metro's daily commuters are federal government employees . . . delays could be less severe if large numbers of them take advantage of the unscheduled leave option and stay home.'' So much for it being ''essential for . . . the Federal Government.'' Perhaps as a result of its low quality service, WMATA ridership has been stagnant over the past few years, declining from 2004 to 2005, but rising to slightly above the 2004 volume in 2006.

Despite decades of lavish subsidies from state, local, and federal authorities, WMATA is plagued by serious problems, chief among them being a legacy of mismanagement and high-cost operations. As a consequence of its many operating inefficiencies, the system is broke and has no funds to add to capacity, replace unreliable rolling stock, or make other necessary repairs and improvements. Although it has raised fares twice in the last few years, the modest increases were well below the cost increases incurred by local motorists due to soaring gasoline prices. A proposal by its director to increase them again was not supported by its board.

WMATA has avoided opportunities to save money and improve service through competitive contracting, due in part to management's unwillingness to confront opposition from its unionized workforce. The communities it serves do not share WMATA's fear of contracting. Private contractors operate virtually all of the newer public transit services in the Washington, D.C., area, the WMATA alternative is simply too expensive and unreliable.

Another troubling aspect of this legislation is the regressive nature of the spending policies it promotes. Notwithstanding the bill's contention that subsidizing the daily commute of civil servants is an essential national need, Washington-area workers are among the best paid in the nation. Whereas the median household income nationwide was $58,526 in 2006, it was $119,812 in Fairfax County, VA—the most populous pan of Mr. Davis' congressional district. Also, the U.S. Bureau of the Census reports that only 9.4 percent of Fairfax County residents and only 4.2 percent of Prince William County residents use WMATA services or another form of transit to get to work.

Conclusion. This bill would do little more than reward poor performance with an unprecedented taxpayer bailout. Congress should force fundamental market-based reforms on Metro by linking the continuation of the system's existing federal subsidies to reductions in operating costs, improvements in service, and an aggressive program of competitive contracting similar to the successful reforms implemented elsewhere in several of the major metropolitan areas of Europe.

The other question I raised during committee consideration of H.R. 401 is why should Washington, D.C. step to the front of the line to receive special subsidies paid for by taxpayers throughout the country, many of whom will never step foot on a Washington Metro train or bus. I have heard that due to the high number of Federal employees in the area, we are somehow obliged to subsidize their commute in this way.

However, this point fails to recognize that the Federal Government already subsidizes Federal employees' commutes through the issuance of Metro checks, which many Capitol Hill staffers receive. These subsidies come on top of those provided through a variety of preexisting, generous Federal grant programs. This system of allocating Federal transit funding is considerably more equitable and fair than creating a special line item for a particular metropolitan area.

I am quite confident that my constituents in Winston-Salem or elsewhere throughout my district would certainly appreciate their own Federal transit line item. We also heard that Washington, D.C. needs this especially targeted Federal line item more than other regions or cities, including New York City, which are not included in this amendment, because of security threats to the city.

However, even if security threats help justify the need for more Federal assistance to Washington, D.C., then the efforts invested in this approach should be focused on establishing an equitable system that allocates funding fairly among cities with varying degrees of security threats.

It is for these reasons and many more that I recommend rejecting this amendment.

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

Mr. DAVIS of Virginia. Mr. Chairman, I recognize the distinguished majority leader, the gentleman from Maryland (Mr. HOYER), for 1 minute.

Mr. HOYER. I thank the gentleman from Virginia (Mr. DAVIS) for yielding.

I note that my good friend, FRANK WOLF, is on the floor as well. I don't know that there is any Member of this body with whom I have worked more closely on an objective than FRANK WOLF and I worked, particularly during the 1980s and early 1990s on this America's subway. I am glad that he is on the floor, and I thank Mr. DAVIS for his leadership and Mr. VAN HOLLEN, Mr. MORAN. We have all worked very hard on that. Mr. OBERSTAR, we thank you as well for your assistance.

Bill Lehman was from Florida. Bill Lehman was chairman of the Transportation Subcommittee of the Appropriations Committee, and Bill Lehman used to call this America's subway.

I tell the gentlelady from North Carolina, I don't know whether she has left, and I appreciate her remarks, but it is America's subway. It's in the Nation's Capital, yet 18 million to 22 million Americans from outside this region ride it as they visit their Nation's Capital.

The employees who come into this city work for our Nation, not for the State of Virginia and the State of Maryland or even for the District of Columbia but for our Nation and all of our taxpayers.

That's why it's America's subway, and that's why we invested significantly in its construction. That's why it is necessary and appropriate for us to invest in its maintenance and continuing quality.

I would urge my colleagues to support this legislation. I have a statement that I will put in the RECORD without going through all of the specifics that have been discussed.

I want to say also to the gentlelady, yes, this is an amendment, but, unlike most amendments, this amendment has already gotten the imprimatur of the overwhelming numbers in this House and passed on suspension when Mr. DAVIS offered it, when the now minority, but the then Republican majority, was in charge of the Congress, with Democrats strongly supporting Mr. DAVIS' bill.

I think Democrats will strongly support Mr. DAVIS' bill. I would hope Republicans would strongly support Mr. DAVIS' bill to accommodate their taxpayers, their workers and their Nation's Capital.

I want to again thank Mr. DAVIS for his leadership on this issue. I want to thank Mr. WOLF for his partnership for me for now into our third decade of working on this issue.

We can be proud of this Metro system. It is one of the best in the world, not just in our country. Every American can be proud of their subway.

I urge very strong support across the aisle. This is not a partisan issue. As I say, Mr. WOLF and I worked in lockstep for over a decade in ensuring that this subway was completed. Mr. MORAN joined us some time later, and that was working at the local level as the mayor of his city. Mr. DAVIS, as county executive of his county, we worked together. I want to also thank the ranking member very much for his leadership and his facilitating this amendment coming forward on the floor.

Mr. Chairman, I rise in strong support of the Davis-Van Hollen-Hoyer amendment to the Amtrak reauthorization. This critical amendment will help ensure that the "Nation's subway" continues to operate in a safe, reliable and effective manner.

The Washington Metro Area Transit Authority—which was established in 1967—has been faced with a severely aging infrastructure. In recent years, it has led to widespread maintenance problems, increased delays, and threats to passenger safety.

In fact, Metro officials recently estimated that the system needs approximately $489 million in urgent and outstanding infrastructure repair work.

This amendment—which is based on legislation which overwhelmingly passed the House of Representatives in the last Congress—would authorize $1.5 billion in Federal funding for capital repairs and maintenance in the Metro System. This funding would be collectively matched by dedicated funds from Maryland, DC, and Virginia.

I have heard some of my colleagues question the appropriateness of a Federal investment in this system. In my view, this perspective is shortsighted and does not take into consideration the Federal Government's long history in the development of and reliance upon the Metro.

In 1960, the Congress passed and President Eisenhower signed into law the legislation to provide for the development of a regional rail system for the Nation's Capital. Congress has since passed Metro authorization bills in 1965, 1969, 1979, and 1990. The Federal Government provided $6.2 billion of the approximately $10 billion needed to construct the original 103-mile system.

Metro is critical to the Federal Government's evacuation plans of the Nation's Capital and we experienced Metro's essential role during the city's evacuation on September 11th, 2001.

Nearly half of Metro's riders during peak ridership are Federal employees and more than 50 Federal agencies are located adjacent to Metro stations.

Millions of tourists from across the country visit our Nation's Capital each year and many of these visitors use the Metro system to traverse the city while visiting our Nation's museums, monuments and historic landmarks.

Clearly, the Federal Government and the American people depend on Metro and there is a clear Federal interest in ensuring that the system is able to operate efficiently and effectively.

Unfortunately, just this week we were reminded of Metro's importance and its deteriorating infrastructure when an orange line train derailed in Northern Virginia. This mishap, where thankfully no one was injured, delayed the evening commute for many Federal employees and reinforced the need for this legislation.

Mr. Chairman, we must act now to preserve this critical national asset and ensure that the Nation's capital continues to have a safe, reliable, and effective transit system for the Federal workforce and its visitors. I urge my colleagues to join with me in voting for this important amendment.

Mr. DAVIS of Virginia. Mr. Chairman, I yield 45 seconds to the gentleman from Virginia (Mr. MORAN).

Mr. MORAN of Virginia. I thank my friend and colleague.

Mr. Chairman, the rail system that this amendment funds serves the capital of the free world. Yet, along with Los Angeles, we have the very worst congestion in the country.

In fact, when you look at lost productivity, it is the most expensive loss of productivity, congestion in the country and those who are wasting so much of their time in traffic are our government workers. The reason for this deficiency is that we are the only public transit system that doesn't have a dedicated source of revenue.

Now, what we are suggesting here, when gas is at $4 a gallon, when it costs over $60 to fill up your tank, we have got to have more public transit throughout the country. But shouldn't we lead the way? Shouldn't we show by example that at least the Washington metropolitan area has a decent transit system?

That's what Mr. DAVIS's amendment does. It does what should have been done years ago. It creates a dedicated source of funding for Washington's transit system.

I very strongly support Mr. DAVIS's amendment, and I thank all of my friends and colleagues who have contributed to it. It belongs on the Amtrak bill. It's all about finding more intelligent, more efficient ways of transportation.

Mr. DAVIS of Virginia. Mr. Chairman, I yield 45 seconds to the gentleman from Virginia (Mr. WOLF).

(Mr. WOLF asked and was given permission to revise and extend his remarks.)

Mr. WOLF. I want to thank the gentleman from Virginia for his leadership. I am going to miss him and everyone is going to miss him as he leaves the body.

I would shudder to think how the Nation's Capital would function without Metro. Visitors from all over the country, as the other Members have said, and all over the world use this system when visiting the Nation's Capital.

Metro's highest ridership days have come when national events were taking place, Presidential inaugurations, holiday celebrations, 4th of July and such as the recent visit of the Pope.

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Lastly, this system is vital to the emergency needs of the Nation. During the terrorist attacks of 9/11, when the Pentagon was hit, this city was immobilized and you could not get in and you could not get out. Metro was the reliable source, the reliable way to ensure that thousands were able to safely and quickly evacuate the city. This is, as the majority leader said, America's system.

I thank Mr. DAVIS again, and God bless him on his service.

Mr. Chairman, I rise in support of the amendment offered by my Virginia colleague

and long-time advocate for the transportation needs of the Washington metropolitan area.

This House and this region are going to miss TOM DAVIS. He has worked tirelessly to provide the needed support and oversight of the Washington Metro system to ensure that it serves not only the residents and commuters of Virginia, Maryland, and the District of Columbia, but the millions of visitors to the Capital City.

I have been pleased to work with Congressman DAVIS as well as Congressman HOYER and others in the Washington metropolitan area congressional delegation to spur Congress as Metro's partner, providing the Federal investment to operate the system.

Every Congress and every administration since 1960 when President Eisenhower signed the National Capital Transportation Act creating the agency to develop a rapid rail system in the Nation's capital has recognized the Washington Metro system as America's subway.

I shudder to think how the Nation's capital would function without Metro. Visitors from all over the country and indeed the world use the system daily when visiting our nation's capital. Metro's highest ridership days have come when national events were taking place here, attended by thousands of citizens from across the country—presidential inaugurations, holiday celebrations, and events such as the Pope's recent visit.

The Metro system also supports the Federal workforce. Federal employees rely on Metro to commute back and forth to work and home every day, and also between Federal offices during the day. During peak times, over half of Metro's riders are Federal employees and contractors.

Finally, this system is vital to the emergency needs of the region. During the terrorist attacks of 9/11, Metro was the reliable way to ensure that thousands of people were able to safely and quickly evacuate the city.

Now today, with gas prices soaring, Metro serves as the mass transit option for growing numbers of commuters.

It was a 16-year effort after President Eisenhower signed the planning legislation which culminated in Metrorail's opening day in 1976 with five stations operating 4.2 miles on the Red Line. Some 12 years later in 1988, Metrorail carried its one-billionth rider. In 2001, Metro opened the five-station, 6.5-mile segment to Branch Ave, completing the 103-mile, 83 station Metrorail system.

With Metro's growing use and importance in providing mobility for thousands of riders every day, it is critical that this Congress makes sure that capital improvements and preventive maintenance are provided to ensure the system's continued operation.

With the federal investment, however, comes the expectation that Metro be accountable for the taxpayer funds which it uses. This amendment is important to that effort and I urge adoption of Congressman DAVIS's amendment.

Mr. DAVIS of Virginia. Mr. Chairman, I yield myself the balance of my time.

(Mr. DAVIS of Virginia asked and was given permission to revise and extend his remarks.)

Mr. DAVIS of Virginia. Mr. Chairman, let me just say this legislation has passed the House freestanding before. This establishes an independent inspector general's office for WMATA and puts Federal representation on the WMATA board for the first time in history, along with local representation, and it requires dedicated local matches, something the current legislation doesn't do.

We have one choice, we can make Metro safer or put it at greater risk, and the choice is ours, and I urge adoption of the amendment.

The Washington Metropolitan Area Transit Authority was created by an act of Congress—Public Law 89–744—in 1966. Since that time, Congress has authorized billions of dollars for WMATA on several occasions, including reauthorizations in 1969, 1979 and 1990.

All of these reauthorizations, including the one we are considering here today, have been based on the congressional finding from the National Capital Transportation Act of 1960, signed into law by President Eisenhower as Public Law 86–669, that an "improved transportation system for the National Capital region is essential for the continued and effective performance of the functions of the Government of the United States."

To call into question the ethics of Members who support the reauthorization of Federal funding for an agency created by Congress more than four decades ago illustrates the absurdity of the majority's newly instated rule on congressional earmarks. It also highlights an overzealousness by Members on our side of the aisle who are keen on doing whatever it takes to derail important legislation.

This amendment is not an earmark in violation of clause 9 of House Rule XXI and does not require disclosure under clause 17 of the Code of Official Conduct, just like Chairman OBERSTAR's H.R. 6003, the Passenger Rail Investment and Improvement Act of 2008, which reauthorizes Federal funding for Amtrak, is not an earmark in violation of the rules.

Mr. OBERSTAR. Mr. Chairman, I rise in strong support of the amendment offered by my metropolitan Washington colleagues, the gentleman from Virginia (Mr. DAVIS), the gentleman from Maryland (Mr. VAN HOLLEN), and the Majority Leader (Mr. HOYER).

This amendment authorizes the Secretary to make grants to the Washington Metropolitan Area Transit Authority ("WMATA") to finance capital and preventive maintenance projects included in the agency's Capital Improvement Program.

The amendment will also require that all local payments for the cost of operating and maintaining the area's regional rail system—known as the "Metro"—be made from dedicated funding sources.

This is especially important in light of the fact that WMATA is currently the only transit system of its size that does not have a fully dedicated source of State or local funding.

The WMATA transit system is one of the busiest in the entire country, providing over 415 million passenger trips each year. Each day, more than 800,000 people ride Metro trains, and over 150,000 ride Metro buses.

Only the New York, Chicago, and Los Angeles transit systems produce more yearly transit passenger trips than WMATA in Washington, DC.

Further, the Federal workforce relies heavily on the reliable and efficient service that the WMATA system provides. More than 165,000 Federal employees, or one-third of Federal employees in the region, are currently enrolled in the transit benefits program with WMATA.

According to a study by the U.S. Department of Transportation, the service that WMATA provides to our Federal employees helps keep an additional 15,500 automobiles off the roads in the National Capital region, and saves those commuters over 8.2 million gallons of gas each year.

The Washington Metropolitan Area Transit Authority is an important part of our Nation's strategy to provide commuters efficient and reliable transit options, thereby allowing them to reduce their transportation-related emissions, energy consumption, and reliance on foreign oil.

Regarding the specific language of this amendment, it is important to note that these new grants will be subject to the same labor, environmental, Buy America procurement, diversity contracting, and other requirements applicable to all transit projects funded under Chapter 53 of Title 49, United States Code. If this amendment is adopted, in conference on H.R. 6003, 1 would like to further clarify the specific terms of Chapter 53 which may be inconsistent with the purposes of the amendment.

Mr. Chairman, I urge my colleagues to join me in supporting the amendment.

Ms. CORRINE BROWN of Florida. Mr. Chairman, the Washington D.C. Metro system is the fourth busiest transit system in the nation. The system provides transportation to the federal employees who work here everyday and the millions of visitors that visit the city each year.

This amendment will require a dedicated funding source provided by the local governments that are served by the Metro. Something for which the Metro has been without for far too long.

It also creates an office of Inspector General to help provide oversight of the system.

This legislation also ensures that rail customers will have access to a broad range of wireless providers in case of an emergency and will provide additional dollars to the Transit Authority.

The Metro system that serves this country's capital is a national asset and I hope that both the local and federal government will continue to show full support for the system.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Virginia (Mr. DAVIS).

The amendment was agreed to.

AMENDMENT NO. 3 OFFERED BY MR. SMITH OF WASHINGTON

The Acting CHAIRMAN. It is now in order to consider amendment No. 3 printed in House Report 110–703.

Mr. SMITH of Washington. Thank you, Mr. Chairman. I have an approved amendment by the rule to offer.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 3 offered by Mr. SMITH of Washington:

In title IV, add at the end the following new section (and amend the table of contents accordingly):

SEC. 402. ROUTING EFFICIENCY DISCUSSIONS WITH AMTRAK.

Amtrak shall engage in good faith discussions, with commuter rail entities and regional and State public transportation authorities operating on the same trackage owned by a rail carrier as Amtrak, with respect to the routing and timing of trains to most efficiently move a maximal number of commuter, intercity, and regional rail passengers, particularly during the peak times of commuter usage at the morning and evening hours marking the start and end of a typical work day, and with respect to the expansion and enhancement of commuter rail and regional rail public transportation service.

The Acting CHAIRMAN. Pursuant to House Resolution 1253, the gentleman from Washington (Mr. SMITH) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Washington.

Mr. SMITH of Washington. Mr. Chairman, I yield myself such time as I may consume.

My amendment is very simple and straightforward. It encourages collaboration between Amtrak and local and regional commuter rail agencies on train schedules and routing in shared corridors. There are competing needs for some of these uses, and cooperation between Amtrak and others is critically important to take most advantage of our rail corridors.

Across the Nation there are multiple commuter rail transit agencies that run on the same rails as Amtrak. Many of these public transportation services have made substantial investments in the tracks and signal capacity on a rail corridor to enhance commuter rail service.

Currently, Amtrak has first right to schedule their services, which can often result in delays to commuter rail passengers and have negative impacts on the on-time performance of the commuter rails. Amtrak must work with commuter rail in a collaborative manner and in coordination with the host railroad to best facilitate an efficient flow of intercity Amtrak commuter rail passengers.

In the Puget Sound region in particular, Sound Transit has worked closely with BNSF and made a tremendous investment in the rail corridor throughout the Puget Sound region, investing more than $1 billion of public funding in the freight corridor between Tacoma and Everett, Washington. These investments represent a high price that has been paid by the region to ensure that commuter rail did not impact the freight rail operations that drive our region's economy. These investments benefit light rail, Amtrak, and of course Sound Transit's commuter rail passengers, as well as our freight rail.

This amendment does not change Amtrak's priority in setting these, it merely asks that they work cooperatively with the other parties that are interested in using these rail systems to maximize their capacity. There are a number of folks who want to make investments in improving those rail systems, and if Amtrak works cooperatively with them, those investments will work out better for all concerned.

I reserve the balance of my time.

Mr. SHUSTER. Mr. Chairman, I claim the time in opposition, although I do not oppose the amendment.

The Acting CHAIRMAN. Without objection, the gentleman from Pennsylvania is recognized for 5 minutes.

There was no objection.

Mr. SHUSTER. I just want to say that the gentleman from Washington has a commonsense amendment. I think encouraging collaboration between Amtrak and commuter rail systems is a positive thing. I urge all Members to accept and support this amendment.

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

Mr. SMITH of Washington. Mr. Chairman, I yield the balance of my time to the chairman of the committee, Mr. OBERSTAR.

(Mr. OBERSTAR asked and was given permission to revise and extend his remarks.)

Mr. OBERSTAR. I rise in strong support of the amendment offered by the gentleman. Commuter rail certainly is one of the fastest growing modes of transportation in the public sector. We had over 461 million trips by commuter rail last year, and that is a 5.5 percent increase over the previous year.

The amendment offered by gentleman directs Amtrak to engage in good-faith negotiations with commuter rail entities and public transportation authorities to move more efficiently the maximum number of intercity rail passengers, especially during peak commuter hours.

As the gentleman from Pennsylvania said, it is a good, commonsense amendment, and I urge support of the amendment offered by the gentleman from Washington.

Mr. Chairman, I rise in support of the amendment offered by the gentleman from Washington (Mr. SMITH).

Commuter rail is one of the fastest growing modes of public transportation in this country. In 2007, Americans took 461 million trips by commuter rail, a 5.5 percent increase over 2006. As a result, many commuter rail operators are seeking to expand their services while contending with other rail traffic.

In response to these challenges, this amendment directs Amtrak to engage in good-faith discussions with commuter rail entities and public transportation authorities operating on the same track to efficiently move the maximum number of commuter, intercity, and regional rail passengers, especially during peak commuter hours. It also directs Amtrak to work with these parties toward the expansion and enhancement of commuter rail and regional public transportation service.

This amendment helps ensure that Amtrak is doing everything it can to not only maximize the efficiency of its operations but also ensure the maximum growth possible for other rail services.

I urge my colleagues to join me in supporting this amendment.

Mr. SMITH of Washington. Mr. Chairman, I yield myself the balance of my time just to close.

I thank Chairman OBERSTAR and the ranking member on this committee for their work on this bill and their cooperation in my efforts with this amendment. I call for passage of the amendment.

Ms. CORRINE BROWN of Florida. Mr. Chairman, we would encourage Amtrak to work closely with all the states they operate in to ensure that they are operating in conjunction with local commuter systems.

This is one more example of the need for additional rail capacity and the affect this lack of additional infrastructure can have on a state.

As more and more states turn to commuter rail service to move their citizens, it will be imperative that passenger, commuter, and freight rail work together to best utilize limited rail resources.

Mr. SMITH of Washington. I yield back the balance of my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Washington (Mr. SMITH).

The amendment was agreed to.

AMENDMENT NO. 4 OFFERED BY MR. SESSIONS

The Acting CHAIRMAN. It is now in order to consider amendment No. 4 printed in House Report 110–703.

Mr. SESSIONS. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 4 offered by Mr. SESSIONS:

In title I, add at the end the following new section (and amend the table of contents accordingly):

SEC. 105. LIMITATION.

None of the operating funds authorized in this Act may be used by Amtrak for the long distance route that has the highest cost per seat/mile ratio according to the March 2008 Amtrak monthly performance report, unless the Secretary has transmitted a waiver for this route or a portion of the route because the Secretary considers it to be critical to homeland security.

The Acting CHAIRMAN. Pursuant to House Resolution 1253, the gentleman from Texas (Mr. SESSIONS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. SESSIONS. Mr. Chairman, my amendment is simple, straightforward, and fiscally responsible. It would prevent any taxpayer funds from being wasted on operating Amtrak's worst-performing long-distance route.

Under this amendment, which is supported by Citizens Against Government Waste, Americans for Tax Reform and the National Taxpayers' Union, the determination about what constitutes Amtrak's most wasteful route will not be a political one made by Congress, it will instead be determined by Amtrak's own most recent monthly report, and it will not take effect if the Secretary of Transportation determines that the line is critical to homeland security.

Amtrak's most recent performance report produced in March 2008 lists the Sunset Limited as Amtrak's worst performing long-distance route. And for the few lucky people who actually buy a ticket on this route, this journey constitutes a 48-hour ordeal from New Orleans, Louisiana, to Los Angeles, California.

Amtrak's report indicates that this route had an astonishing loss of 26.3 cents per seat mile, which is unsurprising given the length of the trip coupled with the lowest ridership of all of Amtrak's long-distance lines.

Right before I came to the House floor today, I went to Amtrak's Website and looked up how much a round-trip ticket on this line would be. The answer: an astonishing $522. For the purpose of comparison, a bus ticket for a similar trip leaving on and returning the exact same days, it would cost only $366, and riding the bus would take 19 fewer hours to complete the trip.

Back in 1997, Congress passed the Amtrak Reform and Accountability Act which required that Amtrak operate without any Federal operating assistance after 2002.

Despite this decade-old, commonsense requirement that Amtrak cease their fiscal irresponsibility and mismanagement, without my amendment, today's bill would continue to waste taxpayer money by forcing American families to subsidize Amtrak's worst line.

Amtrak's net loss in 2007 was over $1.12 billion, an increase of 5 percent over last year. In March of 2008 alone, Amtrak's net loss was $96 million. These awful performance figures prove that the time has come to restore commonsense fiscal responsibility at Amtrak, and that the time has come to at least take a small step in helping taxpayers' hard-earned money not to be used on long, expensive routes with low ridership.

This amendment simply seeks to prevent further good taxpayer dollars from being thrown after bad by limiting the cost of Amtrak's number one least-profitable route. And if Members cannot support this simple, security-conscious amendment on behalf of fiscal discipline, I don't know if there is anything else that we can do to help not only this Congress be responsible, but also to be in support of American taxpayers.

I encourage all of my colleagues to support this commonsense amendment.

I reserve the balance of my time.

Mr. OBERSTAR. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Texas.

The Acting CHAIRMAN. The gentleman from Minnesota is recognized for 5 minutes.

Mr. OBERSTAR. We had a thoughtful, constructive discussion about the gentleman's proposal in the Rules Committee on Monday, and the gentleman is very sincere and very genuine in his proposal. However, we have a number of provisions in this bill to improve Amtrak's operations, to reform the way Amtrak conducts its business, to get at the lowest-performing routes.

We specifically direct the Amtrak board of directors to implement a modern financial accounting system to save money, improve operations, and increase revenue.

In section 204, we direct Amtrak to report on projected revenues, expenditures and ridership over a 5-year period to promote improved financial stability and how best to allocate the resources we provide to Amtrak. We direct Amtrak to work with the States to institute a nationwide methodology for allocating, operating and capital costs, to standardize financial support of Amtrak to the States and the Federal Government to ensure each is contributing their appropriate and fair amount, and to address specifically the performance of poorly performing routes, and they may be different from the one that the gentleman has in mind at this particular moment.

We further direct the inspector general of DOT to evaluate performance, service quality of the five worst performing Amtrak routes and recommend a process for DOT to consider proposals by Amtrak and other operators to provide service both on underperforming Amtrak routes and routes not served by Amtrak.

So the gentleman is proposing that Congress make a preemptive strike and direct dropping a route when we have in place with the enactment of this legislation a process by which we are going to improve these processes. It would be better to look and reexamine at the end of that process rather than at the beginning and prejudge the outcome of these sincere efforts that we are making to improve all of Amtrak's operations.

I reserve the balance of my time.

Mr. SESSIONS. Mr. Chairman, I appreciate the gentleman. This is a preemptive strike to get the correct measure done so we are not arguing 10 years from now what should have been done 10 years before.

I now yield the balance of my time to the gentleman from Virginia (Mr. DAVIS) in support of this amendment.

Mr. DAVIS of Virginia. First of all, let me say to the authors of this legislation, I appreciate the coalition that they put together and I support the underlying bill, but I think this amendment makes a couple of good points.

Number one, on this particular route, you can take a bus and it gets you there faster and cheaper than taking Amtrak. Secondly, you can take a plane and it gets you there faster and cheaper than what you can do with Amtrak. And by the way, they operate without a Federal subsidy, both the bus system and the plane system in this particular case.

The third thing I note, the gentleman has added a provision to his amendment which I think is very important, that the Secretary can transmit a waiver of this route or a portion of this route if the Secretary considers it to be critical to homeland security.

So nobody is trying to take away routes that we may need to use in a critical situation, and we give the Secretary of Homeland Security the ultimate yes or no on this. But what is important about this is this route is the most heavily subsidized in the system. It is not utilized that much.

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And if we can't make some statement here and give Members some opportunity, I think, to voice their concerns about oversubsidization on certain routes, I don't know what we're doing here.

There are other provisions, I might add, in this bill that address shorter routes like this that Amtrak will be able to look at and take care of those routes. But I think it allows Members who are concerned to have their vote. I appreciate the gentleman bringing it up. I urge its adoption.

Mr. SESSIONS. Mr. Chairman, we have now heard Chairman DAVIS talk about the articulation. We believe that something should be done immediately; that this is about the worst performing route that has existed for year after year after year.

And while I have great respect and appreciation, not only for the gentleman from Minnesota (Mr. OBERSTAR) and the gentleman from Pennsylvania (Mr. SHUSTER) to work towards this, we believe it's time for action. We believe that the worst performing route, one which not only underperforms from the number of passengers, but also costs taxpayers a lot of money, that we, as Members of Congress, should have a say about this.

I will ask all Members to support this vote when it comes on the floor in this amendment.

I yield back my time.

Mr. OBERSTAR. I will yield the balance of our time to the gentlewoman from Florida, but I wish I had known about the opposition of the gentleman from Virginia before he offered his amendment. I might have had a different view about his amendment and his seeking special consideration for WMATA.

Ms. CORRINE BROWN of Florida. I encourage my colleagues to reject this sham amendment. Prohibiting funds for one route will have negative effects on the entire system, and it's already addressed in this legislation in a way that won't harm Amtrak and the services it provides.

Opponents of passenger rail have repeatedly tried to siphon off the growth of our Nation's rail system by cutting funds, zeroing out the budget, and now cutting out the only transcontinental passenger route; all while in the same time the opponents have the gall to ask for a better profit model.

Let me tell you, I've got some breaking news for you. There is something

more important than profit. Amtrak was the first responder during Hurricane Katrina and used the Sunset Limited line, which is being restored in this legislation, to help evacuate thousands of gulf coast region residents while President Bush and his administration was nowhere to be found. Now, that is a part of every key State future evacuation plan.

This amendment will have a negative effect on major States, eight—California, Arizona, New Mexico, Louisiana, Mississippi, Alabama, Florida and Texas, Texas, Texas.

The Sessions amendment will do the exact opposite of what we're trying to accomplish with this legislation, which is to expand passenger rail service, reduce congestion and improve our energy independence.

Passenger rail's ability to reduce congestion is well known, with ridership numbers increasing steadily each year. One full passenger train can take 250 to 350 cars off the road. Passenger rail also consumes less energy than both automobiles and commercial airlines.

I would encourage any Member who don't want to explain to their constituents why they no longer have access to Amtrak service, to vote ''no'' on this amendment.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Texas (Mr. SESSIONS).

The question was taken; and the Acting Chairman announced that the noes appeared to have it.

Mr. SESSIONS. Mr. Chairman, I demand a recorded vote.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Texas will be postponed.

AMENDMENT NO. 5 OFFERED BY MRS. MCCARTHY OF NEW YORK

The Acting CHAIRMAN. It is now in order to consider amendment No. 5 printed in House Report 110–703.

Mrs. MCCARTHY of New York. I have an amendment at the desk made in order under the rule.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 5 offered by Mrs. MCCARTHY of New York:

In section 304(a), in the proposed section 24910(b)—

(1) strike ''and'' at the end of paragraph (11);

(2) strike the period at the end of paragraph (12) and insert ''; and''; and

(3) after paragraph (12), add the following new paragraph:

''(13) the development and use of train horn technology, including, but not limited to, broadband horns, with an emphasis on reducing train horn noise and its effect on communities.

The Acting CHAIRMAN. Pursuant to House Resolution 1253, the gentlewoman from New York (Mrs. MCCARTHY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from New York.

Mrs. MCCARTHY of New York. I would like to thank Chairman OBERSTAR, Ranking Member MICA, Chairwoman BROWN and Ranking Member SHUSTER for their work on this bill.

My district is located in a densely populated area on Long Island, New York. We are fortunate to have the comfort and convenience of rail transportation to New York City and around Long Island by the Long Island Railroad.

The Long Island Railroad moves safely through the Fourth Congressional District with the use of horns at train crossings. Although train horns are necessary to ensure the safety at railroad crossings, the noise can significantly affect families and communities surrounding these railroad crossings.

While we can still all agree that train horns are necessary to ensure the safety of residents at railroad stations and crossings, the sounding of train horns day and night seriously impacts the quality of life of many in my communities in Long Island.

I support the Federal Railroad Administration and its primary goal of ensuring the safety of railroads and trains across the country and in the Fourth Congressional District in New York. I do not, and will not support any measure that will reduce the safety of railroads and trains moving through our communities.

With that in mind, I also understand the effect that locomotive horn noise has on the quality of life of my constituents. Over the years, I have been contacted by constituents who have complained that the volume of the train noise is so severe that many of them lose their sleep, even with earplugs.

Trains on Long Island can run literally around the clock. Residents complain of several minutes of constant horn noise as the train travels through many of my communities such as Valley Stream, East Rockaway and Cedarhurst, Long Island.

When trains are nearby, the volume is so high that people are forced to stop their conversations, and teachers at nearby schools are forced to stop teaching their students.

Rail traffic through many communities in this country is an unavoidable reality as to the use of train horns. However, we have an obligation to ensure that we do everything possible to maintain the quality of life for communities near railroad tracks.

That is why I've introduced an amendment to ask that the Secretary research the development and use of train horn technology with an emphasis on reducing train horn noise and its effect on a community. This will ensure that, as we move forward and continue to expand our railroad infrastructure in this country, we will also continue to address the concerns of the communities surrounding the infrastructure.

Thank you, Chairman OBERSTAR, for continuing to work with me on this issue that is so important to my constituents.

I urge my colleagues to support the passage of this amendment.

I reserve the balance of my time.

Mr. OBERSTAR. Mr. Chairman, I ask unanimous consent to claim time in opposition to the amendment though I do not intend to oppose the amendment.

The Acting CHAIRMAN. Without objection, the gentleman from Minnesota is recognized for 5 minutes.

There was no objection.

Mr. OBERSTAR. I support the amendment offered by the gentlewoman which directs a study of train horn technology as part of the Rail Cooperative Research Program authorized at section 304 of the bill. And the gentlewoman has worked tirelessly to highlight her concerns with constituents on locomotive horn noise.

I can understand how horn noise is terrible and disturbing. We've heard many iterations of that over the years in hearings in the committee in close urban quarters.

But out on the prairie, the sound of a train horn late at night is a very comforting sound, I can say for those of us who live in those environments.

I yield to the gentleman from Pennsylvania.

Mr. SHUSTER. I just wanted to say that we accept the amendment. Anything to do with improving technology on trains we certainly support.

Mr. OBERSTAR. The key issue with train horns, again and again, is safety. Where they are removed in an experimental basis there have been fatalities or incidents or accidents, and where the train horn has been reinstated, lives have been saved. But technology can lead us to better train horns that don't intrude on the daily lives or nightly lives of citizens alongside railroad tracks.

So I reserve the balance of my time, and I appreciate the gentlewoman's amendment.

Mrs. MCCARTHY of New York. I just want to thank Chairman OBERSTAR and Ranking Member SHUSTER for their support on this amendment. I too can hear the train whistle in the late of the night, and to me it is a nice sound. But for my constituents who are right along those tracks and near, it is a problem.

I hope that my colleagues will support me on this amendment.

Ms. CORRINE BROWN of Florida. Mr. Chairman, anyone who has railroad tracks in their district has heard from constituents who are upset by repeated train whistles.

Unfortunately, these train whistles are the most effective way of warning people of an oncoming train. And even still we see constant reports of injuries and deaths on the tracks.

Technology holds the key to many improvements throughout our rail system, including improved safety. And hopefully it can help with the age-old problem of train whistles.

We also need to invest in more grade separations at rail crossings to improve safety and

cut down on the need to blow warning whistles in the first place.

Mrs. MCCARTHY of New York. I yield back the balance of my time.

Mr. OBERSTAR. I yield back the balance of my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentlewoman from New York (Mrs. MCCARTHY).

The amendment was agreed to.

The Acting CHAIRMAN. It is now in order to consider amendment No. 6 printed in House Report 110–703.

AMENDMENT NO. 7 OFFERED BY MR. MURPHY OF CONNECTICUT

The Acting CHAIRMAN. It is now in order to consider amendment No. 7 printed in House Report 110–703.

Mr. MURPHY of Connecticut. I have an amendment at the desk, Mr. Chairman.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 7 offered by Mr. MURPHY of Connecticut:

In title II, add at the end the following new section (and amend the table of contents accordingly):

SEC. 225. COMMUTER RAIL EXPANSION.

(a) FINDINGS.—The Congress find the following:

(1) In 2006, Americans took 10,100,000,000 trips on public transportation for the first time since 1949.

(2) The Northeast region is one of the Nation's largest emerging transportation ''megaregions'' where infrastructure expansion and improvements are most needed.

(3) New England's road traffic has increased two to three times faster than its population since 1990.

(4) Connecticut has one of the Nation's longest average commute times according to the United States Census Bureau, and 80 percent of Connecticut commuters drive by themselves to work, demonstrating the need for expanded commuter rail access.

(5) The Connecticut Department of Transportation has pledged to modernize, repair, and strengthen the rail line infrastructure to provide for increased safety and security along a crucial transportation corridor in the Northeast.

(6) Expanded New Haven-Springfield rail service would improve access to Bradley International Airport, one the region's busiest airports, as well as to Hartford, Connecticut, and Springfield, Massachusetts, two of the region's commercial, residential, and industrial centers.

(7) Expanded commuter rail service on the New Haven-Springfield line will result in an estimated 630,000 additional trips per year and 2,215,384 passenger miles per year, helping to curb pollution and greenhouse gas production that vehicle traffic would otherwise produce.

(8) The MetroNorth New Haven Line and Shore Line East railways saw respective 3.43 percent and 4.93 percent increases in ridership over the course of 2007, demonstrating the need for expanded commuter rail service in Connecticut.

(9) Expanded New Haven-Springfield commuter rail service will provide transportation nearly 17 times more efficient in terms of average mileage versus road vehicles, alleviating road congestion and providing a significant savings to consumers during a time of high gas prices.

(b) SENSE OF CONGRESS.—It is the Sense of the Congress that expanded commuter rail service on the rail line between New Haven, Connecticut, and Springfield, Massachusetts, is an important transportation priority, and Amtrak should work cooperatively with the States of Connecticut and Massachusetts to enable expanded commuter rail service on such line.

(c) INFRASTRUCTURE MAINTENANCE REPORT.—Amtrak shall submit a report to Congress and the State Departments of Transportation of Connecticut and Massachusetts on the total cost of uncompleted infrastructure maintenance on the rail line between New Haven, Connecticut, and Springfield, Massachusetts.

The Acting CHAIRMAN. Pursuant to House Resolution 1253, the gentleman from Connecticut (Mr. MURPHY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Connecticut.

Mr. MURPHY of Connecticut. Mr. Chairman, I'd like to allow myself such time as I may consume.

I would like to thank Chairman OBERSTAR for his hard work, not only on the underlying bill, but in his gracious work with me and the Massachusetts and Connecticut delegations to allow us to bring this amendment before the House today.

I rise in strong support of the amendment before us. By supporting the implementation of commuter rail service, as this amendment will assist us between New Haven, Connecticut and Springfield, Massachusetts, we can help strengthen and expand one of my State's most vital transportation corridors.

While Metro North and Shoreline East rail lines provide extensive commuter service across Connecticut's southern coastal region, there is little available service to meet the needs throughout the central portion of the State. Connecticut's existing commuter rail lines have already seen over 5 percent increase in ridership just in the first quarter of 2008, and there's a clear need to expand it throughout the other sectors.

Not only would such rail service help alleviate roadway congestion, save consumers money on gas, and help combat global warming, it would contribute to the economic revitalization of this route. In my district, the city of Meriden is prepared to build a state-of-the-art intermodal transportation hub to take advantage of this new rail line.

At a time when gas prices are squeezing American's budgets like never before, we need to invest in this type of commuter rail service that is available right now on the line that runs between New Haven and Springfield.

We need sensible mass transit solutions, and by expressing strong congressional support for this new proposed rail line, taking advantage of an existing Amtrak line, and by directing Amtrak, as this amendment does, to report on the lines' uncompleted infrastructure maintenance, information that is badly needed in order to make plans going forward to add local commuter service to that line, we are sending a clear signal that the time for action is now.

Again, I would like to thank Chairman OBERSTAR and I would urge support for this amendment.

I reserve the balance of my time.

Mr. SHUSTER. I rise to claim the time in opposition, although I do not oppose the amendment.

The Acting CHAIRMAN. Without objection, the gentleman from Pennsylvania is recognized for 5 minutes.

There was no objection.

Mr. SHUSTER. I just wanted to say that the situation highlighting the situation is certainly important, and I understand why the gentleman is highlighting it.

It would have been covered, it is covered in the underlying bill I believe. But as I said, I understand why the gentleman wants to highlight the situation. And this report to determine the cost of uncompleted infrastructure maintenance is extremely important, and we need to tend to that. This Northeast Corridor is extremely important and, as I said, I do not oppose the amendment, and would accept it.

I yield back my time.

Mr. MURPHY of Connecticut. I thank the gentleman for his support. At this time I would like to yield 1 minute to the gentleman from Connecticut (Mr. LARSON).

Mr. LARSON of Connecticut. Mr. Chairman, I want to thank my dear friend and colleague from Connecticut for proposing thoughtful legislation like this.

I commend the gentleman from Pennsylvania for his comments and once again salute our distinguished chairman, Mr. OBERSTAR, who has such great vision on the importance of utilization of rail.

This is vitally important, not only to Connecticut, but both Connecticut and Massachusetts. The rail line between New Haven and Springfield is a vital cog for commerce. It also impacts the second largest airport in New England; and with the vision of Mr. OBERSTAR, an airport that we hope to have be one of the first green airports in the country.

So again I want to applaud my colleague, thank him for his vision, and continue to support the visionary programs that Mr. OBERSTAR and his committee put forward.

□ 1315

Mr. SHUSTER. Mr. Chairman, I ask unanimous consent to reclaim my time. I yielded back prematurely.

The Acting CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. SHUSTER. Mr. Chairman, I was hoping to get this train running on time, excuse the pun, so if somebody needs me to yield time to them, I will make it available.

Mr. MURPHY of Connecticut. Mr. Chairman, I would like to yield 2 minutes to the gentleman from Massachusetts (Mr. NEAL).

Mr. NEAL of Massachusetts. Mr. Chairman, I want to thank Congressman MURPHY and thank Congressman SHUSTER, as well as JIM OBERSTAR, a long time friend here, for offering the support to this proposal that it deserves.

Establishing a New Haven-Hartford-Springfield commuter line would do much to improve the transportation needs of the Northeast Corridor. In addition to contributing to the national effort to reduce carbon emissions, this commuter line would greatly promote economic development for the cities and towns along the line. Union Station, with the help of Mr. OBERSTAR's committee, is now underway and great work we expect to happen there in Springfield.

Mr. Chairman, Connecticut has already dedicated funding for the commuter line and is in the predevelopment phase. And today, the Massachusetts House is expected to approve a $1.3 billion transportation bill authorizing $90 million for the commuter developing road transportation line from New Haven to Springfield. A New Haven to Springfield line would also allow for more connections to existing Amtrak routes as well as other planned commuter rails, such as a Boston to Springfield line, which would further extend economic benefits to the region.

Due to improved service, Amtrak ridership has increased in the past few years, and commuters want this progress to continue, particularly in light of gas prices. The Murphy amendment will help maintain this progress and promote this much-needed commuter line. The benefits of incorporating new commuter lines with Amtrak is undeniable and worth the investments.

Commuter rail service would help other industrial cities like Springfield to better connect with regional economies and offer a smarter and cleaner transportation option.

Thanks to the individuals who have stood with us today, and I hope the Murphy amendment will be successful.

Mr. SHUSTER. Mr. Chairman, I yield to the chairman.

(Mr. OBERSTAR asked and was given permission to revise and extend his remarks.)

Mr. OBERSTAR. Mr. Chairman, I rise in support of the gentleman's amendment.

This amendment expresses support for expanded commuter rail service on the rail line between New Haven, Connecticut, and Springfield, Massachusetts, and encourages Amtrak to work cooperatively with the States of Connecticut and Massachusetts to enable expanded commuter rail service on the line. Further, this amendment directs Amtrak to report to Congress and the States on the total cost of uncompleted infrastructure maintenance on the New Haven—Springfield rail line.

Commuter rail is one of the fastest growing modes of public transportation in this country. In 2007, Americans took 461 million trips by commuter rail, a 5.5 percent increase over 2006. Since 1990, New England's highway traffic has increased two to three times faster than its population and commuter rail is a critical transportation link in the Northeast.

According to the 2000 U.S. Census, Connecticut has one of the nation's longer average commute times (24.5 minutes) in the nation, and 80 percent of Connecticut commuters drive themselves to work. The State of Connecticut is seeking to provide additional transportation alternatives to its commuters and is hoping to expand commuter rail service to address its congestion.

This amendment will help Connecticut understand the capital costs needed to better develop its commuter rail infrastructure as it works to develop its passenger transportation systems.

I urge my colleagues to join me in supporting this amendment.

Mr. MURPHY of Connecticut. Mr. Chairman, again, this is a unique opportunity to be able to use an existing rail line. We need—we understand the need in many other parts of the country to build out our infrastructure in Connecticut. We have the unique opportunity to take an existing line, have either a partnership or a transfer of the line to the State Department of Transportation, and with that we believe we will be able to greatly expand our opportunities for mass transit development in the State of Connecticut.

With that, I wonder if the gentleman from Pennsylvania might be willing to yield a few minutes of his time to Ms. DELAURO.

Mr. SHUSTER. Mr. Chairman, I yield 2 minutes of our time to the gentlewoman from Connecticut (Ms. DELAURO).

Ms. DELAURO. I thank the gentleman.

Mr. Chairman, I rise in support of this amendment.

Connecticut has seen a 5.5 percent increase in commuter rail usage over the first quarter of 2008 alone. As gas prices continue to skyrocket, more Americans than ever are looking for new ways to get where they are going without filling their gas tank.

While thousands of Connecticut residents who live in the southern portion of the State are well served by Metro North and the Shoreline East commuter rail, there remains hardly any commuter rail options in the central portion of our State through Hartford and up to Springfield, Massachusetts. Yet New England's traffic has increased 2 to 3 times faster than its population since 1990. When 80 percent of Connecticut commuters drive to work by themselves, we must provide a better alternative.

I want to commend Chairman OBERSTAR for his hard work on this bill. I congratulate my colleague, Mr. MURPHY, whose amendment expresses support for current discussions between Amtrak and the Connecticut Department of Transportation to create a cooperative framework by which an Amtrak-owned New Haven-Springfield rail line could serve as the conduit for increased commuter rail run by Connecticut DOT. And his amendment also requires a report to Congress on uncompleted infrastructure maintenance.

Expanded commuter rail service on the New Haven-Springfield line will result in an estimated 630,000 more trips a year and over 2 million passenger miles annually. The demand is there. The benefits are clear.

I urge my colleagues to support this amendment. I thank Chairman OBERSTAR, and I thank you graciously, Mr. SHUSTER, for allowing me to take the time.

Mr. MURPHY of Connecticut. Mr. Chairman, I thank the gentleman from Pennsylvania for his accommodations. We're in support of the amendment.

I yield back the balance of my time.

Mr. SHUSTER. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Connecticut (Mr. MURPHY).

The amendment was agreed to.

AMENDMENT NO. 8 OFFERED BY MR. PATRICK J. MURPHY OF PENNSYLVANIA

The Acting CHAIRMAN. It is now in order to consider amendment No. 8 printed in House Report 110–703.

Mr. PATRICK J. MURPHY of Pennsylvania. I have an amendment at the desk.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 8 offered by Mr. PATRICK J. MURPHY of Pennsylvania:

In title II, add at the end the following new section (and amend the table of contents accordingly):

SEC. 225. SERVICE EVALUATION.

Not later than 1 year after the date of enactment of this Act, Amtrak shall transmit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report containing the results of an evaluation of passenger rail service between Cornwells Heights, PA, and New York City, NY, and between Princeton Junction, NJ, and New York City, NY, to determine whether to expand passenger rail service by increasing the frequency of stops or reducing commuter ticket prices for this route.

The Acting CHAIRMAN. Pursuant to House Resolution 1253, the gentleman from Pennsylvania (Mr. PATRICK J. MURPHY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Pennsylvania.

Mr. PATRICK J. MURPHY of Pennsylvania. Thank you, Mr. Chairman. I yield myself 2 minutes.

Mr. Chairman, families across the country are facing record gas prices and increased congestion on our roadways. We hear it every time we go home. And as Members of Congress, we have a responsibility to do what we can do to make things better. This amendment is about making sure that our public transportation resources are being used as effectively and efficiently as possible.

Through this measure, we require Amtrak to take a hard look at passenger rail service at two important rail stations in our districts. Our hope is that they will find a way to help commuters and rail passengers in our districts by either expanding passenger rail service through increasing the frequency of stops or by reducing prices.

For years, the Cornwells Heights and Princeton Junction stations have been hubs for commuters who work in New York City. Amtrak then cut the number of trains at these stations in half. Then they increased prices for our commuters.

Mr. Chairman, countless families rely on the Cornwells Heights and Princeton Junction stations, and as a result of Amtrak's train cuts and fare hikes, families have been forced to drive longer distances or pay much higher fares. Today, our region is making economic progress, and Amtrak has a chance to keep moving us forward.

Mr. Chairman, in these troubled times, our local economy can't afford to take anymore hits and we can't allow commuters to use more time on crowded highways when they could be home with their families.

I reserve the balance of my time.

Mr. SHUSTER. Mr. Chairman, I claim the time in opposition although I do not oppose the amendment.

The Acting CHAIRMAN. Without objection, the gentleman from Pennsylvania is recognized for 5 minutes.

There was no objection.

Mr. SHUSTER. We support it, accept the amendment.

Mr. OBERSTAR. Would the gentleman yield?

Mr. SHUSTER. Mr. Chairman, I will yield to the gentleman.

(Mr. OBERSTAR asked and was given permission to revise and extend his remarks.)

Mr. OBERSTAR. I rise in support of the Murphy amendment. I feel the amendment is an important contribution to the work of this bill.

Mr. Chairman, I rise in support of the amendment offered by the gentleman from Pennsylvania (Mr. MURPHY), the gentlewoman from Pennsylvania (Ms. SCHWARTZ), and the gentleman from New Jersey (Mr. HOLT).

This amendment directs Amtrak to evaluate the passenger rail service between Cornwells Heights, Pennsylvania, and New York, New York, and between Princeton Junction, New Jersey, and New York, New York, to determine whether to expand passenger rail service by increasing the frequency of stops or reducing commuter ticket prices for the route.

Until a few years ago, Cornwells Station was the primary SEPTA and Amtrak station for service into New York City from the Bensalem Township. It has direct access to Interstate 95 and Pennsylvania Route 63, with the largest parking lot on the SEPTA network, making it an ideal terminal for commuter service into New York for many people in the surrounding region.

However, Amtrak recently reduced the number of trains serving the station each day by one-half, while greatly increasing the ticket prices for the service. As a result, ridership has plummeted, leading Amtrak to consider dropping service to the station all together.

This study has several potential benefits. For one, the Bensalem region is enjoying an economic revitalization, which could be enhanced by increased Amtrak service to Cornwells Heights. Increased Amtrak service would allow for better mobility in the region as well as help relieve local congestion.

I urge my colleagues to join me in supporting the amendment.

Mr. SHUSTER. Mr. Chairman, I reserve the balance of my time.

Mr. PATRICK J. MURPHY of Pennsylvania. Mr. Chairman, at this time I would like to yield 2 minutes to the gentleman from New Jersey (Mr. HOLT).

Mr. HOLT. Mr. Chairman, I thank the gentleman from Pennsylvania for this amendment and for yielding me time. He is very diligent in looking after the concerns of the people of his area in Pennsylvania, and in this amendment, I must say it also benefits—would benefit the people of New Jersey as well.

When you look at the numbers where Amtrak is setting record highs for numbers of users—25 million users last year—and look at how in New Jersey the State rail system is breaking ridership records for the 6th straight year with over 900,000 trips per weekday on its trains, buses, and light rails, and you match that with the increased costs of commuting by internal combustion cars, it should be apparent that Amtrak should do everything it can to attract riders on these underused routes; and that is exactly what the Murphy-Schwartz-Holt amendment seeks to do.

It would require Amtrak to re-examine the service cuts that it's made at two stations to see if it would be feasible to increase services at those stations. They can do this through service and pricing. I hear from my constituents about this. One constituent, John, who commutes from Princeton Junction, summed it up by saying Amtrak seems to be driving customers away. It has negative effects, including increased automobile traffic and consequences on the environment.

I strongly urge my colleagues to support this amendment, and I thank Mr. MURPHY for preparing it.

Mr. SHUSTER. Mr. Chairman, I yield 2 minutes to the gentleman from Florida (Mr. MICA).

Mr. MICA. Mr. Chairman, I don't rise in opposition of the gentleman from Pennsylvania's amendment. In fact, he's looking for solutions in his district, in his area to provide commuter service to get people out of their cars to deal with increased congestion and high-rising fuel costs.

But the gentleman from Pennsylvania is no different from the gentleman from Connecticut, from the gentlewoman from Arizona, the gentleman from California, from the gentleman from Ohio. We're drowning in congestion in this country. This bill provides a first opportunity to look at cost-effective ways of providing that service.

So we've got to support commuter rail across the Nation. We've got to take some of these underutilized urban rail corridors that formally serve freight and convert those to commuter rail systems. We've got to find a host of solutions and incorporate private sector initiatives in these to make it happen because they can bring projects in on time and under budget and at the lowest cost possible.

It is true that we may have to subsidize commuter rail service, long-distance service, and some high-speed service, but we want that at the minimum cost to the taxpayer, the maximum benefit to those that we need to serve.

So we will support the amendment, but again, what you hear from the gentleman from Pennsylvania is what we're hearing from 435 congressional districts.

Mr. SHUSTER. Mr. Chairman, I reserve the balance of my time.

Mr. PATRICK J. MURPHY of Pennsylvania. Mr. Chairman, I yield myself the balance of our time.

Mr. Chairman, it now costs a Cornwells Heights commuter $972 per month just to get to work and back. More importantly, the cuts in service have put more cars on our clogged highways, more exhaust fumes in the air, and forced our hardworking constituents to spend more time getting to and from work and less time at home. That means more time on a train or in traffic and less time at home with the ones that they love.

Mr. Chairman, our region is experiencing the economic revitalization. Increased rail service and more riders means progress, while more cuts means going backwards. I would like to thank the chairman, Chairman OBERSTAR. I would like to thank my colleague from Pennsylvania, Mr. SHUSTER. I would like to thank my colleague from New Jersey, Mr. HOLT, and also my other colleague from Pennsylvania, Ms. SCHWARTZ, for their support on this important measure.

I yield back the balance of my time.

Mr. SHUSTER. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania (Mr. PATRICK J. MURPHY).

The amendment was agreed to.

AMENDMENT NO. 4 OFFERED BY MR. SESSIONS

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, proceedings will now resume on amendment No. 4 printed in House Report 110–703.

The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Texas (Mr. SESSIONS) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 150, noes 275, not voting 13, as follows:

[Roll No. 397]

AYES—150

Aderholt
Akin
Bachmann
Barrett (SC)
Bartlett (MD)
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Brady (TX)
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Calvert
Camp (MI)
Campbell (CA)
Cantor
Capito
Carter
Chabot
Coble
Cole (OK)
Conaway
Cooper
Cubin
Culberson
Davis (KY)
Davis, David
Davis, Tom
Deal (GA)
Drake
Dreier
Duncan
Emerson
Everett
Fallin
Feeney
Forbes
Fossella
Foxx
Franks (AZ)
Gallegly
Garrett (NJ)
Gingrey
Gohmert
Goodlatte
Granger
Graves
Hall (TX)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hobson
Hoekstra
Hunter
Inglis (SC)
Issa
Johnson, Sam
Jones (NC)
Jordan
Keller
King (IA)
Kingston
Kirk
Kline (MN)
Knollenberg
Kuhl (NY)
LaHood
Lamborn
Latham
Latta
Lewis (CA)
Lewis (KY)
Linder
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
Matheson
McCarthy (CA)
McCaul (TX)
McHenry
McKeon
McMorris Rodgers
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Musgrave
Myrick
Neugebauer
Nunes
Paul
Pearce
Pence
Perlmutter
Peterson (PA)
Petri
Pitts
Poe
Price (GA)
Pryce (OH)
Radanovich
Ramstad
Reichert
Renzi
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Roskam
Royce
Ryan (WI)
Sali
Schmidt
Sensenbrenner
Sessions
Shadegg
Shays
Shimkus
Smith (NE)
Smith (TX)
Souder
Stearns
Sullivan
Terry
Thornberry
Tiahrt
Tiberi
Walberg
Walden (OR)
Wamp
Weldon (FL)
Westmoreland
Wilson (SC)
Wittman (VA)
Wolf
Young (AK)
Young (FL)

NOES—275

Abercrombie
Ackerman
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachus
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Bono Mack
Boozman
Bordallo
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Brown, Corrine
Butterfield
Buyer
Cannon
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castle
Castor
Cazayoux
Chandler
Childers
Christensen
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Costa
Costello
Courtney
Cramer
Crenshaw
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doyle
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Engel
English (PA)
Eshoo
Etheridge
Faleomavaega
Farr
Fattah
Ferguson
Filner
Fortenberry
Foster
Frank (MA)
Frelinghuysen
Gerlach
Giffords
Gilchrest
Gonzalez
Goode
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
King (NY)
Klein (FL)
Kucinich
Lampson
Langevin
Larsen (WA)
Larson (CT)
LaTourette
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Marshall
Matsui
McCarthy (NY)
McCollum (MN)
McCotter
McDermott
McGovern
McHugh
McIntyre
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Pallone
Pascrell
Pastor
Payne
Peterson (MN)
Pickering
Platts
Pomeroy
Porter
Price (NC)
Putnam
Rahall
Rangel
Regula
Rehberg
Reyes
Reynolds
Richardson
Rodriguez
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Ruppersberger
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Scalise
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Space
Speier
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tierney
Towns
Tsongas
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walsh (NY)
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weller
Wexler
Whitfield (KY)
Wilson (NM)
Wilson (OH)
Woolsey
Wu
Yarmuth

NOT VOTING—13

Braley (IA)
Doolittle
Flake
Fortuño
Gillibrand
Hulshof
Loebsack
McCrery
Norton
Ortiz
Rush
Spratt
Tancredo

□ 1357

Messrs. CLEAVER, RANGEL, JACKSON of Illinois, BOUCHER, PICKERING, BERMAN, CROWLEY, WHITFIELD of Kentucky, BOOZMAN and DENT, and Ms. CLARKE, Ms. MOORE of Wisconsin, Ms. WASSERMAN SCHULTZ and Mrs. BONO MACK changed their vote from ''aye'' to ''no.''

Messrs. COOPER, TERRY, McKEON, BILBRAY, FEENEY, PETERSON of Pennsylvania and Mrs. SCHMIDT changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Ms. NORTON. Mr. Chairman, on rollcall No. 397, had I been present, I would have voted "no."

The Acting CHAIRMAN. The question is on the committee amendment in the nature of a substitute, as amended.

The committee amendment in the nature of a substitute, as amended, was agreed to.

The Acting CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. TIERNEY) having assumed the chair, Mr. CUELLAR, Acting Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 6003) to reauthorize Amtrak, and for other purposes, pursuant to House Resolution 1253, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the amendment reported from the Committee of the Whole?

Mr. BROUN of Georgia. Mr. Speaker, I ask for a re-vote on the Davis of Virginia amendment.

The SPEAKER pro tempore. Is a separate vote demanded on any other amendment to the amendment reported from the Committee of the Whole?

The Clerk will designate the amendment on which a separate vote has been demanded.

The text of the amendment is as follows:

Amendment No. 2 printed in House Report 110–703 offered by Mr. DAVIS of Virginia:

Add at the end of title I the following new section:

SEC. 105. AUTHORIZATION FOR CAPITAL AND PREVENTIVE MAINTENANCE PROJECTS FOR WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY.

(a) AUTHORIZATION.—

(1) IN GENERAL.—Subject to the succeeding provisions of this section, the Secretary of Transportation is authorized to make grants to the Transit Authority, in addition to the contributions authorized under sections 3, 14, and 17 of the National Capital Transportation Act of 1969 (sec. 9—1101.01 et seq., D.C. Official Code), for the purpose of financing in part the capital and preventive maintenance projects included in the Capital Improvement Program approved by the Board of Directors of the Transit Authority.

(2) DEFINITIONS.—In this section—

(A) the term ''Transit Authority'' means the Washington Metropolitan Area Transit Authority established under Article III of the Compact; and

(B) the term ''Compact'' means the Washington Metropolitan Area Transit Authority Compact (80 Stat. 1324; Public Law 89–774).

(b) USE OF FUNDS.—The Federal grants made pursuant to the authorization under this section shall be subject to the following limitations and conditions:

(1) The work for which such Federal grants are authorized shall be subject to the provisions of the Compact (consistent with the amendments to the Compact described in subsection (d)).

(2) Each such Federal grant shall be for 50 percent of the net project cost of the project involved, and shall be provided in cash from sources other than Federal funds or revenues from the operation of public mass transportation systems. Consistent with the terms of

the amendment to the Compact described in subsection (d)(1), any funds so provided shall be solely from undistributed cash surpluses, replacement or depreciation funds or reserves available in cash, or new capital.

(3) Such Federal grants may be used only for the maintenance and upkeep of the systems of the Transit Authority as of the date of the enactment of this Act and may not be used to increase the mileage of the rail system.

(c) APPLICABILITY OF REQUIREMENTS FOR MASS TRANSPORTATION CAPITAL PROJECTS RECEIVING FUNDS UNDER FEDERAL TRANSPORTATION LAW.—Except as specifically provided in this section, the use of any amounts appropriated pursuant to the authorization under this section shall be subject to the requirements applicable to capital projects for which funds are provided under chapter 53 of title 49, United States Code, except to the extent that the Secretary of Transportation determines that the requirements are inconsistent with the purposes of this section.

(d) AMENDMENTS TO COMPACT.—No amounts may be provided to the Transit Authority pursuant to the authorization under this section until the Transit Authority notifies the Secretary of Transportation that each of the following amendments to the Compact (and any further amendments which may be required to implement such amendments) have taken effect:

(1)(A) An amendment requiring that all payments by the local signatory governments for the Transit Authority for the purpose of matching any Federal funds appropriated in any given year authorized under subsection (a) for the cost of operating and maintaining the adopted regional system are made from amounts derived from dedicated funding sources.

(B) For purposes of this paragraph, the term ''dedicated funding source'' means any source of funding which is earmarked or required under State or local law to be used to match Federal appropriations authorized under this Act for payments to the Transit Authority.

(2) An amendment establishing an Office of the Inspector General of the Transit Authority.

(3) An amendment expanding the Board of Directors of the Transit Authority to include 4 additional Directors appointed by the Administrator of General Services, of whom 2 shall be nonvoting and 2 shall be voting, and requiring one of the voting members so appointed to be a regular passenger and customer of the bus or rail service of the Transit Authority.

(e) ACCESS TO WIRELESS SERVICE IN METRORAIL SYSTEM.—

(1) REQUIRING TRANSIT AUTHORITY TO PROVIDE ACCESS TO SERVICE.—No amounts may be provided to the Transit Authority pursuant to the authorization under this section unless the Transit Authority ensures that customers of the rail service of the Transit Authority have access within the rail system to services provided by any licensed wireless provider that notifies the Transit Authority (in accordance with such procedures as the Transit Authority may adopt) of its intent to offer service to the public, in accordance with the following timetable:

(A) Not later than 1 year after the date of the enactment of this Act, in the 20 underground rail station platforms with the highest volume of passenger traffic.

(B) Not later than 4 years after such date, throughout the rail system.

(2) ACCESS OF WIRELESS PROVIDERS TO SYSTEM FOR UPGRADES AND MAINTENANCE.—No amounts may be provided to the Transit Authority pursuant to the authorization under this section unless the Transit Authority ensures that each licensed wireless provider who provides service to the public within the rail system pursuant to paragraph (1) has access to the system on an ongoing basis (subject to such restrictions as the Transit Authority may impose to ensure that such access will not unduly impact rail operations or threaten the safety of customers or employees of the rail system) to carry out emergency repairs, routine maintenance, and upgrades to the service.

(3) PERMITTING REASONABLE AND CUSTOMARY CHARGES.—Nothing in this subsection may be construed to prohibit the Transit Authority from requiring a licensed wireless provider to pay reasonable and customary charges for access granted under this subsection.

(4) REPORTS.—Not later than 1 year after the date of the enactment of this Act, and each of the 3 years thereafter, the Transit Authority shall submit to the Committee on Oversight and Government Reform of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report on the implementation of this subsection.

(5) DEFINITION.—In this subsection, the term ''licensed wireless provider'' means any provider of wireless services who is operating pursuant to a Federal license to offer such services to the public for profit.

(f) AMOUNT.—There are authorized to be appropriated to the Secretary of Transportation for grants under this section an aggregate amount not to exceed $1,500,000,000 to be available in increments over 10 fiscal years beginning in fiscal year 2009, or until expended.

(g) AVAILABILITY.—Amounts appropriated pursuant to the authorization under this section shall remain available until expended.

The SPEAKER pro tempore. The question is on the amendment.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. BROUN of Georgia. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 295, noes 127, not voting 11, as follows:

[Roll No. 398]

AYES—295

Abercrombie
Ackerman
Aderholt
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bartlett (MD)
Barton (TX)
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Blunt
Bono Mack
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Brown, Corrine
Brown-Waite, Ginny
Butterfield
Buyer
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castle
Castor
Cazayoux
Chandler
Childers
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cubin
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doolittle
Doyle
Drake
Edwards
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Fallin
Farr
Fattah
Ferguson
Filner
Forbes
Fortenberry
Fossella
Foster
Frank (MA)
Gerlach
Giffords
Gilchrest
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
King (NY)
Kirk
Klein (FL)
Kucinich
LaHood
Lampson
Langevin
Larsen (WA)
Larson (CT)
LaTourette
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McHugh
McIntyre
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (MI)
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Nadler
Napolitano
Neal (MA)
Nunes
Oberstar
Obey
Olver
Pallone
Pascrell
Pastor
Payne
Perlmutter
Peterson (MN)
Pickering
Platts
Pomeroy
Porter
Price (NC)
Rahall
Rangel
Regula
Renzi
Reyes
Richardson
Rodriguez
Rogers (AL)
Ross
Rothman
Roybal-Allard
Ruppersberger
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shays
Shea-Porter
Sherman
Shuler
Shuster
Sires
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Space
Speier
Spratt
Stark
Stupak
Sullivan
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tiahrt
Tierney
Towns
Tsongas
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walsh (NY)
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weldon (FL)
Weller
Wexler
Wilson (OH)
Wittman (VA)
Wolf
Woolsey
Wu
Yarmuth
Young (AK)

NOES—127

Akin
Bachmann
Bachus
Barrett (SC)
Bean
Biggert
Bilbray
Bilirakis
Bishop (UT)
Boehner
Bonner
Boozman
Brady (TX)
Broun (GA)
Brown (SC)
Buchanan
Burgess
Burton (IN)
Calvert
Camp (MI)
Campbell (CA)
Cannon
Carter
Chabot
Coble
Cole (OK)
Conaway
Crenshaw
Culberson
Davis (KY)
Davis, David
Deal (GA)
Dreier
Duncan
Ehlers
Feeney
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gingrey
Granger
Graves
Hall (TX)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hobson
Hoekstra
Hunter
Inglis (SC)
Johnson, Sam
Jordan
Keller
King (IA)
Kingston
Kline (MN)
Knollenberg
Kuhl (NY)
Lamborn
Latham
Latta
Lewis (CA)
Lewis (KY)
Linder
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul (TX)
McCotter
McHenry
McKeon
Miller (FL)
Miller, Gary
Moran (KS)
Musgrave
Myrick
Neugebauer
Paul
Pearce
Pence
Peterson (PA)
Petri
Pitts
Poe
Price (GA)

Pryce (OH)
Putnam
Radanovich
Ramstad
Rehberg
Reichert
Reynolds
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Saxton
Scalise
Schmidt
Sensenbrenner
Sessions
Shadegg
Shimkus
Simpson
Smith (NE)
Souder
Stearns
Terry
Thornberry
Tiberi
Walberg
Walden (OR)
Wamp
Westmoreland
Whitfield (KY)
Wilson (NM)
Wilson (SC)
Young (FL)

NOT VOTING—11

Blackburn
Braley (IA)
Flake
Gillibrand
Hulshof
Loebsack
McCrery
McMorris Rodgers
Ortiz
Rush
Tancredo

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Two minutes are remaining to vote.

□ 1415

Messrs. KELLER of Florida, HAYES and COLE of Oklahoma changed their vote from ''aye'' to ''no.''

Messrs. GOODLATTE and SHUSTER changed their vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the committee amendment in the nature of a substitute, as amended.

The committee amendment in the nature of a substitute, as amended, was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT OFFERED BY MR. DAVIS OF KENTUCKY

Mr. DAVIS of Kentucky. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. DAVIS of Kentucky. Yes, in its current form.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Davis of Kentucky moves to recommit the bill H.R. 6003 to the Committee on Transportation and Infrastructure with instructions to report the same back to the House promptly in the form to which perfected at the time of this motion, with the following amendment:

In title II, add at the end the following new section (and amend the table of contents accordingly):

SEC. 225. LOCOMOTIVE ALTERNATIVE FUEL STUDY.

(a) IN GENERAL.—The Administrator of the Federal Railroad Administration, in consultation with the Secretary of Energy and the Administrator of the Environmental Protection Agency, shall conduct a study to determine the extent to which freight and passenger rail operators could use domestically available alternative fuels to power their locomotive fleets and other vehicles that operate on rail tracks.

(b) DEFINITION.—For purposes of this section, the term ''domestically available alternative fuels'' means fuels that are derived from coal, oil shale, oil sands, natural gas, methane, or butanol and are available within the United States.

(c) FACTORS.—In conducting the study, the Federal Railroad Administration shall consider—

(1) the energy intensity of various alternative fuels compared to diesel fuel;

(2) the cost of purchasing and the domestic availability of alternative fuels;

(3) the public benefits derived from the use of such fuels; and

(4) the effect of alternative fuel use on relevant locomotive and other vehicle performance.

(d) LOCOMOTIVE TESTING.—As part of the study, the Federal Railroad Administration shall test locomotive engine performance and emissions using alternative fuels.

(e) REPORT.—Not later than 1 year after the date of enactment of this Act, the Federal Railroad Administration shall transmit the results of this study to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

Mr. DAVIS of Kentucky (during the reading). Mr. Speaker, I ask unanimous consent that the motion be considered as read.

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

Mr. OBERSTAR. I object.

The SPEAKER pro tempore. Objection is heard.

The Clerk will read.

The Clerk continued to read.

The SPEAKER pro tempore. The gentleman from Kentucky is recognized for 5 minutes.

Mr. DAVIS of Kentucky. Mr. Speaker, the Passenger Rail Investment and Improvement Act of 2008 will expand transportation options for some commuters. It doesn't address the underlying problem affecting all Americans.

The current energy climate has highlighted the critical need for America to develop a national energy strategy that will promote energy independence. We can no longer rely on unstable foreign entities to supply us with the resources we need to keep our country running. We need to use American resources to meet American energy needs.

Although section 219 of H.R. 6003 authorizes $1 million to the Department of Transportation to study the potential for renewable biofuels, the bill makes no mention of utilizing the huge proven resources that we have in this country at our fingertips. We need to address the underlying and immediate issues of increasing our domestic supply of energy to reduce prices. This MTR would expand the scope of the study to include those American resources that are now available, like coal, natural gas and oil shale.

One year ago, Amtrak was buying fuel for $2.19 a gallon. As of May 22, 2008, Amtrak was forced to pay $4.26 a gallon. This dubious milestone was achieved 776 days after the current Speaker of the House stated that Democrats had a commonsense plan to bring down skyrocketing fuel prices. That plan has yet to materialize, and a new CNN poll shows that 86 percent of our citizens believe that gas prices will hit $5 a gallon this summer.

Indeed, the majority has pursued a misguided energy strategy that tightens the vice on American consumers in the form of higher taxes and higher energy prices. Frankly, we need to use American resources for Americans now. While I don't object to public transportation as a sound alternative to commuting by car, expanding Amtrak service still doesn't lessen our dependency on foreign oil.

Skyrocketing fuel prices are affecting every aspect of our daily lives. We all know the impact it is having on our family budgets. But it is also having a dramatic impact on many other budgets, ranging from school districts to local governments to the Armed Forces. Even Amtrak's budget is ballooning with these increasing prices. Their fuel budget for 2008 has increased from $125 million to $215 million.

In the areas where American budgets are being hardest hit by gas prices, consuming 16 percent of gross income, they have very little access to Amtrak. How does this bill help those Americans deal with our energy prices?

My constituents can literally no longer afford the empty promises and failed policies of this Congress. What we need now is an action plan that focuses on real solutions that use real resources to address our short and long-term needs, putting all the options on the table to be considered. It will unleash American innovation, create American jobs and lower prices for American consumers.

We need to focus on increasing our domestic energy supply by exploring the resources that rest at our fingertips on the Outer Continental Shelf and in the Alaskan National Wildlife Reserve. These resources could significantly increase our domestic oil production and supply a considerable amount of our energy needs. Yet the Democratic majority refuses to allow the American people to access resources that are on their own soil. I echo the recent declaration that we need to drill here, we need to drill now, and then we will pay less.

We need to promote the research and development of renewable resources while investigating the potential for alternative fuels developed from coal-to-liquids, hydrogen, and other new technologies to lessen our dependency on foreign oil supply shocks.

Congress has been historically shortsighted about the use of our most abundant fuel, coal, to boost our energy supply. The United States is estimated to have 40 times the amount of energy stored in coal reserves than we have in our domestic oil reserves. American coal resources in Kentucky, Indiana and Illinois exceed the oil resources of Saudi Arabia and is an excellent source for American energy. With oil prices heading towards $150 a barrel, how can we not afford to explore our own domestic resources?

The leaders of this Congress have proven themselves to be out of touch, turning blindly away from any attempt to relieve the American people of their burden with practical solutions. We need to lower prices for the American people. By continually refusing to recognize the problem at hand, the Democratic majority is causing irrevocable harm to our Nation.

I urge all my colleagues to support the motion to recommit the bill to broaden the Locomotive Alternative Fuel Study to include American reserves that will increase domestic oil supply, reduce costs and make us more independent from foreign oil. The best thing that we can do for Amtrak is to lower fuel prices. If we use our resources for Americans, we can ignite a third industrial revolution that will create millions of jobs and provide a future for our children.

Mr. Speaker, I yield back.

Mr. OBERSTAR. Mr. Speaker, I rise in opposition to the motion.

The SPEAKER pro tempore. The gentleman from Minnesota is recognized for 5 minutes.

Mr. OBERSTAR. Mr. Speaker, this is only a halfhearted attempt. If it were a wholehearted attempt, the motion would have included soybean oil and ethanol and it would have included the word ''forthwith'' and we could have accepted it. In fact, if the gentleman had come to the committee, both the Republican and Democratic side of the committee in the course of consideration of the bill, if he were serious about this matter, we would have included it in our section 219, Locomotive Biofuel Study. There is no reason we couldn't include all of what the gentleman is saying, plus additional items. But I think by using the word ''promptly,'' clearly this is just another gesture, a political gesture, to sidetrack the bill. Sending it back to committee simply delays the benefits of Amtrak.

We have worked diligently over the better part of a year-and-a-half, Republicans and Democrats together on the committee, and fashioned a wide-ranging proposition for the future of intercity passenger rail in America, introducing extraordinary reforms that have not been considered or have been rejected in the past. We have included those in this bill.

We include a locomotive biofuel study. We require locomotive testing. We require a report. We require it to be done in a very specific period of time. We also require a study on the use of bio-based lubricants for Amtrak to use.

□ 1430

In fact, soybean-derived fuel is being used by the freight rail sector in what is known as Green Goat technology, Green Goat locomotives and freight rail makeup switchyards with great success.

The Green Goat technology using soybean-based fuel is reducing particulate emissions in rail makeup yards reducing noise and also reducing cost of maintenance of locomotives because the fuel also provides lubricating quality to a locomotive engine.

Furthermore, to insist that we move on this amendment—I think an earlier version I saw would have required implementation immediately—Amtrak has warranties with General Electric, who produces the P42 locomotives for Amtrak's fleet. That's the backbone of their diesel locomotive fleet.

To force Amtrak to rush into applying some not-yet proven technology would vitiate the warranties, would increase the cost, would subject Amtrak having to absorb all the costs instead of GE, the locomotive engine producer, absorbing the costs.

Again, I say we are very accommodating on this committee. We want good ideas. We would have welcomed the gentleman's ideas in the fashioning of the legislation. In fact, if this had been a forthwith motion, we could have accepted it with an amendment to include biodiesel fuel, soybean-based fuel.

But the way it's fashioned simply sidetracks the very good bill, the extraordinary progress we have made with bringing passenger high-speed rail service to all of America. This is a transformational moment, this Amtrak legislation, a transformational moment in American transportation to bring our country into the first world of intercity high-speed passenger rail service, to make changes in the way Amtrak operates, to invite the private sector in to be a partner in fashioning a future for Amtrak.

Don't sidetrack it with this frivolous motion that comes way late in the process and is not serious at all in its purpose. If it were serious at all in its purpose, it would have come to the committee, we would have done something about it, we would have included this language earlier on in the bill.

Oppose the motion.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on the motion to recommit will be followed by 5-minute votes on passage of H.R. 6003; the motion to refer House Resolution 1258; and the motion to suspend the rules on H. Res. 1235.

The vote was taken by electronic device, and there were—yeas 194, nays 230, not voting 9, as follows:

[Roll No. 399]

YEAS—194

Aderholt
Akin
Alexander
Bachmann
Bachus
Barrett (SC)
Bartlett (MD)
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boustany
Brady (TX)
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carter
Chabot
Coble
Cole (OK)
Conaway
Crenshaw
Cubin
Culberson
Davis (KY)
Davis, David
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Donnelly
Doolittle
Drake
Dreier
Duncan
Ehlers
Ellsworth
Emerson
English (PA)
Everett
Fallin
Feeney
Ferguson
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hill
Hobson
Hoekstra
Hunter
Inglis (SC)
Issa
Johnson (IL)
Johnson, Sam
Jones (NC)
Jordan
Keller
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Knollenberg
Kuhl (NY)
Lamborn
Lampson
Latham
Latta
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marshall
Matheson
McCarthy (CA)
McCaul (TX)
McCotter
McHenry
McHugh
McKeon
McMorris Rodgers
McNerney
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy, Tim
Musgrave
Myrick
Neugebauer
Nunes
Paul
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Poe
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Saxton
Scalise
Schmidt
Sensenbrenner
Sessions
Shadegg
Shays
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Stearns
Sullivan
Terry
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walberg
Walden (OR)
Walsh (NY)
Wamp
Weldon (FL)
Westmoreland
Whitfield (KY)
Wilson (NM)
Wilson (SC)
Wittman (VA)
Young (AK)
Young (FL)

NAYS—230

Abercrombie
Ackerman
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyd (FL)
Boyda (KS)
Brady (PA)
Brown, Corrine
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castle
Castor
Cazayoux
Chandler
Childers
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Doyle
Edwards
Ellison
Emanuel
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Foster
Frank (MA)
Giffords
Gilchrest
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)

Hare
Harman
Hastings (FL)
Herseth Sandlin
Higgins
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson, E. B.
Jones (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
Klein (FL)
Kucinich
LaHood
Langevin
Larsen (WA)
Larson (CT)
LaTourette
Lee
Levin
Lewis (GA)
Lipinski
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McIntyre
McNulty
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Pallone
Pascrell
Pastor
Payne
Perlmutter
Peterson (MN)
Platts
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Richardson
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Space
Speier
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tierney
Towns
Tsongas
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weller
Wexler
Wilson (OH)
Wolf
Woolsey
Wu
Yarmuth

NOT VOTING—9

Braley (IA)
Flake
Gillibrand
Hulshof
Loebsack
McCrery
Ortiz
Rush
Tancredo

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Two minutes remain on this vote.

□ 1453

Messrs. HILL and YOUNG of Alaska changed their vote from ''nay'' to ''yea.''

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. OBERSTAR. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 311, nays 104, not voting 18, as follows:

[Roll No. 400]

YEAS—311

Abercrombie
Ackerman
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachus
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blumenauer
Bono Mack
Boozman
Boren
Boswell
Boucher
Boyd (FL)
Boyda (KS)
Brady (PA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Buyer
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castle
Castor
Cazayoux
Chandler
Childers
Clarke
Clay
Cleaver
Clyburn
Cohen
Cole (OK)
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crenshaw
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Dicks
Dingell
Doggett
Donnelly
Doyle
Drake
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Engel
English (PA)
Eshoo
Etheridge
Fallin
Farr
Fattah
Ferguson
Filner
Fortenberry
Fossella
Foster
Frank (MA)
Frelinghuysen
Garrett (NJ)
Gerlach
Giffords
Gilchrest
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green, Gene
Grijalva
Hall (NY)
Hare
Harman
Hastings (FL)
Hayes
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kagen
Kanjorski
Keller
Kennedy
Kildee
Kilpatrick
Kind
King (NY)
Kirk
Klein (FL)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lampson
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lucas
Lynch
Mahoney (FL)
Maloney (NY)
Manzullo
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McCotter
McDermott
McGovern
McHugh
McIntyre
McMorris Rodgers
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (MI)
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Pallone
Pascrell
Pastor
Payne
Perlmutter
Peterson (MN)
Petri
Pickering
Platts
Poe
Pomeroy
Price (NC)
Pryce (OH)
Putnam
Rahall
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Richardson
Rodriguez
Rogers (AL)
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Ruppersberger
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shays
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Souder
Space
Speier
Spratt
Stupak
Sullivan
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tiberi
Tierney
Towns
Tsongas
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh (NY)
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weller
Westmoreland
Wexler
Whitfield (KY)
Wilson (OH)
Wolf
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

NAYS—104

Aderholt
Akin
Bachmann
Barrett (SC)
Barton (TX)
Bilbray
Bilirakis
Blackburn
Blunt
Boehner
Bonner
Boustany
Brady (TX)
Broun (GA)
Burgess
Burton (IN)
Calvert
Camp (MI)
Campbell (CA)
Cannon
Carter
Chabot
Coble
Conaway
Cubin
Culberson
Davis (KY)
Davis, David
Deal (GA)
Doolittle
Dreier
Duncan
Emerson
Everett
Feeney
Forbes
Foxx
Franks (AZ)
Gallegly
Gingrey
Hall (TX)
Hastings (WA)
Heller
Hensarling
Herger
Hobson
Hoekstra
Hunter
Inglis (SC)
Issa
Johnson, Sam
Jordan
Kingston
Kline (MN)
Lamborn
Latta
Lewis (CA)
Lewis (KY)
Linder
Lungren, Daniel E.
Mack
Marchant
McCarthy (CA)
McCaul (TX)
McHenry
McKeon
Miller (FL)
Miller, Gary
Myrick
Neugebauer
Nunes
Paul
Pearce
Pence
Peterson (PA)
Pitts
Porter
Price (GA)
Radanovich
Ramstad
Rogers (KY)
Rogers (MI)
Rohrabacher
Roskam
Royce
Ryan (WI)
Sali
Scalise
Schmidt
Sensenbrenner
Sessions
Shadegg
Smith (NE)
Smith (TX)
Stearns
Terry
Thornberry
Tiahrt
Walberg
Wamp
Weldon (FL)
Wilson (NM)
Wilson (SC)
Wittman (VA)

NOT VOTING—18

Bartlett (MD)
Braley (IA)
Butterfield
Diaz-Balart, M.
Flake
Gillibrand
Green, Al
Gutierrez
Hulshof
Kaptur
King (IA)
Loebsack
McCrery
Musgrave
Ortiz
Rush
Stark
Tancredo

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members should note there is less than 1 minute to vote.

□ 1459

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. BUTTERFIELD. Mr. Speaker, on rollcall No. 400, I inadvertently failed to vote. Had I been present, I would have voted "yea."

AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN ENGROSSMENT OF H.R. 6003, PASSENGER RAIL INVESTMENT AND IMPROVEMENT ACT OF 2008

Mr. OBERSTAR. Mr. Speaker, I ask unanimous consent that in the engrossment of H.R. 6003, the Clerk be authorized to correct section numbers, punctuation, cross-references, and make such other technical and conforming changes as may be necessary to accurately reflect the actions of the House.

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

There was no objection.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Without objection, 5-minute voting will continue.

There was no objection.

IMPEACHING GEORGE W. BUSH, PRESIDENT OF THE UNITED STATES, OF HIGH CRIMES AND MISDEMEANORS

MOTION TO REFER OFFERED BY MR. KUCINICH

The SPEAKER pro tempore. Pursuant to the order of the House of June 10, 2008, the unfinished business is the question on the motion to refer House Resolution 1258 offered by the gentleman from Ohio (Mr. KUCINICH) which the Chair will put de novo.

The Clerk will redesignate the motion.

The Clerk redesignated the motion.

The SPEAKER pro tempore. The question is on the motion to refer.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. KUCINICH. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 251, noes 166, not voting 16, as follows:

[Roll No. 401]

AYES—251

Abercrombie
Ackerman
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyd (FL)
Boyda (KS)
Brady (PA)
Brady (TX)
Brown, Corrine
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castle
Castor
Cazayoux
Chandler
Childers
Clarke
Clay
Cleaver
Clyburn
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
DeFazio
DeGette
Delahunt
DeLauro
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doyle
Dreier
Edwards
Ellison
Ellsworth
Emanuel
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Fossella
Foster
Frank (MA)
Frelinghuysen
Giffords
Gilchrest
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hall (TX)
Hare
Harman
Hastings (FL)
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
King (NY)
Klein (FL)
Kucinich
Lampson
Langevin
Larsen (WA)
Larson (CT)
LaTourette
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Manzullo
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McIntyre
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Pallone
Pastor
Paul
Payne
Perlmutter
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Ramstad
Rangel
Reichert
Reyes
Richardson
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shays
Shea-Porter
Sherman
Shimkus
Shuler
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Space
Speier
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tierney
Towns
Tsongas
Turner
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Wexler
Wilson (NM)
Wilson (OH)
Wolf
Woolsey
Wu
Yarmuth

NOES—166

Aderholt
Akin
Alexander
Bachmann
Bachus
Barrett (SC)
Bartlett (MD)
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boustany
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carter
Chabot
Coble
Cole (OK)
Conaway
Crenshaw
Cubin
Culberson
Davis (KY)
Davis, David
Davis, Tom
Deal (GA)
Dent
Doolittle
Drake
Duncan
Ehlers
Emerson
English (PA)
Everett
Fallin
Feeney
Ferguson
Forbes
Fortenberry
Foxx
Franks (AZ)
Gallegly
Garrett (NJ)
Gerlach
Gingrey
Gohmert
Goode
Granger
Graves
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hobson
Hoekstra
Hunter
Inglis (SC)
Issa
Johnson, Sam
Jordan
Keller
Kingston
Kirk
Kline (MN)
Knollenberg
Kuhl (NY)
LaHood
Lamborn
Latta
Lewis (CA)
Lewis (KY)
Linder
Lucas
Lungren, Daniel E.
Mack
Marchant
McCarthy (CA)
McCaul (TX)
McCotter
McHenry
McHugh
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Musgrave
Myrick
Nunes
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Regula
Rehberg
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Saxton
Scalise
Schmidt
Sensenbrenner
Shadegg
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Stearns
Sullivan
Terry
Thornberry
Tiahrt
Tiberi
Upton
Walberg
Walden (OR)
Walsh (NY)
Wamp
Weldon (FL)
Weller
Westmoreland
Whitfield (KY)
Wilson (SC)
Wittman (VA)
Young (AK)
Young (FL)

NOT VOTING—16

Braley (IA)
Cohen
Flake
Gillibrand
Goodlatte
Hulshof
King (IA)
Latham
Loebsack
McCrery
Neugebauer
Ortiz
Pascrell
Rush
Sessions
Tancredo

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. DOYLE) (during the vote). There is 1 minute remaining on this vote.

□ 1508

Mr. KELLER of Florida changed his vote from ''aye'' to ''no.''

So the motion to refer was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mr. NEUGEBAUER. Mr. Speaker, this afternoon I missed rollcall Vote 401, a vote on referring H. Res. 1258 to committee.

Had I been present, I would have voted "no" on rollcall Vote 401.

Mr. KING of Iowa. Mr. Speaker, I was detained while attempting to reach the House floor to cast my vote on rollcall 401 earlier this afternoon. Had I been able to reach the floor before the vote was closed, I would have voted "no."

NATIONAL D-DAY REMEMBRANCE DAY

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution, H. Res. 1235, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Florida (Ms. CORRINE BROWN) that the House suspend the rules and agree to the resolution, H. Res. 1235.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 406, nays 0, not voting 27, as follows:

[Roll No. 402]

YEAS—406

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachmann
Bachus
Baird
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boren
Boswell
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Brady (TX)
Broun (GA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capps
Capuano
Carnahan
Carney
Carson
Carter
Castle
Castor
Cazayoux
Chabot
Chandler
Childers
Clarke
Clay
Cleaver
Clyburn
Coble
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crenshaw
Cubin
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, David
Davis, Lincoln
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Fallin
Farr
Fattah
Feeney
Ferguson

Filner
Forbes
Fortenberry
Fossella
Foster
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gilchrest
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hall (TX)
Hare
Harman
Hastings (FL)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Hoekstra
Holden
Holt
Honda
Hooley
Hoyer
Hunter
Inglis (SC)
Inslee
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (OH)
Jordan
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
Kilpatrick
Kind
King (IA)
King (NY)
Kingston
Kirk
Klein (FL)
Kline (MN)
Knollenberg
Kuhl (NY)
LaHood
Lamborn
Lampson
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Larsen (WA)
Larson (CT)
Latham
LaTourette
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Lewis (CA)
Lewis (GA)
Lewis (KY)
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Mahoney (FL)
Manzullo
Marchant
Markey
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McMorris Rodgers
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Nunes
Oberstar
Obey
Olver
Pallone
Pascrell
Pastor
Paul
Payne
Pence
Perlmutter
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Richardson
Rodriguez
Rogers (AL)
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Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Ross
Rothman
Roybal-Allard
Royce
Ryan (OH)
Ryan (WI)
Salazar
Sali
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Scalise
Schakowsky
Schiff
Schmidt
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Scott (GA)
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Sensenbrenner
Serrano
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Shimkus
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Simpson
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Slaughter
Smith (NE)
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Turner
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Weller
Westmoreland
Wexler
Wilson (NM)
Wilson (OH)
Wilson (SC)
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Wolf
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—27

Boucher
Braley (IA)
Cardoza
Cohen
Crowley
Flake
Gillibrand
Hulshof
Israel
Jones (NC)
Kucinich
Linder
Loebsack
Maloney (NY)
Marshall
McCrery
Miller, George
Ortiz
Pearce
Rahall
Ruppersberger
Rush
Shea-Porter
Sutton
Tancredo
Weiner
Whitfield (KY)

□ 1515

So (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Byrd, one of its clerks, announced that the Senate has passed without amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 3179. An act to amend title 40, United States Code, to authorize the use of Federal supply schedules for the acquisition of law enforcement, security, and certain other related items by State and local governments.

The message also announced that the Senate has passed with an amendment a bill of the House of the following title:

H.R. 634. An act to require the Secretary of the Treasury to mint coins in commemoration of veterans who became disabled for life while serving in the Armed Forces of the United States.

EMERGENCY EXTENDED UNEMPLOYMENT COMPENSATION ACT OF 2008

Mr. RANGEL. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5749) to provide for a program of emergency unemployment compensation, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5749

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Emergency Extended Unemployment Compensation Act of 2008''.

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

Sec. 1. Short title; table of contents.
Sec. 2. Federal-State agreements.
Sec. 3. Emergency unemployment compensation account.
Sec. 4. Payments to States having agreements for the payment of emergency unemployment compensation.
Sec. 5. Financing provisions.
Sec. 6. Fraud and overpayments.
Sec. 7. Definitions.
Sec. 8. Applicability.

SEC. 2. FEDERAL-STATE AGREEMENTS.

(a) IN GENERAL.—Any State which desires to do so may enter into and participate in an agreement under this Act with the Secretary of Labor (in this Act referred to as the ''Secretary''). Any State which is a party to an agreement under this Act may, upon providing 30 days' written notice to the Secretary, terminate such agreement.

(b) PROVISIONS OF AGREEMENT.—Any agreement under subsection (a) shall provide that the State agency of the State will make payments of emergency unemployment compensation to individuals who—

(1) have exhausted all rights to regular compensation under the State law or under Federal law with respect to a benefit year (excluding any benefit year that ended before May 1, 2007);

(2) have no rights to regular compensation or extended compensation with respect to a week under such law or any other State unemployment compensation law or to compensation under any other Federal law (except as provided under subsection (e)); and

(3) are not receiving compensation with respect to such week under the unemployment compensation law of Canada.

(c) EXHAUSTION OF BENEFITS.—For purposes of subsection (b)(1), an individual shall be deemed to have exhausted such individual's rights to regular compensation under a State law when—

(1) no payments of regular compensation can be made under such law because such individual has received all regular compensation available to such individual based on employment or wages during such individual's base period; or

(2) such individual's rights to such compensation have been terminated by reason of the expiration of the benefit year with respect to which such rights existed.

(d) WEEKLY BENEFIT AMOUNT, ETC.—For purposes of any agreement under this Act—

(1) the amount of emergency unemployment compensation which shall be payable to any individual for any week of total unemployment shall be equal to the amount of the regular compensation (including dependents' allowances) payable to such individual during such individual's benefit year under the State law for a week of total unemployment;

(2) the terms and conditions of the State law which apply to claims for regular compensation and to the payment thereof shall apply to claims for emergency unemployment compensation and the payment thereof, except where otherwise inconsistent with the provisions of this Act or with the regulations or operating instructions of the Secretary promulgated to carry out this Act; and

(3) the maximum amount of emergency unemployment compensation payable to any individual for whom an emergency unemployment compensation account is established under section 3 shall not exceed the amount established in such account for such individual.

(e) ELECTION BY STATES.—Notwithstanding any other provision of Federal law (and if State law permits), the Governor of a State that is in an extended benefit period may provide for the payment of emergency unemployment compensation prior to extended compensation to individuals who otherwise meet the requirements of this section.

(f) UNAUTHORIZED ALIENS INELIGIBLE.—A State shall require as a condition of eligibility for emergency unemployment compensation under this Act that each alien who receives such compensation must be legally authorized to work in the United States, as defined for purposes of the Federal Unemployment Tax Act (26 U.S.C. 3301 et seq.). In determining whether an alien meets the requirements of this subsection, a State must follow the procedures provided in section 1137(d) of the Social Security Act (42 U.S.C. 1320b–7(d)).

SEC. 3. EMERGENCY UNEMPLOYMENT COMPENSATION ACCOUNT.

(a) IN GENERAL.—Any agreement under this Act shall provide that the State will establish, for each eligible individual who files an application for emergency unemployment compensation, an emergency unemployment

compensation account with respect to such individual's benefit year.

(b) AMOUNT IN ACCOUNT.—

(1) IN GENERAL.—The amount established in an account under subsection (a) shall be equal to the lesser of—

(A) 50 percent of the total amount of regular compensation (including dependents' allowances) payable to the individual during the individual's benefit year under such law, or

(B) 13 times the individual's average weekly benefit amount for the benefit year.

(2) WEEKLY BENEFIT AMOUNT.—For purposes of this subsection, an individual's weekly benefit amount for any week is the amount of regular compensation (including dependents' allowances) under the State law payable to such individual for such week for total unemployment.

(c) SPECIAL RULE.—

(1) IN GENERAL.—Notwithstanding any other provision of this section, if, at the time that the individual's account is exhausted or at any time thereafter, such individual's State is in an extended benefit period (as determined under paragraph (2)), then, such account shall be augmented by an amount equal to the amount originally established in such account (as determined under subsection (b)(1)).

(2) EXTENDED BENEFIT PERIOD.—For purposes of paragraph (1), a State shall be considered to be in an extended benefit period, as of any given time, if—

(A) such a period is then in effect for such State under the Federal-State Extended Unemployment Compensation Act of 1970;

(B) such a period would then be in effect for such State under such Act if section 203(d) of such Act—

(i) were applied by substituting ''4'' for ''5'' each place it appears; and

(ii) did not include the requirement under paragraph (1)(A); or

(C) such a period would then be in effect for such State under such Act if—

(i) section 203(f) of such Act were applied to such State (regardless of whether the State by law had provided for such application); and

(ii) such section 203(f)—

(I) were applied by substituting ''6.0'' for ''6.5'' in paragraph (1)(A)(i); and

(II) did not include the requirement under paragraph (1)(A)(ii).

SEC. 4. PAYMENTS TO STATES HAVING AGREEMENTS FOR THE PAYMENT OF EMERGENCY UNEMPLOYMENT COMPENSATION.

(a) GENERAL RULE.—There shall be paid to each State that has entered into an agreement under this Act an amount equal to 100 percent of the emergency unemployment compensation paid to individuals by the State pursuant to such agreement.

(b) TREATMENT OF REIMBURSABLE COMPENSATION.—No payment shall be made to any State under this section in respect of any compensation to the extent the State is entitled to reimbursement in respect of such compensation under the provisions of any Federal law other than this Act or chapter 85 of title 5, United States Code. A State shall not be entitled to any reimbursement under such chapter 85 in respect of any compensation to the extent the State is entitled to reimbursement under this Act in respect of such compensation.

(c) DETERMINATION OF AMOUNT.—Sums payable to any State by reason of such State having an agreement under this Act shall be payable, either in advance or by way of reimbursement (as may be determined by the Secretary), in such amounts as the Secretary estimates the State will be entitled to receive under this Act for each calendar month, reduced or increased, as the case may be, by any amount by which the Secretary finds that the Secretary's estimates for any prior calendar month were greater or less than the amounts which should have been paid to the State. Such estimates may be made on the basis of such statistical, sampling, or other method as may be agreed upon by the Secretary and the State agency of the State involved.

SEC. 5. FINANCING PROVISIONS.

(a) IN GENERAL.—Funds in the extended unemployment compensation account (as established by section 905(a) of the Social Security Act (42 U.S.C. 1105(a))) of the Unemployment Trust Fund (as established by section 904(a) of such Act (42 U.S.C. 1104(a))) shall be used for the making of payments to States having agreements entered into under this Act.

(b) CERTIFICATION.—The Secretary shall from time to time certify to the Secretary of the Treasury for payment to each State the sums payable to such State under this Act. The Secretary of the Treasury, prior to audit or settlement by the Government Accountability Office, shall make payments to the State in accordance with such certification, by transfers from the extended unemployment compensation account (as so established) to the account of such State in the Unemployment Trust Fund (as so established).

(c) ASSISTANCE TO STATES.—There are appropriated out of the employment security administration account (as established by section 901(a) of the Social Security Act (42 U.S.C. 1101(a))) of the Unemployment Trust Fund, without fiscal year limitation, such funds as may be necessary for purposes of assisting States (as provided in title III of the Social Security Act (42 U.S.C. 501 et seq.)) in meeting the costs of administration of agreements under this Act.

(d) APPROPRIATIONS FOR CERTAIN PAYMENTS.—There are appropriated from the general fund of the Treasury, without fiscal year limitation, to the extended unemployment compensation account (as so established) of the Unemployment Trust Fund (as so established) such sums as the Secretary estimates to be necessary to make the payments under this section in respect of—

(1) compensation payable under chapter 85 of title 5, United States Code; and

(2) compensation payable on the basis of services to which section 3309(a)(1) of the Internal Revenue Code of 1986 applies.

Amounts appropriated pursuant to the preceding sentence shall not be required to be repaid.

SEC. 6. FRAUD AND OVERPAYMENTS.

(a) IN GENERAL.—If an individual knowingly has made, or caused to be made by another, a false statement or representation of a material fact, or knowingly has failed, or caused another to fail, to disclose a material fact, and as a result of such false statement or representation or of such nondisclosure such individual has received an amount of emergency unemployment compensation under this Act to which he was not entitled, such individual—

(1) shall be ineligible for further emergency unemployment compensation under this Act in accordance with the provisions of the applicable State unemployment compensation law relating to fraud in connection with a claim for unemployment compensation; and

(2) shall be subject to prosecution under section 1001 of title 18, United States Code.

(b) REPAYMENT.—In the case of individuals who have received amounts of emergency unemployment compensation under this Act to which they were not entitled, the State shall require such individuals to repay the amounts of such emergency unemployment compensation to the State agency, except that the State agency may waive such repayment if it determines that—

(1) the payment of such emergency unemployment compensation was without fault on the part of any such individual; and

(2) such repayment would be contrary to equity and good conscience.

(c) RECOVERY BY STATE AGENCY.—

(1) IN GENERAL.—The State agency may recover the amount to be repaid, or any part thereof, by deductions from any emergency unemployment compensation payable to such individual under this Act or from any unemployment compensation payable to such individual under any State or Federal unemployment compensation law administered by the State agency or under any other Federal law administered by the State agency which provides for the payment of any assistance or allowance with respect to any week of unemployment, during the 3-year period after the date such individuals received the payment of the emergency unemployment compensation to which they were not entitled, except that no single deduction may exceed 50 percent of the weekly benefit amount from which such deduction is made.

(2) OPPORTUNITY FOR HEARING.—No repayment shall be required, and no deduction shall be made, until a determination has been made, notice thereof and an opportunity for a fair hearing has been given to the individual, and the determination has become final.

(d) REVIEW.—Any determination by a State agency under this section shall be subject to review in the same manner and to the same extent as determinations under the State unemployment compensation law, and only in that manner and to that extent.

SEC. 7. DEFINITIONS.

In this Act, the terms ''compensation'', ''regular compensation'', ''extended compensation'', ''benefit year'', ''base period'', ''State'', ''State agency'', ''State law'', and ''week'' have the respective meanings given such terms under section 205 of the Federal-State Extended Unemployment Compensation Act of 1970 (26 U.S.C. 3304 note).

SEC. 8. APPLICABILITY.

(a) IN GENERAL.—Except as provided in subsection (b), an agreement entered into under this Act shall apply to weeks of unemployment—

(1) beginning after the date on which such agreement is entered into; and

(2) ending on or before March 31, 2009.

(b) TRANSITION FOR AMOUNT REMAINING IN ACCOUNT.—

(1) IN GENERAL.—Subject to paragraphs (2) and (3), in the case of an individual who has amounts remaining in an account established under section 3 as of the last day of the last week (as determined in accordance with the applicable State law) ending on or before March 31, 2009, emergency unemployment compensation shall continue to be payable to such individual from such amounts for any week beginning after such last day for which the individual meets the eligibility requirements of this Act.

(2) LIMIT ON AUGMENTATION.—If the account of an individual is exhausted after the last day of such last week (as so determined), then section 3(c) shall not apply and such account shall not be augmented under such section, regardless of whether such individual's State is in an extended benefit period (as determined under paragraph (2) of such section).

(3) LIMIT ON COMPENSATION.—No compensation shall be payable by reason of paragraph (1) for any week beginning after June 30, 2009.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from

New York (Mr. RANGEL) and the gentleman from Illinois (Mr. WELLER) each will control 20 minutes.

The Chair now recognizes the gentleman from New York.

Mr. RANGEL. I would ask unanimous consent that at the conclusion of my very brief remarks, that my time be yielded to Mr. MCDERMOTT who worked so desperately hard with Mr. ENGLISH to prepare this Congress to do what has to be done for a crisis that we hoped we would never have to experience.

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

There was no objection.

Mr. RANGEL. I yield myself such time as I may consume.

Mr. Speaker, I stand before you not as a Democrat speaking to Republicans, but as an American who recognizes that if I had to think of one of the most important assets that our country has had, after we talked about our flag, our military, our democracy, I think that we all would agree it's our middle class. They're different from most people. They're not recognized worldwide. They're not the rich. They're not the poor. They're people who struggle every day. But it's their dreams, I think, that make us different from any other country and any other democracy knowing that in this country there is no glass ceiling.

And no matter what we accomplish, that we could dream for our kids and for our grandkids, today, through no fault of their own, this dream is being shattered. It's being shattered by the deficits. It's being shattered by war. It's being shattered by losing our kids, losing our jobs, losing our hope, increased price of oil; and people are concerned about where do we go from here. I suggest to you that no one can challenge the fact that this country cannot go any further than our middle class.

So it's up to us to find out how do we handle this and how to explain, at a time when they're at most need, not just in terms of dollars and cents but in hopes that this country is going to pull out of this as we have in the past.

So what did Mr. MCDERMOTT and Congressman ENGLISH do? They said no matter what happens in this country, whether we win or lose, you can depend on one thing: We will not give up on the American middle class. Now, you could talk about deficits and trust funds, you could talk about PAYGO, you could talk about anything; but you're not going to let this country drown because of technicalities.

The middle class is there when we need them. They're there to consume and to buy if they have to. They're there to fight and die in our wars. And now comes an opportunity where we come here together and we say it's not much, we've got to struggle to repair the economic damage, but in the meantime, those of you who have worked every day, those of you who we've not said ''thank you'' to, we're saying that we're going to be there because through no fault of your own, our country has let you down.

I yield back for the technical things, but I do hope when we get back home that all of us can say, We didn't do everything that we wanted to, but at the time this bill came up for suspension, we were there for you.

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

Mr. Speaker, before I begin my remarks, first I want to say on behalf of all of my colleagues our thoughts and prayers are with our good friend and distinguished ranking member of the House Ways and Means Committee, Congressman JIM MCCRERY. Mr. MCCRERY is not with us today, and he and his family mourn the untimely passing of JIM's sister. Our thoughts are with Congressman MCCRERY and his entire family.

Mr. Speaker, I stand here in support of extending unemployment benefits, and I have sponsored legislation to accomplish that goal. All Republican members of the Ways and Means Committee supported extending benefits when our committee considered this legislation in April. But today I rise in opposition to the legislation that's before the House today which includes a radical departure from long-standing Federal policy when it comes to the balance between work and extended benefits. And I am especially opposed to the cynical election-year maneuvering reflected in how the House is considering this important issue today.

Federal law since 1981 has required at least 20 weeks of work before collecting Federal-extended benefits. The temporary program created in 2002 continued this commonsense policy. I believe requiring at least 20 weeks of work to qualify for Federal extended unemployment benefits is perfectly fair, but the majority of Democrats do not. So the legislation before us today makes a radical departure from 27 years of Federal policy by striking the commonsense 20-week work requirement.

Ironically, nearly every Democratic Member in the House supported this same requirement as part of the temporary program Congress created in 2002. Yet today, without a single hearing on this topic, this legislation would strike that sensible long-standing requirement.

So under this legislation, some individuals will receive 12 months of total unemployment benefits after having worked for as little as 2 weeks in some cases before being laid off. Does the majority think that this is fair to taxpayers to pay 12 months of unemployment benefits in exchange for less than 1 month of work?

Since the 1930s, unemployment benefits have been paid to those strongly attached to the workforce. That's the logic behind expecting at least 20 weeks of work before layoff for those who go on to collect Federal-extended benefits. It is not too much to expect someone who has worked for at least 20 weeks to collect up to 12 months of unemployment benefits.

What makes this worse, this legislation is being considered under rules that prevent any opportunities for amendments, that prevent any opportunities for substitutes or other avenues to correct what we believe is a serious error in this radical approach.

The way this bill is being considered is under a process usually reserved for naming post offices and honoring sports teams. In the past 2 years, this House has named 87 post offices using this process, and today by using this same process, House majority leaders trivialize the important issue of extending unemployment benefits to those who are hurting. And it didn't have to be this way.

Every Republican on the Ways and Means Committee supported extending unemployment benefits in some fashion 2 months ago. And I suspect almost every Member of this House shares that view today. The only disagreement involves whether there should be a minimum work requirement, among other important details.

But 2 months, again that's 2 months after this so-called emergency legislation was considered in the Ways and Means Committee, here we are 2 months later with the Majority's flawed take-it-or-leave-it approach.

Mr. Speaker, I recognize many workers are hurting. I continue to support extending help to those who need it most. Unfortunately, the bill before us insists on paying extended unemployment benefits even to those who have worked for only a fraction of the time they will collect benefits.

This radical policy is a departure from current law, a 27-year-old bipartisan policy, and that's simply not right. And the way this legislation is being considered is an affront to all Americans. This bill was brought directly to the floor without as much as a hearing in committee.

Mr. Speaker, I have a letter here from the Executive Office of the President stating the President's position. The administration strongly opposes this legislation, H.R. 5479, and they state that if it were presented to the President, the senior advisers would recommend that he veto the bill.

I place it into the RECORD at this time.

EXECUTIVE OFFICE OF THE PRESIDENT, OFFICE OF MANAGEMENT AND BUDGET,

Washington, DC, June 11, 2008.

STATEMENT OF ADMINISTRATION POLICY—H.R. 5749—EMERGENCY EXTENDED UNEMPLOYMENT COMPENSATION ACT OF 2008—(REP. MCDERMOTT (D) WASHINGTON AND 36 COSPONSORS)

The Administration is deeply committed to continually fostering an environment where every American who wants a job has a job. The Administration believes the best way to help workers is to create an environment that encourages job creation and to promote effective job training. To accomplish these goals, the Administration urges Congress to create more opportunities for

American exporters by passing the pending free trade agreements with Colombia, Panama, and South Korea, make permanent the President's tax cuts that will expire over the next two years, and reform and reauthorize the Trade Adjustment Assistance program and the Workforce Investment Act. The Administration looks forward to continuing to work with Congress to enact these important measures. However, the Administration strongly opposes H.R. 5749. If H.R. 5749 were presented to the President, his senior advisors would recommend that he veto the bill.

This legislation raises several concerns. First, although the unemployment rate has recently risen, it remains below the levels historically relied on to justify a federally financed extension of unemployment benefits. The last initiation of temporary extended benefits was in 2002 amidst the unprecedented events surrounding September 11, 2001. Other than that special case, extensions have generally been granted only when the unemployment rate was notably higher than it is today, at or above 7 percent.

Second, this bill would allow the payment of up to 13 extra weeks of benefits in every State, even though some of those States have unemployment rates as low as 2.6 percent. At present, a majority of States have unemployment rates at or below 5 percent, and it is fiscally irresponsible to provide extra benefits in States with low unemployment rates. In States with higher unemployment rates, the Federal-State extended benefits program already can provide up to 13 additional weeks of benefits to workers who have exhausted their regular unemployment insurance benefits. As many economists have noted, the counterproductive result of a broad extension of benefits would be that recipients may remain unemployed for slightly longer than they would have otherwise.

Third, this bill does not contain an important provision found in previous Federal extensions and the permanent Federal-State extended benefits law that assures the benefit extension is paid only to individuals who have demonstrated a serious attachment to the labor force. Since 1981, individuals must have 20 weeks of full-time employment to qualify for extended unemployment benefits. Under this bill, individuals who have worked as little as two weeks could qualify for up to 52 weeks of total unemployment benefits. This violates the longstanding requirement that extended benefits should be for Americans with meaningful work histories.

Fourth, for purposes of determining whether a State is considered a ''high unemployment'' State in which an extra 13 weeks of benefits is payable (for a total of 26 weeks of additional benefits), this proposal would use a total unemployment rate of 6 percent as the trigger for State eligibility. This is, historically, a relatively low number for justifying a full year or more of unemployment benefits.

As an alternative to these ill-targeted and costly measures, the Administration could support legislation that would offer a 13-week extension of Federally financed unemployment benefits to high-unemployment States alone.

Mr. Speaker, again, I urge my colleagues to vote against this bill so that it can be brought back under a rule that allows the House to work its will and provides an opportunity to include a commonsense work requirement that does not pay a full year of benefits to someone who may have worked for as little as 2 weeks.

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

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

I want to thank Chairman RANGEL for his leadership on behalf of the American people.

Every Member in the House is elected by the people, and today we're going to find out if Members remember who they work for.

Before us is H.R. 5749, legislation I introduced because it's time the government work for the people and extend a helping hand to those who need a break. Contrary to what you have just heard, this bill was heard in the committee, was voted on in the committee, and three members of the Republican Party voted to move it out of the Ways and Means Committee. It was contained in the supplemental bill, and everybody in the House has had an opportunity to vote on it and discuss it. We are repassing it for the second time.

Now, this legislation should pass without a single vote against it. And that's why it was put on the supplemental on the suspension calendar. No Member who's read a newspaper or spent any time in a congressional district talking to constituents lately could possibly miss the fact that the economy is in serious trouble and so are millions of Americans, and it will just keep getting worse until we act.

Last Friday we saw the largest one-month jump in the unemployment rate in 22 years. Now does anyone doubt the gravity of that situation? Across America the unemployment rate is rising. It's over 7 percent in Michigan and above 6 percent in Alaska and a half a dozen other States.

Eighteen percent of the unemployed in this country have not been able to find a job for at least 6 months. They have exhausted all of their benefits. And that is what this bill deals with. Everywhere you look, people are worried about their home and their family and their future. And no one feels safe no matter where they are.

The economy has been claimed by the Iraq war. This wasteful, needless war has undermined our economy and put it on a deep, steep downward slide. Devastating energy and food prices have made the American people be up against the wall when businesses are shedding jobs to cope. It's been this way for months, and it's time for some relief.

□ 1530

The White House has been fighting, and as Mr. WELLER says, they've sent down from the administration a letter already saying they're going to veto it. Well, that's the administration. What do you expect out of that place?

This bill would provide 13 weeks of extended unemployment benefits to all States where people have exhausted their regular unemployment. It gives another 13 weeks in States where the unemployment rate is above 6 percent.

The usual UI benefit is less than $300 a week. That's poverty level assistance for a family struggling in an economy when gasoline is $4 a gallon.

There is not a congressional district in this country that isn't feeling the effects of this downturn. Every Member in this Chamber has constituents who need help, and they are the workers we are working for, presumably.

This bill is a lifeboat to the American people to stay afloat during increasingly tough economic times. Anybody who votes against this bill is voting against reality. They are denying it.

Now, sometimes the American people watch this session out of interest, but today, they're watching because there's an urgent need to receive some help.

This issue of the 20 weeks is being held up as the reason why I'm going to vote against it. The Labor Department analyzed the fact that that unduly affects low-wage workers and women because they work part-time.

We hear that if you work 2 weeks you can get a year's benefits. Are you saying that the Governor of Illinois or the Governor of Michigan or the Governor of Pennsylvania is stupid and he's just throwing money out the window? These are qualified by the State-level people, and you know you can't give me one example of any place—people say Oregon, if you work 2 weeks in Oregon, you somehow are going to get a year's benefits for 2 weeks. There is no State in the Union where that is true. Give me one example.

I reserve the balance of my time.

Mr. WELLER of Illinois. Mr. Speaker, I would note that most House Republicans and the administration have stated that we all support an extension of unemployment benefits. In fact, the letter we just placed in the RECORD says the administration would sign into law a 13-week extension that is targeted, providing the extended benefits that we all would like to see.

Mr. Speaker, as I prepare to yield to my good friend from Michigan, I would note that, again, the legislation before us is a radical change which eliminates the 20-week work requirement to qualify for a full 12 months of unemployment benefits, and that's why it's important we debate it, and that's why I urge my colleagues to vote ''no.''

With that, I yield 1 minute to the distinguished gentlelady from the State of Michigan.

Mrs. MILLER of Michigan. I thank the gentleman for yielding, and, Mr. Speaker, I rise in support of this legislation.

There certainly is no question that the American economy is struggling, and that is certainly true for my home State of Michigan. Michigan working families have been hit very, very hard by the restructuring, the economic transition that's happening in the domestic auto industry which has cost thousands of jobs and closing of factories.

A collapse in the housing market and skyrocketing gas prices have restricted mobility, making it much more difficult for people to find work.

And some would argue against this bill by saying that it's an impediment

to urging people to actually find work. I would say that argument is nonsense. People cannot find work if they can't even sell their house. People cannot travel long distances to find a job if they can't afford $4 per gallon for gasoline. People cannot find a job if there are no jobs to be found.

This legislation will provide all unemployed workers 13 extra weeks of benefits as a bridge to better times, and it will give workers in hard-hit areas, like my home State of Michigan, an additional 13 weeks beyond that.

I believe that this is a very appropriate and compassionate action for this Congress to take, and I urge all of my colleagues to join me in supporting this critical legislation.

GENERAL LEAVE

Mr. MCDERMOTT. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and insert extraneous material into the RECORD on H.R. 5749.

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

There was no objection.

Mr. MCDERMOTT. I would also like to enter into the RECORD a letter from the National Governors Association dated May 1, 2008, asking us to extend unemployment benefits to exhausted unemployment enrollees.

NATIONAL GOVERNORS ASSOCIATION,
Washington, DC, May 1, 2008.

Hon. MAX BAUCUS,
Chairman, Committee on Finance, U.S. Senate, Washington, DC.

Hon. CHARLES B. RANGEL,
Chairman, Committee on Ways and Means, House of Representatives, Washington, DC.

Hon. CHARLES GRASSLEY,
Ranking Member, Committee on Finance, U.S. Senate, Washington, DC.

Hon. JIM MCCRERY,
Ranking Member, Committee on Ways and Means, House of Representatives, Washington, DC.

DEAR CHAIRMAN BAUCUS, SENATOR GRASSLEY, CHAIRMAN RANGEL AND REPRESENTATIVE MCCRERY: On behalf of the nation's governors, we write to express our support for an extension of unemployment benefits and to request federal assistance for states to serve a growing number of jobless individuals.

In the last month, 36 states experienced an increase in the unemployment rate. The national unemployment rate increased to 5.1 percent in March 2008. Most notable, however, is the significant number of individuals that are unemployed for 27 weeks or longer, thus exhausting all unemployment benefits. Today, approximately 16.7 percent of jobless individuals are experiencing long-term unemployment compared to approximately 11 percent at the beginning of the last recession.

Beginning in 1935, a federal-state partnership was formed to create an unemployment program that would provide a core stabilizing function during economic downturns through short-term income support for jobless individuals. In prior recessions including the economic downturn that began in 2001, Congress and the Administration utilized the program to extend unemployment benefits to jobless individuals.

At the same time, any proposal to extend unemployment benefits must also address the reality that states need additional resources to administer unemployment claims for a larger number of individuals for a longer period of time. This year alone, states may have to administer an average of nearly 400,000 unemployment insurance claims without federal funding. Federal support is needed by state employment and workforce agencies to administer increased initial unemployment claims, to support weekly unemployment benefits, and to provide employment and training services.

Given the current economic indicators and historical precedent, governors believe it is prudent and appropriate for Congress and the Administration to enact a temporary federally funded extension of unemployment insurance benefits and to provide a sufficient increase in funding for states to assist jobless individuals during this period of economic slowdown.

We stand ready to work with you and thank you for your leadership on this issue of national importance.

Sincerely,

GOVERNOR DONALD L. CARCIERI,
Chair, Education, Early Childhood and Workforce Committee.

GOVERNOR BRAD HENRY,
Vice Chair, Education, Early Childhood and Workforce Committee.

I now yield 2 minutes to the gentleman from Michigan (Mr. LEVIN).

(Mr. LEVIN asked and was given permission to revise and extend his remarks.)

Mr. LEVIN. It's estimated that 4 million workers, 4 million, would be eligible under this unemployment extension, over 1 million who have already exhausted and 3 million in the future.

You know, in previous downturns when there were unemployment offices giving out checks, we could go there and we could talk to the people. That's no longer true in most States, but we should not let the absence of real faces blur our vision in Washington.

If you had the 4 million people line up, it would extend from Washington, D.C., to Denver, Colorado, and we should not differentiate as to what State they live in. If they've exhausted their benefits, they should be eligible.

Mr. WELLER says targeted, that's over 6 percent. It leaves out a majority of those who have exhausted their benefits. It's not targeted. It's ruthless. It's ruthless. It doesn't take into account the lives of people.

We saw the biggest increase in 20 years last night, from 5 to 5.5 percent. When President Bush signed the extension in 2002, it was 5.7. So you're going to stand up here now and quibble because of a difference of two-tenths of 1 percent, you don't want to extend benefits.

The 20-week thing is a Trojan horse. It's another excuse not to step up to the plate.

This is not a political issue. This is a people's issue. The exhaustion rate is the highest it's been at the beginning of the past five recessions. I urge on a bipartisan basis the passage of this bill.

Mr. WELLER of Illinois. Mr. Speaker, I would note the previous speaker referred to 6 percent as being ruthless. That's actually the formula in the majority Democrats' bill. So it was interesting that he criticized his own bill.

I would also note to my good friend from Washington (Mr. MCDERMOTT) that Illinois is actually a State in which someone can work 2 weeks and actually, under the legislation that's before us, obtain 39 weeks of unemployment benefits.

With that, Mr. Speaker, I yield 3 minutes to a distinguished member of the House Ways and Means Committee, Mr. BRADY.

Mr. BRADY of Texas. Mr. Speaker, economically, our Nation is a Nation of thirds. One-third of our States face steep economic challenges, one-third are chugging along with their traditional economies, and one-third are enjoying strong job growth and, in fact, record low unemployment.

This measure is well-intended. There's no question about it. But compassion isn't enough. Jobs are what is needed.

Instead of targeting workers in the struggling States that need both help with their bills and, more importantly, a new job, this measure provides no job training, no hope to laid off workers, workers that I know don't want a handout. They want an opportunity for a job that they can raise their families on. They want an opportunity for new skills. They want opportunities.

And like many one-size-fits-all Washington programs, this bill unnecessarily drains the precious unemployment trust fund an extra $8 billion by not targeting the help to the States and the workers who need it the most.

For hardworking Americans, though, what is most troubling is that this bill abandons the minimum work requirement that has, in the past, prevented the unscrupulous from gaming the system. By throwing out this reasonable requirement, that you actually have a real job before you get job benefits, people in some States can work as little as 2 weeks and receive government paychecks for 1 year.

Most Americans do the opposite. We work for a year, then we receive 2 weeks of vacation. In this bill, it's the opposite, 2 weeks of work and a year of Federal aid. And in fact, while it's been questioned that that isn't the case, according to the Congressional Budget Office, 4 States allow you to work as little as 1 week under some circumstances to receive benefits.

And what's unfortunate, who will pay the benefits that have been gamed? Hardworking American taxpayers who are struggling to make ends meet with record fuel prices because this Congress refuses to act to open up our resources and take more responsibility for America's own energy needs.

In conclusion, helping workers who need it the most, helping them find new jobs and stopping the gaming of our Federal aid is a bipartisan goal. Unfortunately, this bill fails on all counts.

Mr. MCDERMOTT. Mr. Speaker, I yield 1 minute to the gentleman from Georgia (Mr. LEWIS).

Mr. LEWIS of Georgia. Mr. Speaker, I want to thank Mr. MCDERMOTT for yielding and for bringing this necessary piece of legislation to us today.

It is basic, it is common sense, it is the right thing to do. People are calling out. They're crying out for help.

They ask, where is the Federal Government? Where is Congress? Which side is the government on? What are you doing to help the unemployed, people who lost their jobs? It's not their fault. What are you doing to help those in need, those who need a helping hand? What are you doing and doing now?

Mr. Speaker, some of us may not remember this, or maybe we never had to do it, but just a few short years ago, many people in this country washed their clothes at night and hung them up to a heater or to the fireplace so they could dry and wear them to work the next morning. I wonder if we're headed back to that reality. People need help and they need it now.

Mr. WELLER of Illinois. Mr. Speaker, it's interesting as we debate this legislation that some have criticized targeted help for those who we would like to provide extended unemployment benefits for, and of course, the bill before us actually targets the final 13 weeks of a year's worth of unemployment benefits with a 6 percent trigger, and it's also interesting that a senior member of the Ways and Means Committee from Michigan, Mr. LEVIN, labels that 6 percent trigger for that targeted approach ''ruthless,'' a description that he uses to describe his own legislation. I would not use that word.

Before further debating the legislation which eliminates the 20-week work requirement for extended unemployment benefits, Mr. Speaker, can you tell us how much time we have remaining on both sides?

The SPEAKER pro tempore. The gentleman from Illinois has 8 minutes. The gentleman from Washington has 9 minutes.

Mr. WELLER of Illinois. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from California and a senior Republican in the House Ways and Means Committee, Mr. HERGER.

Mr. HERGER. Mr. Speaker, like everyone else in this Chamber, I'm concerned about rising unemployment, but this legitimate concern does not justify Congress making poor policy.

I'm concerned that H.R. 5749 significantly departs from the long-standing Federal policy that workers should have meaningful employment before collecting extended unemployment benefits. By excluding the minimum 20 weeks of work requirement, this legislation would allow someone with as little as 2 weeks of work to qualify for up to 52 weeks of unemployment benefits. This moves away from the core purpose of unemployment benefits and towards a welfare-like system.

In addition, such expansive benefits may force States to raise payroll taxes, resulting in slower job creation and further squeezing workers' wages. This won't help current workers or unemployed workers in search of new jobs.

I believe expecting at least 20 weeks of work in exchange for 52 weeks of unemployment benefit is fair to U.S. workers and would limit any negative impact on job growth and workers' income.

Unfortunately, today's legislation doesn't include this common-sense requirement, even though Democratic Members were nearly unanimous in supporting this requirement in the legislation creating the 2002–2004 temporary extended benefits program.

□ 1545

As a result, while I'm concerned for workers in my district and across the Nation during this period of economic uncertainty, I must oppose this legislation and urge my colleagues to vote ''no'' so we can bring this bill back to the floor in a form that all Members can support.

Mr. MCDERMOTT. Mr. Speaker, I yield 1 minute to the gentleman from New Jersey (Mr. PASCRELL).

Mr. PASCRELL. Mr. Speaker, I rise in strong support of H.R. 5749. The CBO, or the Congressional Budget Office, recently found that extending unemployment benefits is one of the most cost-effective, fastest acting forms of economic stimulus. As a matter of fact, it's estimated that every dollar spent on unemployment insurance boasts the economy by $1.64.

My friends, this is a systemic problem. This is not a footnote; this is not an ad lib; this is not something as an addendum. We need to face this problem head on. Forty percent of unemployed workers in 11 States have already exhausted their unemployment insurance. In New Jersey, it's projected that nearly 153,000 workers will deplete their regular unemployment benefits between now and the next several months. There are the unemployed. There are those that are underemployed, who have sought work, have found no work, they find themselves relegated to no States whatsoever. How dare anyone question this legislation while people are unemployed!

Mr. WELLER of Illinois. Mr. Speaker, as we continue to debate this radical change, which eliminates the 20-week work requirement to be eligible for 12 months of unemployment benefits, I'm happy to yield 3 minutes to the distinguished Republican whip of the House, Mr. BLUNT of Missouri.

Mr. BLUNT. I thank my friend for yielding.

I, too, share the concerns that, for all the time that the House has dealt with this whole issue of extended unemployment benefits going back to 1981, we have never before left this up to the States to decide how this Federal money would be spent. By, in the past, saying that you had to meet the 20-week requirement, at least every State had the same situation that they dealt with.

I would also like to point out, Mr. Speaker, that this bill is being considered under a procedure known as suspension of the rules. Of course you know that, Mr. Speaker, but everyone who listens to this debate may not. Usually that procedure is used for noncontroversial matters. By putting it under a suspension of the rules, the so-called PAYGO requirement that the majority has talked about and trumpeted as fiscal discipline doesn't. That's a requirement where you pay for these benefits with a bill you bring to the floor. The roughly $10 billion cost of this bill is just being added to the deficit.

As we're well aware, a group of Democrats known as the ''Blue Dogs'' has been particularly strong in advocating this PAYGO arrangement, yet apparently they're not going to oppose this bill. And the reason appears to me to be quite revealing. This morning's CQ Today quotes one of the Blue Dog leaders as saying that PAYGO should not apply because it's only a temporary bill. The Member said it's not a bill that's forever, like the GI benefits bill, it's a short-term thing. So that means, I guess, that temporary spending increases don't have to be offset. Yet these same Blue Dogs have forced the House to pass billions of dollars in tax increases to extend current temporary tax provisions, like the research provisions, the development provisions, or the alternative minimum tax patch that we've been able to use to prevent more people from falling into that tax trap for some years, or the continuation of being able to deduct local and State sales taxes.

As I've said many times, the PAYGO provision is a tool that's used to promote tax increases. But every time the majority wants to figure out how to get around it, they seem to be able to figure out how to get around it, and they have with this bill today.

Mr. MCDERMOTT. Mr. Speaker, I yield 1 minute to the gentleman from Illinois (Mr. EMANUEL).

Mr. EMANUEL. Mr. Speaker, what I find most intriguing about this discussion is that those who are unemployed, to get this benefit, paid for this insurance policy. This is their money. When times were good, they put money away to unemployment insurance. And when times are bad, they get their insurance premiums back, known as unemployment benefits. It is as simple as that. This is their money, those who are unemployed.

Second, as my colleagues on the other side have forced through and agreed to spend $48 billion of U.S. taxpayer money to rebuild Iraq—their roads, their bridges, their schools, their hospitals—but when it comes to Americans, to give them their unemployment insurance, there isn't any money in the system; you're breaking the bank; you can't afford it.

To those who want to advocate spending 13 years, 10 years, a decade, as long as it takes in Iraq, I find it ironic they find 13 weeks of additional unemployment insurance to help a family get through a bump economically as too much and too long.

Mr. Speaker, 8 years is too long for George Bush's economic policies. It's right to give these people the economic security they've earned and put away.

Mr. WELLER of Illinois. Mr. Speaker, as we continue to debate this legislation which eliminates the 20-week work requirement to qualify for up to 12 months of unemployment benefits, I would ask, Mr. Speaker, how much time remains on each side.

The SPEAKER pro tempore. The gentleman from Illinois has 3½ minutes. The gentleman from Washington has 7 minutes.

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

Mr. MCDERMOTT. Mr. Speaker, I yield 1 minute to the gentlewoman from Ohio (Mrs. JONES).

(Mrs. JONES of Ohio asked and was given permission to revise and extend her remarks.)

Mrs. JONES of Ohio. Mr. Speaker, here we are, June 2008. How many people do you know are unemployed? How many people do you know who have been walking, looking for a job, need an opportunity, can't figure out how they're going to pay for gas that costs $4 a gallon, milk that costs $3.50, a loaf of bread that costs $3? How many people do you know like that?

Why not extend unemployment? Why not give these folks an opportunity? They were hardworking people. They were part of the working class of America, and now are locked out and left out of the process.

In my own congressional district, there is a community where the unemployment rate is 11 percent. They want to go back to work. What a boom to the economy. Give some unemployment benefits to some folks, let them go spend some money and take care of their families. If only the Congress would do that today, what a significant opportunity we would have to bring some people out of a morass back into an opportunity to do well.

Pass this legislation, ladies and gentlemen. It's the right thing to do.

Mr. Speaker, I want to first thank Chairman RANGEL and Ranking Member MCCRERY for their diligent work to bring this legislation to the Floor. Additionally I would like to thank the Chair of the Subcommittee on Income Security and Family Support, JIM MCDERMOTT and Ranking Member WELLER for their leadership on this issue.

In our teetering economy it is often the unemployed who suffer the most, and it is time that Congress take a stand for our Nation's unemployed. The unemployment rate surged to 5.5 percent from 5.0 percent—the biggest one-month jump in more than two decades (since February 1986) and climbing to the highest level in nearly four years (October 2004).

These are American workers in the most vulnerable position—often not able to put food on the table for their families on a consistent basis. And I will state as I did before we completed the first stimulus package, that we must not forgot those who are not able to find work.

My State of Ohio does not meet the test under the current formula for an extension of unemployment benefits. But there are various parts of Ohio, including my hometown of Cleveland which may by definition have over 6 percent unemployment. In Ohio, the unemployment rate has gone from 4.5 percent to 5.3 percent during the Bush Administration. In Cuyahoga County, unemployment is currently at 6.4 percent. Sadly, there are cities within my districts whose numbers are even higher than that. Mere technicalities mean nothing when you cannot pay rent.

This condition is prevalent in many areas around the country. Many of these workers have been displaced by the sweeping tide of globalization and are having a hard time finding new employment, or training to transition to a different type of job in our new economy. Mr. Speaker we must not forget these Americans.

Mr. WELLER of Illinois. Mr. Speaker, I yield 1 minute to the distinguished Republican leader of the House, Mr. BOEHNER of Ohio.

Mr. BOEHNER. Let me thank my colleague from Illinois for yielding time and make clear that I want to vote for a bill that extends unemployment benefits to those who have been laid off in areas where we have high unemployment. But the bill before us is not targeted at States where we've seen the spike in unemployment. I mean, we've got an unemployment rate in Oklahoma, as an example, of about 2.6 percent, or maybe you could go to, I think it's South Dakota, where the unemployment rate is about 2.4 percent. Yet, under this bill, it's a Federal mandate one-size-fits-all for all 50 States. I just think that if we're going to be serious about spending taxpayer money, we ought to target that money to those areas where we have high unemployment and where people need our help.

The bill also eliminates the requirement that individuals put in at least 20 weeks of work to collect extended unemployment benefits. And when this was put into the law, and when we extended this law in 2002, almost all the Democrat members voted to do this. And what it means is that some people could work as little as 2 weeks and receive up to 52 weeks of unemployment benefits. I don't think that's neither reasonable, nor is it a good use of limited taxpayer resources.

I'm open to extending unemployment benefits, but I think this bill that we have before us falls far short of what we need to do. It's neither fair to unemployed workers who truly need our help, nor to taxpayers who are going to fund it.

I think we can do better. And before we send a final version of this bill to the President, I hope that we do better. And I hope we will work in a bipartisan way to come to an agreement to extend unemployment benefits in a reasonable, responsible way. But in the meantime, this bill is not the answer, and I would urge my colleagues to vote ''no.''

Mr. MCDERMOTT. Mr. Speaker, to correct something that has just been said on the floor, I understand that someone may not have read the bill. There is no mandate in this bill that any State has to do anything. They can enter into an agreement with the Federal Government and take this money. They are not forced to do anything. And I'm sure every smart Governor will figure out what to do.

I yield 1 minute to Ms. BERKLEY from Nevada.

Ms. BERKLEY. Mr. Speaker, Congress has taken several steps to shore up the Nation's economy, including passage of the economic stimulus bill that provided millions of Americans with rebate checks and measures to help homeowners struggling to stay in their homes. This legislation is an important next step.

The once recession-proof economy of my district of Las Vegas has not been spared the effects of this downturn. In fact, Nevada has been hit harder than any other State by the foreclosure crisis, and currently our unemployment rate is above the national average.

With gas prices and the cost of food skyrocketing, fewer visitors are coming to Las Vegas. That means that more workers are going to be laid off. It is, therefore, absolutely critical that Congress step up and pass an extension of unemployment benefits.

I support the bill we are considering today because it will help thousands of hardworking Nevadans get by until the situation improves and they can return to work.

Mr. WELLER of Illinois. Mr. Speaker, how much time remains on each side?

The SPEAKER pro tempore. The gentleman has 2½ minutes. The gentleman from Washington has 5 minutes.

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

Mr. MCDERMOTT. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. GEORGE MILLER).

Mr. GEORGE MILLER of California. I thank the gentleman for yielding and appreciate the committee bringing this bill to the floor.

It is just so fundamental that one of the times when government should step in and lend a family a hand is when that family, through no fault of their own, has lost their job. The difference is whether or not that family will be able to maintain and hold on to their home, to their car, to their kids' education, to provide the wherewithal for their children. And for millions of Americans, that's what's happened. And since they've lost that job, they have also exhausted their unemployment benefits that has enabled them to keep their head barely above water. They're gone looking for jobs, they've gone looking for work. They've tried to retrain. They still haven't been able to

secure the employment because this is a terrible market for employment.

What we need to do is to extend those unemployment benefits to those families so that they can hold themselves together. It should not be a policy in this country that when you lose your job through no fault of your own, that you crash to the ground, you lose your home, you lose your kids' education, and you start all over again. It's not good for the economy, it's horrible for these families, and it's wrong for this government not to take every step we can to prevent that.

Mr. WELLER of Illinois. Well, Mr. Speaker, once again, I want to state that I believe the vast majority of Members of this House overwhelmingly support extension of unemployment benefits for those who need help. We're debating the legislation before us that makes a radical change in qualifying for unemployment benefits. In fact, you can work as little as 2 weeks and obtain up to 52 weeks of unemployment benefits in the State of Illinois under their current policy if this legislation were to become law.

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

Mr. MCDERMOTT. Mr. Speaker, it's hard for me to understand why the gentleman from Illinois keeps bringing up his own State as an example of wasting money and he has never brought any legislation to fix what their stupid legislature has done. He is acting as though the people in his own State don't know what they're doing.

Now, if somebody works, money is paid into the fund. If they work for a week in one quarter and a week in another quarter, it is possible that they might get $20 or some minimal benefit. To imply that working 2 weeks you get $400 a week, as you do in the State of Washington, for 26 weeks or 52 weeks is simply misleading, and he knows it.

□ 1600

I yield 30 seconds to the gentleman from New York (Mr. RANGEL).

Mr. RANGEL. Thank you again, Dr. MCDERMOTT, Mr. ENGLISH, and all of those that I know everybody in this House is sensitive to the plight that these unfortunate, hardworking people find themselves. All I can suggest, from a very political point of view, is that at some point when we get home, somebody is going to ask us how did we vote? And as they put together their budgets and try to figure out the rent, the mortgages, the tuition, the gas prices, I just hope that you perfect the arguments of those of you that oppose this bill in such a way that you expect they would understand what the heck you are talking about.

Mr. WELLER of Illinois. Mr. Speaker, I note with some humor my good friend from Washington State's comments about whether or not I proposed legislation to right the wrong that I have been raising. Actually, existing law for extending benefits requires 20 weeks' worth. So there is no need for legislation to maintain existing law. What is important to point out is that this legislation eliminates that 20-week work requirement in order to qualify for 52 weeks of unemployment benefits.

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

Mr. MCDERMOTT. Mr. Speaker, what is the remaining time?

The SPEAKER pro tempore. The gentleman from Washington has 2½ minutes. The gentleman from Illinois has 1½ minutes.

Mr. MCDERMOTT. I yield 30 seconds to the gentleman from Michigan (Mr. LEVIN).

Mr. LEVIN. I want to read, Mr. WELLER, the metropolitan areas with unemployment above 6 percent that would be left out under your so-called targeting, Danville, Illinois, these are among many, and Kankakee and Rockford. I just picked those three out. And it is unconscionable for you to say——

Mr. WELLER of Illinois. Will the gentleman from Michigan yield?

Mr. LEVIN. I will yield on your time.

Mr. WELLER of Illinois. Do you agree that the 6 percent that you are talking about is the 6 percent trigger that——

The SPEAKER pro tempore. The time of the gentleman from Michigan has expired.

Mr. LEVIN. No, no. The 6 percent is the trigger for the additional 13 weeks, not for the basic 15 weeks. You misstate——

The SPEAKER pro tempore. The gentleman will suspend.

The gentleman's time has expired.

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

Mr. MCDERMOTT. To Mr. HOYER from Maryland I yield the remaining time. We have the right to close, however, I think.

The SPEAKER pro tempore. The gentleman from Illinois has 1½ minutes. The gentleman from Washington has 2 minutes.

Mr. WELLER of Illinois. Mr. Speaker, just so we fully understand, it is my understanding that the distinguished majority leader is going to close for the majority and that I have 1 minute remaining?

The SPEAKER pro tempore. The gentleman has 1½ minutes remaining.

Mr. WELLER from Illinois. So I should do my close on our side and then Mr. HOYER will close for the majority.

The SPEAKER pro tempore. The gentleman is correct.

Mr. WELLER of Illinois. Mr. Speaker, sometimes in debate positions are mischaracterized. But I think it is important to point out——

The SPEAKER pro tempore. The gentleman will suspend.

Mr. MCDERMOTT. Mr. Speaker, I want to recognize Mr. HOYER first, and then let you come, and then I will close.

We got our wires crossed.

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

The SPEAKER pro tempore. The Chair recognizes the gentleman from Maryland for 1 minute.

Mr. HOYER. I thank my friend from Washington State for yielding.

Mr. Speaker, for the last 7½ years, the President and members of his administration have claimed that the American economy is doing just fine. And in December, President Bush said, ''The economy is pretty good. There are definitely some storm clouds and concerns, but the underpinning is good.''

But the reality, of course, that we have seen is far different, particularly for American workers.

Just last Friday, the Labor Department reported that the unemployment rate jumped one-half of 1 percent, from 5 percent to 5.5 percent. Now to some of us, perhaps that is simply a statistic. For some families, it is a crisis. This is the largest 1-month increase in unemployment in 22 years, or said a different way, until the 6th year of the Reagan administration.

Our economy has actually lost jobs each of the last 5 months, a loss of some 325,000 jobs since the first of the year. In fact, this administration has created about 3.6 million jobs over the last 7½ years, as opposed to 20 million plus jobs under the Clinton administration, or under Clinton, an average of 236,000 new jobs per month, and under this administration approximately 40,000 new jobs per month. And you need 100,000 to stay even. That is why this bill is on the floor today.

Over the last 12 months, the number of unemployed Americans has increased by 1.6 million, from nearly 6.9 million in May of 2007 to nearly 8.5 million in May of this year. That is 8.5 million of our fellow citizens who don't have a job, who are not sure how they are going to pay for their housing, their rent, their food, their medicine and the clothing for their children. That is what we are talking about today. We are talking about those 8.5 million people who are our constituents, Americans who need our help. And that is what this vote is today at this point in time.

In fact, Mr. Speaker, 1.5 million of those workers are what we call euphemistically ''long-term unemployed,'' which means they have been jobless for more than 6 months. I don't know how many of you have had the opportunity to see ''Pursuit of Happyness,'' spelled h-a-p-p-y. It is a wonderful movie about a now very successful African American and his little boy who found themselves homeless with no money. And they went to the homeless shelter, and they couldn't get in. Those are the people we are talking about. That is what we are voting on this day, as to whether or not we are going to reach out to those people and try to lift them up and give them a helping hand, not a handout, but a helping hand. These are people who were employed, who were working, and through no fault of their own, they lost

their jobs. Because if it is the fault of their own, by the way, they don't get unemployment.

All the while, working Americans have been confronted with decreasing household incomes, exploding gas and food prices and escalating health care costs. Why then, given this squeeze on hardworking middle-class American families, does the President threaten to veto a common-sense, compassionate response, the temporary extension of unemployment benefits?

Here is the kicker. Listen to me. There are 200,000 more long-term jobless Americans today, right now, as we debate this bill, 200,000 more Americans who are on long-term jobless status than when President Bush last signed an extension of unemployment benefits into law. In other words, the status today in America is that there are 200,000 more people who need our help than when President Bush last signed an extension of long-term unemployment.

How can we then say it is not time to act today, to reach out our hand today, to say that the Congress of the United States feels your pain, hears your cry, and responds? There is no justification for the President's threatened veto on this much-needed legislation, Mr. Speaker. This bill is not only a sign of compassion and a demonstration of our values, but it is also a fast-acting form of economic stimulus.

Who says so? Conservative economists say so. It will help lift up our floundering economy. It will simply provide up to 13 weeks of extended unemployment benefits in every State to workers exhausting regular unemployment compensation. And in States with higher levels of unemployment, an additional 13 weeks is available on top.

Mr. Speaker, this legislation is vital. It is vital for workers and their families who are struggling to make ends meet in this poorly performing economy. It is not charity. It is our obligation and responsibility. It is a recognition that under the administration, the American worker has been forced to contend with job loss, decreasing incomes, exploding gas costs, food and health care costs, and unprecedented foreclosure rates.

Mr. Speaker, this legislation is the right thing to do at the right time, at the right place. I urge my colleagues on both sides of the aisle, this is not a Republican or Democratic issue, this is not a liberal or conservative issue. This is an issue of saying, there are people in trouble. We hear their cry. We respond to help.

Ladies and gentlemen of the House of Representatives, we call this the people's House. Help the people this day.

Mr. WELLER of Illinois. Mr. Speaker, I want to echo the majority leader's comments when I agree that this issue, the issue of extending unemployment benefits, should not be a Republican or Democrat issue. And we, of course, on our side of the aisle, want to extend unemployment benefits for those who need help. And we are prepared to work, as we have been, to achieve that goal.

I would note that 8 weeks ago when the Ways and Means Committee took up this legislation, it was deemed emergency legislation. It had to move through the committee quickly. It was an emergency. We had to do it right away. Well 2 months later it finally comes to the floor. And I believe that if we want to be compassionate, if we want to help those who need help, we need to do it in the right way. And that is if it is an emergency, we should have done it 8 weeks ago, number one, but we should also do it in the proper legislative way of ensuring that it is a bipartisan bill and that we construct it in a way that recognizes what has worked in the past. And I would note, as the majority leader said, back in 2002, we passed a bipartisan unemployment extension legislation that was signed into law by the President, and it maintained a 27-year precedent which was that one should have to work for 20 weeks in order to qualify for 52 weeks' worth of unemployment benefits.

And that is the big concern here with this legislation today. There is a radical departure from an established policy of 27 years of requiring 20 weeks of work to qualify for a full year of unemployment benefits. And the legislation before us today repeals that. It eliminates a 27-year precedent.

Now, Mr. Speaker, I urge my colleagues to vote ''no.'' Let's bring this legislation back tomorrow, under a rule, and allow an amendment to be offered to strike this radical change.

Again, Mr. Speaker, I urge a ''no'' vote.

Mr. MCDERMOTT. Mr. Speaker, my colleague from Illinois says that he would go for this bill but for this one provision. If that one provision were there, he would go for it. But the fact is that you have 100 metropolitan areas in this country where people simply have run out of benefits. And it is over 6 percent in those metropolitan areas. The Governors have asked us for this, and the technical thing that my opponent uses is, you know, somewhere out there, there is somebody who paid $40 into the fund, and because of the way it is written, he gets $20 out, and so I can't vote for it.

Well there are 1.6 million who already exhausted their benefits, and there are many more. And the national Governors sent this letter to us. They are not the only ones. State legislator, labor unions, everyone is asking for this. You can vote ''no'' if you want. You will have to face your constituency in November.

Ms. MCCOLLUM of Minnesota. Madam Speaker, I rise in strong support of the Emergency Extended Unemployment Compensation Act and congratulate Speaker PELOSI and Chairman RANGEL for their quick response to the surge in the nation's unemployment rate.

H.R. 5749 will provide immediate relief to families across the country by extending unemployment benefits for an additional 13 weeks in all states. It also allows for a further extension in benefits in states hardest hit by the weakening economy. Passing this legislation will provide much needed help to 3.8 million Americans—including 70,000 Minnesota families.

The latest Labor Department report showed a 5 percent increase in unemployment from April 2008 to May 2008—the biggest one-month increase in unemployment in 22 years. The economic crisis has resulted in five months of job losses and projections unfortunately indicate that the situation is likely to worsen.

An extension of unemployment benefits is critical for families struggling to deal with increased gas and food prices while searching for a new job. It is also one of the most cost-effective ways to stimulate the economy. In fact, every $1 spent on these benefits results in $1.64 in new economic demand.

We need to pass this legislation and provide relief for America's working families today. This Congress has also enacted an economic stimulus plan in the form of tax rebate checks and passed several measures to begin to address gas prices. In addition, the House of Representatives has passed legislation to help homeowners avoid foreclosure and a federal budget that would reinvest in Americans. In the long-term, we need a comprehensive approach to restore the strength of our economy. We need to get serious about addressing health care costs and invest in education and training to prepare for competition in the global economy.

Madam Speaker, H.R. 5749 provides critical, immediate relief for working families and our struggling economy. I urge my colleagues to support this important bill.

Mr. CONYERS. Madam Speaker, I rise today in strong support of H.R. 5749, the Emergency Extended Unemployment Act of 2008. This bill would establish a temporary program providing extended unemployment benefits in every State to individuals exhausting their regular unemployment compensation. The duration of these extended benefits would equal the lesser of 13 weeks or half the duration of regular unemployment compensation.

This bill could not be any timelier. It is no longer debatable as to whether the retraction of the economy is hurting every-day Americans across our nation. Over the first three months of 2008, the U.S. economy lost a total of 232,000 jobs. With the labor market in such a steep decline, more workers face the possibility of layoffs and current unemployment compensation recipients face greater difficulty in becoming reemployed. The total number of unemployed workers has already grown by 1.1 million over the last twelve months.

The economic forecast is even worse in my home state of Michigan. While economists worry about the overall health of our economy, as the national unemployment average creeps above 5.5 percent, prospective employees in Michigan face a 7.6-percent unemployment rate—one of the highest state rates in the nation.

Luckily, this bill recognizes that the retraction of the economy has hurt some communities more than others. Under this bill, states with high unemployment, like Michigan, would be able to provide an additional 13 weeks of extended benefits. This would give the unemployed a total of 26 weeks of coverage as they transition into new positions.

Madam Speaker, we need to help our workers, especially those in who have been hit the hardest by this economic downturn. At the same time, we need to stimulate our economy in the most effective manner possible to prevent the downturn from spiraling into a recession. This bill accomplishes this goal. The nonpartisan Congressional Budget Office released a study this past January specifically endorsing the use of extended unemployment benefits as a cost-effective way to boost the economy.

We in the Congress need to be both smart and compassionate. Let's help the unemployed while protecting those who currently have employment. Let's stimulate the economy and create new sustainable job opportunities for the American worker. Let's pass H.R. 5749.

Mr. VAN HOLLEN. Madam Speaker, I rise in strong support of this legislation to temporarily extend unemployment insurance benefits.

Whether we are in a recession or not, the point is clear: current economic growth has been so sluggish that the job market is weak and job prospects are poor. The recent May 2008 jobs report confirms this as the unemployment rate increased by one-half point to 5.5 percent, which was the biggest one-month increase in over 20 years. Since the first of the year, our economy has lost more than 300,000 jobs.

By providing an extra 13 weeks of jobless benefits to workers in every State who exhaust their unemployment benefits and another 13 weeks of benefits to those in States with high unemployment rates, we can help approximately 4 million unemployed workers meet basic needs such as food and rent while they continue to look for work at a time when the economy is languishing. And we can give our economy a much-needed boost. According to the nonpartisan Congressional Budget Office, extending unemployment benefits would be one of the most cost-effective and fastest-acting forms of economic stimulus.

Madam Speaker, many Americans are struggling to make ends meet. With rising gas and food prices and a weakened labor market, we can help those hardest hit by this sluggish economy by providing them relief in passing this much-needed bill.

Mr. LANGEVIN. Madam Speaker, I rise in strong support of H.R. 5749, the Emergency Extended Unemployment Compensation Act of 2008, which will provide 13 weeks of extended unemployment compensation benefits for all workers who have exhausted their current 26 weeks of benefits. This measure also provides 13 additional weeks for workers in States with unemployment rates of 6 percent or higher. In order to receive these benefits, workers must have lost a job through no fault of their own, be actively searching for a job, be able to work, and must have a minimum number of weeks worked and amount of wages earned over a specific timeframe prior to being unemployed.

This bill provides a critical boost to the many Rhode Islanders, and Americans across the Nation, who are struggling to find employment. Our country's unemployment rate jumped from 5 percent in April to 5.5 percent in May, the biggest one-month increase in over 20 years. In my home State of Rhode Island, the unemployment rate reached 6.1 percent in April, and we have lost an estimated 6,300 jobs since the beginning of the year. H.R. 5749 would provide relief through March 2006 and benefit 3.8 million Americans. Most importantly, this measure would immediately help as many as 8,000 Rhode Islanders.

When discussing this matter, we must remember to look beyond the statistics and recognize the serious toll that unemployment is taking on American families. I have received numerous calls from my fellow Rhode Islanders asking when Congress would extend their benefits. They tell me how they are looking for a job, but they just have not been able to find one yet. They have not given up—research has shown that workers who exhaust their unemployment benefits, search for a job at similar or higher levels of intensity as those who find employment before their benefits expire—but they need more time. Compounding the problem, the rising cost of gas poses an additional challenge in searching for a job, and rising food prices have made it even harder to put food on the table. Our constituents are turning to us for help.

As Members of Congress, we have the power to give hard-working Americans another chance to continue their job search and provide for their families. Our country has faced economic hardships and recessions before, and I have no doubt we will weather this current downturn. I encourage my colleagues to pass this bill and give a hand up to those who are most vulnerable during these trying times.

Mrs. DAVIS of California. Madam Speaker, I rise today in support of H.R. 5749 to extend unemployment benefits to millions of American workers, including over 700,000 in my home State of California.

I wanted to take this opportunity to put a human face on the recent economic downturn.

Just yesterday, I spoke with a 51-year-old woman named Karen from my home district of San Diego.

After working for the past 10 years as a customer service specialist, Karen was recently laid off from her job.

She has been actively looking for work but has been unable to find a job because of the poor economy.

Unable to afford health insurance, the stress of being unemployed is beginning to take a toll on Karen's health.

It has also become harder and harder for her to pay her bills. She told me, "Just looking for a job costs money, because you've got to pay for the gas to drive to the interviews."

And to make matters worse, her unemployment benefits have just ended.

By voting for H.R. 5749, we will provide the support millions of Americans need to get back on their feet.

Let us help American workers get their lives back.

Mr. SIRES. Madam Speaker, today I rise in support of H.R. 5749, the Emergency Extended Unemployment Compensation Act that will provide immediate relief to 3.8 million unemployed workers who continue to struggle to find work in the slowing economy.

Recently, the Nation experienced the biggest one-month jump in the unemployment rate in more than two decades, rising from 5.0 percent to 5.5 percent and is now an entire percentage point higher than a year ago. Americans have been losing jobs in each of the past 5 months, with the number of unemployed now at 3.8 million. The airline and automobile industries alone have laid off over 50,000 employees combined.

The current high levels of unemployment have only added to the struggles of the U.S. economy by adding thousands more Americans to those having a hard time making ends meet. This bill will provide the necessary extension of unemployment benefits to those 3.8 million Americans who struggle to find employment within the current timeframe.

Madam Speaker, I urge my colleagues to support this necessary legislation that will give our economy the relief it needs. Extending these benefits is an efficient and quick way to support our country's workers and invigorate the economy. My Democratic colleagues and I are committed to providing the much needed relief to the millions of unemployed workers, who in the face of rising gas and food costs, continue to struggle to support themselves and their families.

The SPEAKER pro tempore. All time has expired.

The question is on the motion offered by the gentleman from New York (Mr. RANGEL) that the House suspend the rules and pass the bill, H.R. 5749, as amended.

The question was taken.

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

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

The yeas and nays were ordered.

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

□ 1615

EXPRESSING THE SENSE OF THE HOUSE OF REPRESENTATIVES REGARDING REBATE CHECKS

Mr. BUTTERFIELD. Madam Speaker, I move to suspend the rules and agree to the resolution (H. Res. 977) expressing the sense of the House of Representatives that rebate checks would better stimulate the economy if spent on American-made products and services from American-owned companies.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 977

Whereas many economists believe the economy of the United States is entering a recession;

Whereas the economy lost 17,000 jobs in January 2008 and 191,000 in 2007;

Whereas the manufacturing sector lost 269,000 jobs over the past 12 months and 28,000 jobs in January 2008 alone;

Whereas manufacturing employment now accounts for less than 10 percent of the job market for the first time since data began being collected in the 1930s;

Whereas in January 2008, 18.3 percent of those unemployed had been out of work for 27 weeks or longer, up from 16.2 percent a year earlier;

Whereas manufactured goods imported from developing countries have grown from just 2.5 percent of the gross domestic product in 1990 to 6 percent in 2006;

Whereas annually, total housing starts decreased in 2007 to 1,353,700, which is a 24.8

percent decrease from the 2006 estimate of 1,800,900;

Whereas Congress and the President responded to the potential recession by passing into law a bipartisan stimulus package that provides rebate checks of up to $600 per individual and $1,200 per married couple, plus an additional $300 per child;

Whereas the stimulus legislation will put money back into the hands of low-income and middle-income Americans, those who need it most;

Whereas the stimulus legislation will be most effective if the rebate checks are spent on American-made goods and services from American-owned companies;

Whereas American-made goods are the best in the world;

Whereas every dollar from the stimulus package spent on an American-made good or service, rather than a foreign-made good or service, will result in more than a dollar increase in the short-term gross domestic product;

Whereas if rebate checks are spent on American-made products and services from American-owned companies, an additional $10,000,000,000 will be infused into the economy;

Whereas the annual trade deficit has grown to the $700,000,000,000 range in the past decade, up from the $100,000,000,000 range in the early 1990s;

Whereas buying American-made goods would not add to the size of the growing trade deficit, which many economists contend is unreasonably large;

Whereas there have been concerns about the safety of imported goods, spurred by the fact that 60 percent of product recalls in the past year involved Chinese-made toys, food ingredients, and other products; and

Whereas many countries do not follow the same environmental, labor, and human rights standards of the United States, putting American workers and companies at a competitive disadvantage: Now, therefore, be it

Resolved, That the House of Representatives encourages Americans to use their rebate checks from the stimulus package to purchase American-made goods and services from American-owned companies.

The SPEAKER pro tempore (Ms. DEGETTE). Pursuant to the rule, the gentleman from North Carolina (Mr. BUTTERFIELD) and the gentleman from Nebraska (Mr. TERRY) each will control 20 minutes.

The Chair recognizes the gentleman from North Carolina.

GENERAL LEAVE

Mr. BUTTERFIELD. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous materials.

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

There was no objection.

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

Madam Speaker, I rise today in support of H. Res. 977, which is sponsored by my friend and colleague, Representative BRUCE BRALEY of the State of Iowa. This important resolution encourages Americans to spend their rebate checks on goods and services produced by American-owned companies.

I would note that Representative BRALEY cannot speak on behalf of his resolution today because he has returned to his district due to the widespread flooding there in the State of Iowa. I know that my colleagues join me in wishing Representative BRALEY and his constituents a swift recovery from this disaster.

The economic stimulus package signed into law this past February by the President will put money back into the pockets of many hard-working Americans. If they spend their rebates on American-made goods and services, as this resolution would encourage them to do, they will inject an estimated $10 billion back into the U.S. economy at a time when it needs it the most. Moreover, by spending their money on domestic products, Americans will also help reduce our country's skyrocketing trade deficit.

H. Res. 977, which has the support of more than 100 Members of this body, would augment the Federal economic stimulus package by reminding Americans of the importance of purchasing American-produced goods and services to help our flagging national economy. I urge the House to support passage of this noteworthy resolution.

I reserve the balance of my time.

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

Madam Speaker, we rise not in any opposition to this at all and in support. We thank Mr. BRALEY for bringing this made-in-America resolution to the floor today. We too on this side of the aisle want to reach out and give our condolences and our best wishes to his constituents in Iowa that are dealing with the flooding.

Now, let's look at this resolution very quickly. It states some of the obvious things about our economy; that since the Democrats took over in 2007 that we have lost 17,000 jobs, and since that same time when the Democrats took over in Congress, we have lost another 269,000 jobs over the past 12 months within manufacturing, making it the lowest time in our modern history, where only 10 percent of the jobs, or first-time jobs being created, are in the manufacturing business. That has always been kind of the backbone of America's economy, and those things have been changing.

Then at the beginning of 2008, probably one of the more remarkable things and frankly what I think people look to Congress to actually do, you have the Republicans, Democrats and White House all working together, and within a couple of weeks had a pretty good stimulus bill. We knew that the economy was slowing down, that unemployment was increasing, and we did what the American public required of us and got a bill passed that stimulated the economy by helping small businesses with some accelerated depreciation. But the heart of it was getting money back out through what we call the stimulus checks to eligible families.

Mr. BRUCE BRALEY suggests in this resolution, that I think we are going to adopt today, certainly we are in support of it, says that it helps our economy more if we buy products that are made in America. Of course, those products are made by people employed in America, and it will have a cyclical turn of the dollar where it goes to not only that company, but those people working there, which then in turn they get to spend within their community and it turns over.

But one of my fears, well, not fears, but let's just say concerns, is that now with the gas prices everywhere over $4, it hit $4 in almost every gas station back in Nebraska in my district yesterday, that the stimulus checks aren't going for what we thought they were going to go to, and that is for consumers to have a nice little chunk of change where they could go out and buy an appliance, something that they need in their home, something that they can reach out and really help with the bigger dollar item that helps to really stimulate the economy. Now it is probably going to go to just filling up the gas tank.

We have got two cars in our family that are smaller cars. My Camry, I put over $70 in filling up in Omaha this weekend. I can't imagine what bigger families are doing to keep up with this. So, frankly, if we want to go even a step further and stimulate our economy more, what we should do in addition to these stimulus checks is adopt an energy plan that will actually increase supply and lower the price of gasoline at the pump.

We can do this by embracing a very comprehensive approach to energy. We have got alternative fuels like coal-to-liquid. And, by the way, last week during the Department of Defense reauthorization, this Congress adopted a policy of banning the Air Force from engaging in contracts to buy coal-to-liquid as a synthetic aviation fuel.

We can use cellulosic energy. We are going to have about 13 small micropilot plants come on within the next couple of years. We can do things to speed that up, by passing a tax credit that is more than 1 year, like we did a couple of years ago, instead of adopting the 5-year plan that this side of the aisle was pushing.

We can also not only use those types of alternatives that have such great promise that we can use in a mix, but we can also do conservation. We want to encourage people to conserve not only the electricity in their home, but we are talking about fuel here to create a supply that will lower the price at the gas pump, which is a not-so-hidden tax on American families. We can do that by incenting, providing a tax credit for more than 1 year, for people to buy in plug-in electric hybrids. Some American manufacturers are going to start rolling those out next year, but they will be more expensive. So we want to incent people to buy those. If we can do a blend and conserve, we can take a large step towards energy independence.

We can get fully independent of all OPEC oil if we add one more prong to

this plan, and that is allow offshore drilling. Right now we have China working through Cuba that is getting to within about 60 miles of the Florida shore, but yet we can't have American companies do that.

We can open up oil shale. Last year, about November, we had a vote on this floor that banned the ability to get oil from oil shale in Colorado and Wyoming. We just found another large pocket of oil from oil shale in North Dakota. I wonder when that is going to be banned to use.

So if we bring our own resources together with all of the alternatives, we can bring the price of gas down rather dramatically and be independent. And if we can bring the price down, have a stable supply of energy under this type of a comprehensive plan, the American consumers, the families, can expect stable gas prices for a generation or more as we work towards completely going off of fossil fuels, to like a hydrogen economy.

So while we stand on this side of the aisle in favor of this resolution to buy American, my fear is that the reality is most of this stimulus money is going to be going to the OPEC countries when we fill up our tax tanks.

Madam Speaker, I reserve the balance of my time.

Mr. BUTTERFIELD. Madam Speaker, I yield 3 minutes to my friend and colleague the gentlewoman from Ohio (Ms. KAPTUR), who is the longest-serving female currently in this body.

Ms. KAPTUR. I thank Chairman BUTTERFIELD for yielding and for his kindness in allowing me to rise in support of H. Res. 977, encouraging Americans to expend their rebates to stimulate our economy the most by buying and investing in goods and products made right here in the good old USA.

Congressman BRUCE BRALEY of Iowa is to be commended for bringing such a sensible bill to the floor. The voters of Iowa were smart to send him here. He has obtained over 106 cosponsors on this bipartisan bill. We know as we debate this today, he is out in his district trying to help the families there who have been hurt by the terrible, terrible flooding. We know he is not just working there, but he is working here as well, and has the deep respect of his colleagues.

Rebate checks spent here in America on American goods will better stimulate our economy. Buying American products and American services from American-owned companies, purchasing U.S. farm products produced in this country or processed here, buying U.S. Savings Bonds, if you want to save, all keep jobs and income here. Indeed, buying fuel that contains ethanol or biodiesel from U.S. farmers helps America.

With the U.S. trade deficit soaring towards $1 trillion in red ink, investing in America makes more sense today, and I spell that S-E-N-S-E and C-E-N-T-S, than ever before. Today we were reminded of the softness in our economy with the announcement that the Chrysler Building in New York City, one of America's historic landmarks, will be purchased by a Middle Eastern oil conglomerate from Abu Dubai, just another sign of America's shrinking independence here at home. Spending a stimulus check on foreign-made goods stimulates the Abu Dubai economy or the Chinese economy or the Mexican economy. Expending those precious dollars here at home or saving them in U.S. Savings Bonds strengthens communities across our country.

So I would urge my colleagues and our fellow citizens to buy America, buy made-in-America, invest in jobs here. Use your stimulus check to build a stronger Nation. Now is the hour for all good men and women to use their rebate checks to come to the aid of their country.

I thank the gentleman very much for yielding to me, and urge my colleagues to support H. Res. 977.

Mr. TERRY. Madam Speaker, we have no further speakers, so I will just make a quick statement and close. I just once again thank Mr. BRALEY of Iowa for bringing this resolution to the floor and wish him and his constituents the best.

We on this side of the aisle want these stimulus checks to be spent within America. Hopefully they can spend it on American-made energy.

Madam Speaker, I yield back my time.

Mr. BUTTERFIELD. Madam Speaker, it is true that I have no further speakers at this time. I am going to close and bring this to a vote in just a few minutes. But I want to thank not only Mr. BRALEY for bringing this resolution, but thank Mr. TERRY for his support of the resolution and for his willingness to urge his colleagues to support it as well.

□ 1630

Mr. TERRY is a very capable member of the Energy and Commerce Committee. We have an excellent relationship with Mr. TERRY and thank him for his leadership.

I also want to thank Mr. TERRY for his comments regarding energy independence. There is no question that Democrats are committed to energy independence. We are certainly painfully aware of the price that Americans are paying at the pump. The Democratic majority is working very hard to correct the problem and to find solutions for our people.

Mr. BRALEY of Iowa. Madam Speaker, today I encourage constituents to "Buy American."

Unfortunately, I am unable to speak on the floor today in support of H. Res. 977 because of a developing crisis in Iowa's 1st Congressional District. Massive flooding is leading to evacuations and it is only expected to get worse. Although I realize how important it is to cast votes in Washington, the well-being of my constituents comes first, and I need to be in the district to assist in any way I can.

This January 29th Congress passed a bipartisan economic stimulus bill that provides rebate checks of up to $600 per individual and $1200 per married couple, plus an additional $300 per child. This stimulus package is temporary, timely, and targeted, and it will bring relief to working families. On February 13th President Bush signed this stimulus legislation into law.

Just prior to that, on February 12th, I introduced H. Res. 977, a bipartisan Congressional resolution urging Americans receiving economic stimulus bill tax refund checks to buy American-made goods or services from American-owned companies with these rebates.

Under the economic stimulus package passed by the House and Senate, 1.2 million Iowa households—and 117 million American households—will receive a tax rebate. The average Iowa household will receive a rebate of $917.

The purpose of the economic stimulus package is to provide a jump-start to the American economy. The economic stimulus legislation will put money back into the hands of low-income and middle-income Americans—those who need it most.

In 2007 the U.S. manufacturing sector lost 269,000 jobs. Manufacturing employment now accounts for less than 10 percent of the job market for the first time since data began being collected in the 1930s. Buying American would help keep manufacturing jobs in the United States.

The annual trade deficit has grown to the $700 billion range in the past decade, up from the $100 billion range in the early 1990s. If constituents use their rebate checks to "Buy American," they will not be contributing to the size of the growing trade deficit, which many economists contend is unreasonably large.

If the millions of American families receiving tax rebates from the stimulus spend their checks on American-made goods and services, the effect of the stimulus will be magnified. Buying American will infuse an additional $10 billion into the American economy, creating jobs here in America and helping to narrow our growing trade deficit.

I am proud this bill has been endorsed by a long list of organizations, including the Communications Workers of America; United Automobile, Aerospace and Agricultural Implement Workers of America; United Steelworkers; International Brotherhood of Boilermakers; International Association of Machinists and Aerospace Workers; United American Nurses; United Mineworkers of America; Air Line Pilots Association; American Federation of Teachers; International Federation of Professional and Technical Engineers; National Association of Letter Carriers; Department for Professional Employees, AFL–CIO; and the United Association of Pipefitters and Plumbers.

I want to thank Energy and Commerce Committee Chairman JOHN DINGELL and Ranking Member JOE BARTON, for their support in bringing this important legislation to the Floor.

I'm pleased this bill has such strong bipartisan support, with 106 of my colleagues as cosponsors. I want to thank them for joining me today in letting the American people know we are behind them when it comes to doing everything we can to promote a strong U.S. economy and to ensure access to stable, good-paying jobs.

Mr. DINGELL. Madam Speaker, I rise today in strong support of H. Res. 977. This resolution, introduced by my friend and colleague Representative BRALEY of Iowa, encourages

Americans to spend their stimulus payments on American-made goods and services.

Our Nation's recent economic troubles have hit both American consumers and businesses hard. I believe that the bipartisan stimulus package passed by the Congress and signed into law by the President will help alleviate some of these troubles, provided that consumer spending is directed wisely. The Braley resolution is an important and quite necessary reminder of the billions of dollars that could uplift the National economy, provided Americans spend their rebate checks on goods and services produced by American-owned companies. Moreover, with import prices rising and the mammoth trade deficit of our country, it strikes me as eminently prudent to encourage citizens to "buy American."

As one of the more than 100 cosponsors of H. Res. 977, I urge my colleagues in the House to adopt this sensible resolution, which raises the awareness of Americans about the vital role they play in the Nation's economic recovery.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from North Carolina (Mr. BUTTERFIELD) that the House suspend the rules and agree to the resolution, H. Res. 977.

The question was taken.

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

Mr. BUTTERFIELD. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

H.R. 5749, by the yeas and nays;

H. Res. 977, by the yeas and nays.

The first electronic vote will be conducted as a 15-minute vote. The second electronic vote will be conducted as a 5-minute vote.

EMERGENCY EXTENDED UNEMPLOYMENT COMPENSATION ACT OF 2008

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill, H.R. 5749, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. RANGEL) that the House suspend the rules and pass the bill, H.R. 5749, as amended.

The vote was taken by electronic device, and there were—yeas 279, nays 144, not voting 11, as follows:

[Roll No. 403]

YEAS—279

Abercrombie
Ackerman
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyd (FL)
Boyda (KS)
Brady (PA)
Brown, Corrine
Buchanan
Butterfield
Camp (MI)
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castle
Castor
Cazayoux
Chabot
Chandler
Childers
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doyle
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Farr
Fattah
Filner
Foster
Frank (MA)
Gerlach
Giffords
Gilchrest
Gonzalez
Goode
Gordon
Graves
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Hayes
Heller
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hodes
Hoekstra
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
Klein (FL)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lampson
Langevin
Larsen (WA)
Larson (CT)
LaTourette
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McCotter
McDermott
McGovern
McHenry
McHugh
McIntyre
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (MI)
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Pallone
Pascrell
Pastor
Payne
Pelosi
Perlmutter
Peterson (MN)
Petri
Platts
Pomeroy
Porter
Price (NC)
Rahall
Ramstad
Rangel
Reichert
Reyes
Richardson
Rodriguez
Rogers (AL)
Rogers (MI)
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Ruppersberger
Ryan (OH)
Ryan (WI)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shays
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Souder
Space
Speier
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tiberi
Tierney
Towns
Tsongas
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walsh (NY)
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Wexler
Wilson (OH)
Woolsey
Wu
Yarmuth
Young (AK)

NAYS—144

Aderholt
Akin
Alexander
Bachmann
Bachus
Barrett (SC)
Bartlett (MD)
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boustany
Brady (TX)
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Buyer
Calvert
Campbell (CA)
Cannon
Cantor
Carter
Coble
Cole (OK)
Conaway
Crenshaw
Cubin
Culberson
Davis (KY)
Davis, David
Davis, Tom
Deal (GA)
Doolittle
Drake
Dreier
Duncan
Everett
Fallin
Feeney
Ferguson
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gingrey
Gohmert
Goodlatte
Granger
Hall (TX)
Hastings (WA)
Hensarling
Herger
Hobson
Hunter
Inglis (SC)
Issa
Johnson, Sam
Jordan
Keller
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Lamborn
Latham
Latta
Lewis (CA)
Lewis (KY)
Linder
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul (TX)
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Musgrave
Myrick
Neugebauer
Nunes
Pearce
Pence
Pickering
Pitts
Poe
Price (GA)
Pryce (OH)
Putnam
Radanovich
Regula
Rehberg
Renzi
Reynolds
Rogers (KY)
Rohrabacher
Roskam
Royce
Sali
Saxton
Scalise
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuster
Simpson
Smith (NE)
Smith (TX)
Stearns
Sullivan
Terry
Thornberry
Tiahrt
Walden (OR)
Wamp
Weldon (FL)
Weller
Westmoreland
Whitfield (KY)
Wilson (NM)
Wilson (SC)
Wittman (VA)
Wolf
Young (FL)

NOT VOTING—11

Braley (IA)
Flake
Gillibrand
Hulshof
Loebsack
McCrery
Ortiz
Paul
Peterson (PA)
Rush
Tancredo

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Two minutes are remaining in the vote.

□ 1656

Messrs. GALLEGLY, WHITFIELD of Kentucky, REHBERG, ALEXANDER, and Mrs. BONO MACK changed their vote from "yea" to "nay."

Mrs. SCHMIDT changed her vote from "nay" to "yea."

So (two-thirds not being in the affirmative) the motion was rejected.

The result of the vote was announced as above recorded.

EXPRESSING THE SENSE OF THE HOUSE OF REPRESENTATIVES REGARDING REBATE CHECKS

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution, H. Res. 977, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from North Carolina (Mr. BUTTERFIELD) that the House suspend the rules and agree to the resolution, H. Res. 977.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 404, nays 6, answered ''present'' 6, not voting 17, as follows:

[Roll No. 404]

YEAS—404

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachmann
Bachus
Baird
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Blackburn
Blumenauer
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Broun (GA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Butterfield
Buyer
Calvert
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Carter
Castle
Castor
Cazayoux
Chabot
Chandler
Childers
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Cole (OK)
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, David
Davis, Lincoln
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Fallin
Farr
Fattah
Feeney
Ferguson
Filner
Forbes
Fortenberry
Fossella
Foster
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gilchrest
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green, Al
Green, Gene
Grijalva
Hall (NY)
Hall (TX)
Hare
Harman
Hastings (FL)
Hastings (WA)
Hayes
Heller
Hensarling
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Hoekstra
Holden
Holt
Honda
Hooley
Hoyer
Hunter
Inglis (SC)
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Jordan
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
Kilpatrick
King (NY)
Kingston
Kirk
Klein (FL)
Kline (MN)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lamborn
Lampson
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Mahoney (FL)
Maloney (NY)
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McMorris Rodgers
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Nunes
Oberstar
Obey
Olver
Pallone
Pascrell
Pastor
Payne
Pearce
Pence
Perlmutter
Peterson (MN)
Petri
Pickering
Pitts
Platts
Poe
Pomeroy
Porter
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Richardson
Rodriguez
Rogers (AL)
Rogers (KY)
Rohrabacher
Ros-Lehtinen
Roskam
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Ryan (OH)
Ryan (WI)
Salazar
Sali
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Scalise
Schakowsky
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sestak
Shadegg
Shays
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Space
Speier
Spratt
Stark
Stearns
Stupak
Sullivan
Tanner
Tauscher
Taylor
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Tsongas
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weller
Westmoreland
Wexler
Whitfield (KY)
Wilson (NM)
Wilson (OH)
Wilson (SC)
Wittman (VA)
Wolf
Woolsey
Wu
Yarmuth
Young (FL)

NAYS—6

Campbell (CA)
Conaway
Herger
King (IA)
Sessions
Young (AK)

ANSWERED ''PRESENT''—6

Bishop (UT)
Brady (TX)
Cannon
Davis, Tom
Price (GA)
Weldon (FL)

NOT VOTING—17

Braley (IA)
Burton (IN)
Camp (MI)
Flake
Gillibrand
Gutierrez
Hulshof
Kind
Loebsack
McCrery
Ortiz
Paul
Peterson (PA)
Rogers (MI)
Rush
Sutton
Tancredo

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining in this vote.

□ 1703

Mr. CONAWAY changed his vote from ''yea'' to ''nay.''

So (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

RESOLUTION RAISING A QUESTION OF THE PRIVILEGES OF THE HOUSE

Mr. WOLF. Madam Speaker, pursuant to rule IX, I rise to notify the House of my intention to offer a resolution as a question of the privileges of the House.

The form of my resolution is as follows:

Directing the Chief Administrative Officer and the Sergeant At Arms of the House of Representatives to take timely action to ensure that all Members, committees, and offices of the House are alerted of the dangers of electronic attacks on the computers and information systems used in carrying out their official duties and are fully briefed on how to protect themselves, their official records, and their communications from electronic security breaches.

Understanding that the Clerk will finish the rest of the resolution, I ask unanimous consent that it be considered as read.

The SPEAKER pro tempore. Without objection, the reading is dispensed with.

There was no objection.

Mr. WOLF. Madam Speaker, I call up the resolution just noticed.

The SPEAKER pro tempore. The Clerk will report the resolution.

The Clerk read as follows:

H. RES. 1263

Whereas beginning in August 2006, several of the computers used by Congressman Frank R. Wolf, a Representative from the Commonwealth of Virginia, in carrying out his official and representational duties were compromised by an outside source;

Whereas the Chief Administrative Officer of the House of Representatives, acting through House Information Resources (HIR), alerted Congressman Wolf to this incident and cleaned and returned the compromised computers to the Congressman's office;

Whereas since this attack, it has been discovered that computers in the offices of other Members, as well as in the office of at least one committee of the House, have been similarly compromised;

Whereas in subsequent meetings with HIR and officials from the Federal Bureau of Investigation, the outside source responsible for these incidents was revealed to be located in the People's Republic of China;

Whereas according to HIR, when Members use Blackberry devices or cell phones while traveling overseas, especially in nations in which access to information is tightly controlled by the government, they are at risk of having their conversations or other personal information recorded or collected without authorization;

Whereas HIR, the FBI, and the House Security Office briefed the affected offices on the security breaches that have occurred, and have done a good job in attempting to protect other offices of the House from similar threats; and

Whereas it is nevertheless not clear that all Members, committees, and other offices of the House are aware of the existing threats against the security and confidentiality of the electronic records of their offices or their overseas electronic communications, nor is it clear that Members and other House personnel have been fully briefed on how to protect themselves, their official records, and their communications from electronic security breaches: Now, therefore, be it

Resolved, That the Chief Administrative Officer and the Sergeant at Arms of the House of Representatives, in consultation with the Director of the Federal Bureau of Investigation, should take timely action to ensure that all Members, committees, and offices of the House are alerted of the dangers of electronic attacks on the computers and information systems used in carrying out their official duties and are fully briefed on how to protect themselves, their official records, and their communications from electronic security breaches.

The SPEAKER pro tempore. The resolution qualifies.

Pursuant to the rule, the gentleman from Virginia (Mr. WOLF) and the gentlewoman from California (Ms. ZOE LOFGREN) each will control 30 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. WOLF. I yield myself such time as I may consume.

(Mr. WOLF asked and was given permission to revise and extend his remarks.)

Mr. WOLF. Madam Speaker, in August 2006, four of the computers in my personal office were compromised by an outside source. This source first hacked into the computer of my Foreign Policy and Human Rights staff person, then the computers of my Chief of Staff, my Legislative Director and my Judiciary Committee staff. On these computers was information about all the case work I've done on behalf of political dissidents and human rights activists around the world. That kind of information, as well, everything else on my computer, e-mails, memos, correspondence and district case work, was open for outside eyes to see.

I'm aware that the computers in the offices of several other Members of the Congress were similarly compromised, as well as a major committee, the Foreign Affairs Committee. That means the computers in the House Foreign Affairs Committee have been compromised. It is logical to assume that critical and sensitive information about U.S. foreign policy and the work of Congress to help people who are suffering around the world, was also open to view from those official computers.

In subsequent meetings with the House Information Resources and the FBI, it was revealed that the outside sources responsible for this attack came from within the People's Republic of China. Just so it's understood, they acknowledged that this attack came from within the People's Republic of China.

The cyber attacks permitted the source to probe our computers to evaluate our systems defenses and to view and copy information. My suspicion is some say that I perhaps was targeted by the Chinese sources because of the history of speaking out about China's abysmal, very abysmal human rights record.

My offices' computers were cleaned and returned to me by House Information Resources, but ever since this happened, I've been deeply concerned that this institution, the institution of the United States Congress, is definitely not adequately aware of or protected from these types of threats.

I've also learned that this threat exists not only here in the Capitol complex, but also when Members travel overseas. I've been told that, particularly in countries in which access to information is tightly controlled by the government, Members are at risk of having their conversations and information recorded or stolen from their cell phones and Blackberry devices. That means, when a Member of the House, the Senate or the administration goes abroad, goes to China, everything, and if they use their cell phone or they use their Blackberry, it's being recorded by the Chinese government. And I don't believe any Member of the Congress has been told of that.

As I've shared my office experience with other Members, it has become clear to me that many Members and committees of other offices in the House do not fully understand the extent of the threat against the security of their offices and how to protect themselves.

I have no information to confirm this, but it would be realistic that the Senate may also be at risk.

The committees in both Chambers on Government Reform, Intelligence, the Judiciary Committee, the Armed Services and the Homeland Security should have hearings on this issue. This is an issue that must have public hearings, as well as closed door and private hearings.

That is why, Madam Speaker, I'm here today on the House floor. I'm speaking out about the threat of cyber attacks from China and other countries on the entire U.S. government, including our military, because of my deep concern about maintaining the security and the integrity of our government.

According to a report from the Congressional Service, and I quote, ''U.S. counterintelligence officials reportedly have stated that about 140 different foreign intelligence organizations regularly attempt to hack into the computer systems of U.S. government agencies and U.S. companies.''

□ 1715

This happens with alarming frequency, according to a recent Business Week article entitled ''The New Espionage Threat.'' This article states that U.S. Government agencies reported almost 13,000 cyber security incidents in fiscal year 2007, triple the number from just 2 years earlier.

The May 31 cover story of the National Journal, the respected National Journal, says, ''The Chinese Cyber-Invasion,'' and every Member should read it, titled the ''Chinese Cyber-Invasion'' reported, ''Electronic devices by the U.S. Commerce Secretary Carlos Gutierrez and his party during a December 2007 visit to China were invaded using spyware that could steal information.'' Gutierrez was in China with a high-level delegation to discuss trade-related issues.

Now, this Congress said it's concerned about trade-related issues with China, and that's why he was there, such as intellectual property rights, consumer product safety, and market access. The Associated Press also reported on the breach. Why did we learn about this in the press instead of from our own government officials? Did our government do anything about this attack? Did they get information from Secretary Gutierrez that could be used against American business in negotiation of trade agreements?

China, in particular, is actively engaged in espionage against the United States. I recently had the opportunity to read, and I hope every Member of the Congress has read, the U.S.-China Economic Security Review Commission's classified report—it is in the House Intel Committee—to the Congress and found the report's conclusions to be very alarming. The report addresses China's activities in the areas of espionage, cyber warfare, and arms proliferation. I strongly urge all Members of the House to read this report as it gives a clear picture of the threat that China poses, the threat, and in their words, that China poses to our national security.

In fact, the Pentagon's 2008 annual report to Congress stated that ''in the past year, numerous computer networks around the world, including those owned by the U.S. Government, were subject to intrusions that appear to have originated within the People's Republic of China.''

According to the Business Week article in 2007, the U.S. Government launched a classified operation called Byzantine Foothold to combat sophisticated new attacks that were compromising sensitive information at the State Department and a defense contractor, such as Boeing, the source of which U.S. officials allege is China.

The Business Week article states that computer attacks have targeted sensitive information on the Internet works of at least several Federal agencies: the Defense Department, the State Department, the Energy Department, the Commerce Department, the Health and Human Services Department, and the Agriculture Department, and the Treasury Department. Defense contractors Boeing, Lockheed Martin, General Electric, Raytheon, and General Dynamics have also been targeted.

Despite everything we read in the press, our intelligence and law enforcement, national security, and diplomatic corps remain hesitant to speak out on the problem. Perhaps they are afraid that talking about the problem will reveal our vulnerability. In fact, I have been urged not to speak out about this threat. But our adversaries already know we are vulnerable. Pretending that we are not vulnerable is a mistake.

As a Nation, we must decide when we are going to start considering this type of activity a threat to our national security and the men and women who serve in the Armed Forces, a threat that we must confront and which we must protect ourselves.

Madam Speaker, the apparent lack of national urgency to address this problem only gives those who wish us harm an extra advantage.

The Government Accounting Office reported in 2007 that no comprehensive strategy exists yet to coordinate improvements of computer security across the Federal Government in the private sector.

I strongly believe that the appropriate officials, including those of the Department of Homeland Security and the FBI, should brief all Members of Congress in a closed session regarding threats from China and other countries against security of House technology including our computers, BlackBerry devices, and phones. There must be a session where any Member who is interested has the opportunity to get briefed by the FBI and the Department of Homeland Security and others.

The potential for massive and coordinated cyber attacks against the United States is no longer a futuristic problem. We must prepare ourselves now and develop procedures for responding to this threat. Members need to know how best to protect themselves, their staff, and their official business from these threats. I have experienced this threat firsthand, as have others in the Congress, and are deeply worried that this institution, the United States Congress, is not adequately protected.

Congress should take the lead in protecting our government and indeed our country from the threat posed by cyber espionage activities.

James Lewis, the director of the Technology and Public Policy Program at the Center for Strategic and International Studies remarked last year in testimony before the House committee on Homeland Security that ''If gangs of foreigners broke into the State or Commerce Department and carried off dozens of file cabinets, there would be a crisis. When the same thing happens in cyberspace, we shrug it off as another of those annoying computer glitches we must live with.''

The apparent complacency in both the private and public sectors toward this threat is astonishing. We must know about the threat. We must speak out about how to protect ourselves and form a comprehensive strategy with which to respond.

Stephen Spoonamore, a CEO of a cyber security firm called Cybrinth, put the matter succinctly in the National Journal article. He said, ''By not talking openly about this, they are making truly a dangerous national security problem worse . . . Secrecy in this matter benefits no one. Our Nation's intellectual capital, industrial secrets, economic security are under daily and withering attack. The oceans that surround us are no protection from sophisticated hackers, working at the speed of light on behalf of nation-states and mafias.''

We must cease, Madam Speaker, this Congress must cease, the administration must cease denying the scope and scale and risk of the issue. And he goes on to say a growing number of his peers ''believe that our Nation is in grave and growing danger.''

Mr. Spoonamore is right. We are making this dangerous national security problem worse by not discussing it openly. I believe this institution, as my resolution states, should get the facts, and armed with these facts, should take the necessary action to protect the safety and integrity of the House.

In 1789, Madam Speaker, British Parliament member William Wilberforce, speaking to his colleagues about the slave trade, said, ''having heard all of this, you may choose to look the other way, but you can never again say you do not know.''

This Congress on both sides of the aisle and people in the administration can never again, can never again say you do not know; and the American people should ask their Members of Congress, Do you know and what are you going to do about it.

We cannot afford to look the other way when foreign sources are threatening to compromise our government institutions, our economy, our very way of life through cyber espionage. We cannot sit by and watch. I urge the adoption of the resolution.

I reserve the balance of my time.

Ms. ZOE LOFGREN of California. Madam Speaker, I yield myself such time as I may consume.

I will note that I have had a chance to discuss this resolution with Congressman WOLF. At the conclusion of our discussion, we will refer this resolution to the House Administration Committee where we will do the appropriate follow-up, and I personally plan to keep in touch with the author of the resolution so that the concerns that he has are fully addressed.

I will just note that when the new majority was elected to the House and I was then appointed to the House Administration Committee, one of the first things I did was to ask to be briefed on our cyber security situation in the House. And I did receive that report. Certainly some things had been done. But more, in my judgment, needed to be done, and we have followed through on that.

I will say that both the Speaker and Leader BOEHNER have met with the House computer security officials and were told that the sophisticated technology that we do have in place is going to prevent and detect intrusions, but it depends on Members doing what they need to do to work within our security environment.

We have security system programs in place that safeguard against unauthorized system access and disclosure of data, system controls that are in place to identify, verify trace authorized and unauthorized user activity, and to prevent unauthorized modification or destruction of House data.

Chairman BRADY has ordered an immediate implementation of additional protections. He's also directed House personnel to work with the FBI and other security agencies to ensure that necessary steps are taken to safeguard House systems. These improvements will help ensure that House network and data remains protected from harm.

In addition to these efforts, the House has instituted a working-smarter series, and we have had actually briefings for staff in the congressional offices asking those staff in Member offices to come in and become aware of the cyber security steps that they need to take in each Member's office. I don't know that every Member has had full staff participation in that, and in discussing this with Mr. WOLF, it would be my intention, perhaps working with Mr. LANGEVIN who is chairing the Homeland Security Subcommittee on Cyber Security, to ask the Democratic caucus and the Republican conference to meet and to highlight this issue so Members will know.

I mean, some Members know all about it, and apparently some Members didn't know enough about it; and I'll take that admission very seriously.

What more do we need to do? Well, we have sophisticated firewalls in place today that monitor all incoming network traffic. We have an intrusion-detection system, and we have multiple anti-virus and spyware programs. That's important because you want redundancy and overlap. You don't want to rely on just one system. We also have—you may have seen in some of the hallways—teams monitoring wireless systems. It's a kind of antenna they're waving around. They're trying to detect unauthorized wireless setups that are a potential problem for our security.

What further can we do?

Well, we have tried to insist that Members use more vigorous passport protection schemes. And one of the things we're looking at is instead of asking Members, forcing Members to do that. Now we get pushback when Members are told what to do in their individual offices, but I think that's one of the things that we need to talk about.

Another thing we're looking at, and this was an issue in the intrusion mentioned a minute ago, is whether we're updating our virus software and whether the patches to this software have been uploaded. And Members don't do it. A lot of times Members just neglect to do it. If you don't put the patches in, you're just bare. So we're thinking about maybe centralizing that function. Again, some Members may not like that, but you've got it one way or the other. I mean, you can't be concerned about intrusion if we don't take the steps necessary to actually protect ourselves.

We also are looking at additional encryption efforts, enhancing our real-time monitoring by the security office, and potentially implementing a digital rights management scheme.

Now, I just want to talk a little bit about Member responsibility.

If Members are going to access Web sites in China, you're engaging in risky behavior, and it may be necessary for some Members who are monitoring human rights to do that. I accept that. But it is not a good idea to visit a Web site in China with the computer that's networked with all of your sensitive data on board because if you do, you're going to get malware, and you are

going to lose your data to whoever has put that malware on the site.

So I would strongly suggest, and this is a teachable moment, that if Members feel a need to monitor Web sites in China and other countries, that they get a laptop, get an air card, don't put any other sensitive data on it and monitor to your heart's content, but don't leave yourself vulnerable to your data being removed.

□ 1730

No doubt there are root kits, there are bot nets that are going to be infecting your computer and potentially even turning them into zombie computers. Additional things that we want to look at is data leakage protection and some security assessments which is actually going underway right now.

Just a word on cyber security generally, which Mr. WOLF has mentioned. In the 108th Congress, I had one of the best experiences in my congressional career of serving with MAC THORNBERRY who chaired the Cyber Security Subcommittee. I was the ranking member, and we worked really hard that Congress together. I think it was the only subcommittee, the end of the Congress, we didn't have majority report and a minority report. We had one report that reflected both of our views, and the view was that the Federal Government was way behind in what we needed to do on cyber security.

I remain a member of the Homeland Security Committee. I serve under Mr. LANGEVIN's chairmanship on the committee with cyber security jurisdiction. We have had many, many public hearings, in addition to classified briefings, on the real deficiencies in our cyber security environment in the Federal Government, and I will tell you, I am frustrated to this very moment that so little has been done to keep us safer. Frankly, the House of Representatives has much more robust cyber security than the Department of Homeland Security. That's kind of a chilling thought, but unfortunately, it is true.

So, at this point, I recognize the gentleman's concern. I certainly plan on working with you, and I also want to make sure that each and every Member of this House understands the environment, what their responsibilities are, what their staffs' responsibilities are, understand what we've done as an institution, and what the tradeoffs are going forward in terms of even more vigorous protection.

With that, I reserve the balance of my time.

Mr. WOLF. Before I yield the gentleman 5 minutes, I would say this is bigger than just the House, though. The computers of the House have been violated and when Members go abroad, but also, it deals with people in the administration.

And so I think there need to be public hearings by the Armed Services Committee and by the Judiciary Committee. This Congress is never reluctant to hold a hearing on different things. This is a major issue so it must be broader than just the House Administration Committee.

I yield 5 minutes to the gentleman from New Jersey.

Mr. SMITH of New Jersey. I thank my good friend for yielding.

Madam Speaker, in December of 2006 and then again in March of 2007, my Human Rights Subcommittee's computers were attacked by a virus that, in HIR's words, ''intended to take control of the computers.'' At that time, the IT professionals cleaned the computers and informed my staff that the attacks seemed to come from the People's Republic of China. They said it came through or from a Chinese IP address. The attackers hacked into files related to China. These contained legislative proposals directly related to Beijing, including the Global Online Freedom Act, e-mails with human rights groups regarding strategy, information on hearings on China—I chaired more than 25 hearings on human rights abuses in China—and the names of Chinese dissidents. While this absolutely doesn't prove that Beijing was behind the attack, it raises very serious concern that it was.

Like Mr. WOLF, I too speak out often against the systematic abuse of human rights by the Chinese Communist government, whether it be religious persecution, the systematic use of torture, the total absence of labor rights, press freedom or free speech, and since 1979, the pervasive use of forced abortion to implement the barbaric one-child-per-couple policy, the gravest violation of women's and children's rights ever. So I was deeply concerned that the perpetrators of these crimes searched the China files on my computers.

It is now coming to light, Madam Speaker, that some other Members may as well have been attacked, and more needs to be done to combat this danger. So I thank my friend for offering this very important resolution.

Madam Speaker, cyber attacks on Congress are only a small, but not insignificant, part of a much larger pattern of attacks to which the executive branch, the Pentagon, and American business is the chief target. I want to recommend, as my colleague Mr. WOLF did a moment ago, ''The Chinese Cyber-Invasion,'' an eye-opening feature article that recently appeared in the National Journal. There we learn that some of our top cyber security experts believe that Chinese hackers have already shown that they can hack down our power grid. The experts believe that the Chinese hackers have caused power blackouts in the U.S. One blackout in 2003 was the largest in U.S. history and affected some 50 million people.

Chinese hackers and cyber warriors are mapping U.S. government and commercial networks at a rate that in the last 18 months has increased exponentially. A high-level ODNI official has referred to ''a kind of cyber militia . . . coming in volumes that are just staggering,'' he said. The same official said that what makes the Chinese hackers stand out ''is the pervasive and relentless nature of the attacks.''

Madam Speaker, with enormous aid, comfort and scads of one-of-a-kind technological assistance from U.S. companies, including Microsoft, Cisco, Google and Yahoo, the Chinese Government has achieved a huge qualitative capability to suppress freedom of speech on the Internet at home and to wage cyber warfare abroad.

Two years ago, I chaired the first congressional hearing on this unseemly, dangerous partnership, an alliance that enables the Chinese secret police to find, arrest, incarcerate, and torture religious believers and pro-democracy activists in China. Google, for its part, has become the de facto center for China's ubiquitous anti-American, anti-Tibetan, anti-religious propaganda machine, while Cisco has made the dreaded Chinese secret police among the most effective in the world.

I have introduced the Global Online Freedom Act, which has cleared all three committees of jurisdiction and is ready for floor action, and I, again, respectfully ask the leadership to bring it to the floor to combat this ever-worsening threat. For the Chinese people, it will make the prospect of freedom and democracy more achievable. For Chinese dissidents, it's a matter of survival, and for us, it may inhibit the transfer of technologies that we must prevent from falling into the hands of the enemies of fundamental human rights.

Mr. WOLF's resolution is a wake-up call, and it alerts us to take more effective action and thwart disruption and the theft of sensitive data. I strongly support the resolution.

Ms. ZOE LOFGREN of California. Madam Speaker, I would like to yield to the chairman of the subcommittee with jurisdiction over cyber security on the House Homeland Security Committee, Mr. LANGEVIN, 5 minutes.

(Mr. LANGEVIN asked and was given permission to revise and extend his remarks.)

Mr. LANGEVIN. I want to thank the gentlelady for yielding, and I also want to thank the gentleman from Virginia for bringing this serious issue to light.

As chairman of the Subcommittee on Emerging Threats, Cybersecurity, and Science and Technology, I have spent much of the 110th Congress focused on issues of information security. In fact, my subcommittee has held eight hearings and conducted investigations into dozens of cyber security issues. And while I believe we have made some real progress in the last year or so, we still have a lot of work ahead of us.

I fully agree with Director of National Intelligence, Mike McConnell, when he says that cyber security is the most significant national security issue facing the Nation today, and it's easy to understand why.

We rely on computers in every aspect of our lives, from our banking systems

and our electric grid, to our military and the functions of our Government. And whether we realize it or not, each of us is dependent on the effective functioning of computers. For many years, these systems were largely closed to the outside world, but in the Internet age, this is no longer true.

In the history of the world, never have so many people had so much access to ideas, knowledge, and skills. Unfortunately, never before have so many people also possessed the capability to cause such catastrophic economic and physical harm to the United States.

Now, this is not a hypothetical threat. In 2007, Vice Chairman of the Joint Chiefs of Staff James Cartwright told Congress that ''America is under widespread attack in cyberspace.'' And though we have not seen the massive denial of service attacks that the Nation of Estonia experienced last year, the Federal Government and the private sector have been the victims over the last decade of an extensive and deliberate espionage campaign that has had a significant impact upon our Nation.

As Major General William Lord stated publicly last year, ''China has downloaded 10 to 20 terabytes''—again 10 to 20 terabytes—''of data from the DOD's unclassified network.'' That's the equivalent of almost half of the Library of Congress.

American businesses, too, have been dramatically affected. One estimate suggests that our companies lose an estimated $70 billion each year due to cyber crime, and individual citizens are far from immune either. Electronic identity theft affects, as you know, millions of us every year.

There are a variety of motives for these attacks, but the result is clear: the weakening security and economic stability of our country. National security is a nonpartisan issue, and we must all work together to commit the resources and the manpower necessary to respond to this threat.

The situation raised by Congressman WOLF today illustrates that while the House of Representatives has strong information protections in place, cyber security threats pose a challenge to computer systems everywhere, and it is an ever-evolving and dynamic threat. And we need to do all we can to stay out in front of it and ahead of it.

Now, I'm pleased that the House leadership takes this issue very seriously and is taking action to ensure that House systems are properly secured, and I especially commend House Administration Chairman BOB BRADY for directing the Chief Administration Officer to immediately adopt additional protections for House computers.

I also want to commend the gentlelady from California (Ms. ZOE LOFGREN) for her due diligence and passion about cyber security as well, and I certainly appreciate the working relationship, good working relationship, that she and I have together.

I am ready to do anything I can to help ensure that our House information systems are as secure as possible. Recognizing that this issue is much larger than the House of Representatives, I am also committed to addressing the broader issues of cyber security across the Federal domain and the national critical infrastructure.

I look forward to working with my colleagues to ensure that our Federal Government is educated and prepared at all levels to thwart cyber attacks and protect the integrity of our networks.

Mr. WOLF. I recognize the gentleman from Illinois (Mr. KIRK), a member of the Appropriations Committee whose computer was also stripped from someone in China, for 1½ minutes.

Mr. KIRK. I want to thank the gentleman from Virginia for this resolution.

In my judgment, most Members of Congress are quite naive about the security of their offices against an expert cyber attack from a foreign intelligence service.

With regards to China, these types of attack are uniquely damaging to the U.S.-China relationship. While the resolution before us concerns breaches in the security of House computers, we can assume that the Senate is also under attack.

The message we would send to China is that such a cyber attack on the Congress poses unique dangers to the long-term relationship of China and the United States. We all know that a Member of Congress will soon be sworn in as a President of the United States in just 7 months. To the senior leaders overseas that may direct such a cyber attack against congressional offices, I would ask, What are you thinking? The intelligence gained would pale in comparison to the damage directly done to U.S.-China relations.

House Information Systems should dramatically upgrade the protection of U.S. computers, especially in the House, and offer Members secure Blackberries to protect against that unique vulnerability. We should also review other security procedures that should lead the Congress especially to increase the protection of the White House, the Defense Department, and the State Department.

I want to commend my colleague Mr. WOLF for bringing this to the attention of the House and especially the attention of the American people.

Ms. ZOE LOFGREN of California. Madam Speaker, just a couple of comments.

In terms of protecting ourselves, I can't emphasize enough, it is important for all of us to take steps to secure ourselves.

I had an opportunity to take a look. We keep track of this, the intrusions. I took April by example. The origin of the intrusion in April, the country that originated the largest number of intrusions into the House, the United States of America.

□ 1745

And China wasn't second. So yes, there are intrusions coming from China, from Russia, from European countries, from our own country, and we'd better take precautions to protect our data.

You can't protect a BlackBerry. If you take your BlackBerry overseas—I just thought everyone knew this—and download something, you are opening yourselves up to a vulnerability. Now, we can take a snapshot of where your BlackBerry is before you go and see if it's been compromised while you're gone, but if you're not secure in your activities, you're not secure in your activities.

And so I take very seriously what you're saying, which is that not every Member understands this. We have to change that, and I'm going to be active in playing my part to change that.

Mr. SMITH of New Jersey. Will the gentlewoman yield?

Ms. ZOE LOFGREN of California. I will yield to the gentleman.

Mr. SMITH of New Jersey. I appreciate my friend for yielding.

One of the concerns is, while they may be terrorists or homegrown, we're talking about and we are very concerned about is that this is the Government of the People's Republic of China and their enablers, people who are part of a network, that is very much focused on trying to wreak havoc and to glean information about dissidents, about legislative strategy, and about what we know about what's going on——

Ms. ZOE LOFGREN of California. Reclaiming my time, let me just note that obviously we don't want sensitive information from the government to be in the hands where it can be compromised. We're not arguing that. I'm just pointing out that if Members use a computer in their office that's networked to visit a Web site in China, you can bet—you're asking for some malware to be put on your computer, and it's going to take everything that is accessible to the other computers in your network. And so you shouldn't do that.

When I travel with my laptop, and I sometimes do, you know, I never hook that laptop into the network of the House. In fact, it's against the rules to do so. And I don't do it because that would compromise the computer network. And so I would just note that the Homeland Security Committee has been very vigorous over the past 5 or 6 years that I'm aware of, I mean, we don't need a wake-up call, we've been yelling ''fire'' for half a decade and we haven't really been heard by those who have responsibility in the administration to act. However, we are moving forward in terms of systems in the House.

What I'm hearing from you, Mr. WOLF, and others, is that Members' level of information is quite variable on this, and we will take that seriously and do an effort of outreach on that.

Madam Speaker, I reserve the balance of my time.

Mr. WOLF. Madam Speaker, I recognize the gentleman from Virginia (Mr. FORBES) for 2 minutes.

Mr. FORBES. Thank you, Congressman WOLF.

Madam Speaker, I rise in support of the privileged resolution offered by my good friend from Virginia, but I just want to make clear of one thing. This is not just about computers in the House of Representatives. This is about computers and information technologies all across the country.

China is among the most aggressive countries spying on the United States. The FBI has stated that China is and will continue to be America's greatest counterintelligence problem during the next 10 to 15 years.

FBI Director Mueller has testified before House committees that China's intelligence collection in the U.S. is substantial and ongoing. The extent of Chinese espionage operations targeting the United States should worry every single Member that we have here.

And Madam Speaker, the reason it's so important is they don't use the same techniques that a lot of countries do, they use a much wider scope. And we understand that economic and industrial espionage cost American businesses nearly $60 billion in 2005.

Director Mueller has stated that China has established more than 3,000 front companies in the United States whose purpose is to conduct espionage on Americans. And America's national security, intellectual property secrets, trade secrets, and infrastructure secrets are all at considerable risk.

If you look at your own computers, and not just the illegal access, but next to the United States, the largest number of hits that my computer has in my office is from China; 14,000 hits. I guarantee you I don't have many constituents that are residing in Beijing, but it could have something to do with the fact that I serve on the Armed Services Committee and chair the China Caucus.

Let me give you two other examples. Chi Mak was a Chinese spy who worked for a United States defense contractor. In 2005, an FBI wiretap caught him discussing how to smuggle an encrypted computer disk to China that had intelligence information that could potentially jeopardize the U.S. Navy.

Secondly, we had Katrina Leung, which public sources have indicated operated as a double agent for China and the United States and contaminated probably two decades worth of U.S. intelligence relating to China as well as crippling the FBI's Chinese counterintelligence program.

She accessed such sensitive intelligence through entrapment of a senior FBI agent. Both examples illustrate serious threats to America's security, and they're the ones we know about from public sources.

I have introduced H.R. 3806, the SPIES Act, to help strengthen penalties against these serious foreign espionage threats. We cannot continue to fight today's espionage threats with yesterday's laws. Yet while we continue to name post office after post office in this body we can't find the time to consider this legislation.

Mister Speaker, we must be mindful of the dangers of dismissing a known, ongoing security threat. Turning a blind eye will not address this issue, and I appreciate my colleague for calling our attention to this important issue that affects the House of Representatives and the country at large. I fully support the resolution and urge my colleagues to do the same.

Ms. ZOE LOFGREN of California. Madam Speaker, I would just note, the thrust of the gentleman's resolution has to do with the House, which is why I'm addressing the House computers. On the other hand, I've been concerned for a long time about cyber security in the Federal Government, in the DOD, in the Homeland Security Department, and frankly, in the private sector. And it is very spotty.

I just wanted to make a correction. I was briefed on the National Journal story. What happened on the nuclear power plant issue, it was not an attack. It was someone who was uploading some software onto a computer that he did not realize was networked, and it was inconsistent with other software. And actually it didn't work as designed because the control system shut it down.

Having said that, I have said in public—so I don't mind saying it here again today—that we have cyber security vulnerabilities, especially SCADA systems that were installed years ago before we were thinking about security. We have not paid enough attention to that either in the private sector or the public sector.

We have had FERC before the Committee on Homeland Security on several occasions urging them to force utilities to take the steps they need to preserve their networks, and they say two things: One, they don't have enough authority; and two, they don't want any more authority. So we've said this is an emergency situation, and we're not getting an emergency response attitude from the agencies with authority.

That is certainly something that other committees may want to look at. I'm just familiar with the efforts that I've been involved in, and they've been substantial, although, regrettably, not yet successful.

I would just like to stand up a little bit for our IT guys here in the House. It was our IT guys who discovered that your computers had been infected and notified you. And it's bad that they were infected, but it's part of the price you pay when you use a network computer to visit a potentially dangerous Web site. But they cleaned it up and responded promptly, and I think they deserve credit for letting that system work.

And just a final note on hits from China. That's not the same as an attack. And we keep track of the hits we have on our Web site. I mean, I get hits on my Web site from all over the world. I don't know why people in other countries come and visit my Web site, but it's not an attack, it's that they're looking at information that I have made publicly available.

What we are concerned about is attempted intrusions, and there are many of those in an astoundingly small successful effort. This is a constant battle. As the hackers become more sophisticated, our defenses need to become more sophisticated, and it never ends. That's why the effort to improve our patches in our security needs to happen every single day. There needs to be continuous monitoring of our systems. And it has to be all of us. This has to be a team. And every Member needs to take responsibility for this, along with the government itself.

Madam Speaker, I reserve the balance of my time.

Mr. WOLF. Madam Speaker, may I inquire as to how much time I have remaining?

The SPEAKER pro tempore. The gentleman from Virginia has 9 minutes remaining.

Mr. WOLF. Madam Speaker, I yield 4 minutes to the gentleman from Michigan, the ranking member on the Intelligence Committee, Mr. HOEKSTRA.

Mr. HOEKSTRA. I thank my colleague.

One of the jobs that I have here in the Congress is to serve as the ranking member on the Intelligence Committee, also having served as the chairman on the Intelligence Committee.

Today I rise in support of Congressman WOLF's privileged resolution on cyber security to salute him for his efforts to educate this House and the American public about the growing threat to U.S. commerce, our national security, and the privacy of the American people.

Unfortunately, some on the other side have attempted to scare the American people into thinking that the gravest threat to their privacy comes from our Nation's hardworking intelligence professionals. That's absolutely not true. Mr. WOLF, in this resolution today, reminds us that the real threat to America's privacy and the safety of Americans comes not from within, but from those who would do us harm from overseas.

Mr. WOLF had the misfortune to personally experience this fact when computers in his office were compromised by hackers from China, the Chinese, in 2006. I agree with my friend from Virginia that his office computers probably were targeted because of his long record of speaking out against human rights violations in China.

While I can't discuss the specifics of what we know, I can tell you that the leadership of this Congress, Republicans and Democrats, are well aware of the cyber espionage threat that exists. But what has this Congress done? Instead of working to modernize and strengthen our Nation's surveillance capabilities, the Democratic leadership

of this Congress has sought to tie the process down in bureaucracy, in red tape. Some have sought to vilify the intelligence professionals we ask to form the first line of our Nation's defense.

And in some cases, instead of talking about the threat to America's privacy posed by foreign cyber espionage and hackers, they instead point the finger of accusation at our intelligence professionals and innocent patriotic businesses that may at this point be helping to protect the Nation, the very same intelligence professionals and businesses we may turn to to help protect our Nation from the cyber threat.

The threats we face are real. These are not just simple viruses, these are sophisticated attacks on a new electronic battlefield. They jeopardize America's security—politically, economically, and militarily. It's a global problem with multiple threats. Some of my colleagues have talked about earlier, there has been reports about what Russia did in Estonia. We know what countries have done against the United States.

So Congress does need to face this and face this issue very seriously. Congress needs to ask tough questions about trade and technology deals involving Chinese finance and businesses. One of the things that we know, while my colleague brings up China in this instance, and the Chinese, we know that it is a global threat. But specifically about China the message is very, very clear, consistently over and over the Chinese cheat.

We also need to focus on the real threats our Nation faces, not those imagined for partisan gain. And most importantly, and most urgently, again, to make sure that our intelligence professionals on the front lines have the tools that they need to keep us safe and to attack this cyber threat, this Congress needs to pass the Senate FISA bill now. Because this law not only affects how we track the radical jihadists who threaten us, it will also impact how we confront the cyber threat as well.

This is a very sophisticated problem, it is a very serious problem. I congratulate my colleague for bringing it forward. This is an issue that I believe we can work on a bipartisan basis. We need to work on a bipartisan basis. But we need to do first things first, and the first thing we need to do now is get FISA passed, and do it soon.

Mr. WOLF. Madam Speaker, I recognize the gentleman from Michigan (Mr. EHLERS) for 2 minutes.

Mr. EHLERS. I thank the gentleman from Virginia for yielding, and I especially thank him for bringing this issue to the floor.

I also thank my colleague from California, who works with me on the House Administration committee, for her very perceptive comments on this problem.

I would just like to add a little historical insight. I was asked by the new Speaker, Newt Gingrich, some years ago—in 1995 to be exact—to take charge of setting up the new computer system for the House of Representatives. It was a formidable task. And one issue I emphasized over and over was the need for adequate security.

□ 1800

We did the best we could at that time. And I was very proud for a number of years that although the White House got hacked, the Pentagon got hacked, the Senate got hacked, we did not get hacked. Those days are over. And every Member of this House of Representatives has to recognize that.

This is going to involve, first of all, the best possible technology fix. There's no question about it. But there's another aspect that was mentioned by my colleague from California, and that is training Members and staff on how to deal with this threat and this danger. That is not easy.

When I computerized the House, I had to educate my colleagues about computers. It was hopeless. I eventually taught computer classes myself to my colleagues to try to get them interested and to begin using computers. We are going to have to be that direct, that formidable and persistent in ensuring that our colleagues and all our employees understand the threat and that they learn how to deal with the threat and especially learn how to prevent incursions by the actions that they take with their computers and the way they handle their equipment.

This is a major issue. I will pledge, as my colleague from California does, that we will attempt our best to address this on the House Administration Committee, and we will certainly do everything possible to solve it. But it is going to require the vigilance of every employee of the House of Representatives and the Senate for that matter.

Ms. ZOE LOFGREN of California. I will just say that I appreciate Mr. EHLERS' comments. As he has, I have introduced many Members to the concept of the Internet. Luckily that is no longer as necessary today as it was at one time. But some of our colleagues are real white-out-on-the-screen folks, and we need to bring them forward to the modern era.

But you are right. It is not just the Members. As I have mentioned to Mr. WOLF, I have made a commitment that I intend to follow through to ask the Republican Conference and also the Democratic Caucus to appear, not just by myself, but with top-level experts, to explain to Members their responsibilities and vulnerabilities for them when they travel abroad with mobile devices as well as their desktops in their office and how to preserve their network. And it's not just for the staff. I mean how many of us have made clear to the summer interns that if they have their laptop, and they're on a peer-to-peer network for whatever reason at home, and then they plug that laptop into the House network, I might add in violation of our rules, that they have introduced a vulnerability to our system? I don't know how many of us have given that little tutorial to these wonderful young people, but all of us should.

So I think this has been a helpful resolution, Mr. WOLF, because it has opened my eyes to the need to get Members to pay more attention. And I am going to play the most positive role I can to make sure that happens. But it is also going to take the cooperation of the Members themselves, because if this is not taken seriously, it won't happen.

I reserve the balance of my time.

Mr. WOLF. How much time do I have left, Mr. Speaker?

The SPEAKER pro tempore (Mr. MCNULTY). The gentleman from Virginia has 3 minutes remaining.

Mr. WOLF. I thank the gentlelady for her agreement. I think we have to, one, read the National Journal. This is a very respected magazine. And this is a serious problem. Up until now, it has been neglected by many in the administration and many in Congress.

Secondly, I think the American people are ahead of this Congress. And quite frankly on this issue with China, I think they are ahead of the administration. They are ahead of the administration on human rights, religious freedom, persecution and bad goods coming in from China. This Congress and this administration ought to wake up.

Thirdly, people are not anxious to talk about this in the Congress, nor are they anxious to talk about it in the administration. They are not anxious to talk about it. There was an effort to have me not go ahead with this using different techniques and different ideas. And we complied. We worked with the majority every way we can.

I want to say this. I will not let this issue rest. I may not be the fastest person in this institution. But I am as dogged as anyone. And I expect the leadership, I expect the leadership to deal with this not just by the House Administration Committee, I expect the leadership to deal with this on the Armed Services Committee. I expect the leadership to deal with this with regard to the House Intelligence Committee. I expect the Government Operations, has the Government Operations Committee ever been reluctant to hold a hearing on anything? And the answer is ''no.'' They must deal with this issue. And I tell the gentlelady, who has been very good, and I thank her for that, that if this is not resolved, I will be down here on the floor. I will rework this resolution. It will be a privileged resolution. And the next time there will be a vote on this. And then the American people, the American people can see how aggressive this administration and this Congress will be on a major national security issue and the issues of religious freedom and persecution. Keep in mind that 35 Catholic

bishops are in jail in China. Two hundred Protestant pastors are in jail in China. They have plundered the Tibetans, and they're persecuting the Uighurs. This is not a government that is very friendly. And also they are the leading supporter of genocide in Darfur.

With that, knowing this will be dealt with, I reserve the balance of my time.

Ms. ZOE LOFGREN of California. Mr. Speaker, I just want to say that I serve on three committees. I serve on the House Administration Committee. And I am here today in that capacity. I serve on the Homeland Security Committee where I have participated in I would say dozens of hearings on cybersecurity at least over the years. And I serve on the House Judiciary Committee where we have had, we have a little bit of jurisdiction, but we have actually worked pretty hard on our spyware issues and cybersecurity issues. We have paid attention to that.

I know that the Armed Services Committee has also paid attention to the whole issue of cyber warfare and cybersecurity. The Intelligence Committee isn't allowed to tell the rest of us mere mortals who don't serve what they have done, but I certainly hope they are taking this seriously and believe that they are.

I know that the gentleman has the right to close. I would just say that I would like to provide to Mr. WOLF the material from the many, many hearings that we have had. I think that he would value seeing what we have done so far. And also it would be valuable to him to see what remains to be done.

As I said earlier, we have been yelling, actually yelling about this. We have, as a Nation, tremendous vulnerabilities. And you can't always know. You can detect, unless it is spoofed, where an intrusion is coming from. You can't always say who has initiated that intrusion. But I will tell you, these intrusions and hackers are coming from all over the world with all kinds of intentions. And we all ought to take all of this very seriously. And we have failed, I think, to do all of the things that we could have done.

We have worked with the private sector. And at this point, the private sector is so wary of the Department of Homeland Security that there is a reluctance, actually, to work with the department because the information provided to the department will be so insecure. So we have a long ways to go.

I am glad that the gentleman has a strong interest in this. I wish that every Member had a strong interest in it. And maybe after we are through having these presentations to the Republican Conference and the Democratic Caucus, we will have a higher level of Member interest. And maybe instead of just our few voices in the wilderness here in the House, Mr. EHLERS, Mr. LANGEVIN, myself and Mr. THORNBERRY, who have been working on this for so many years, will have more voices, and maybe we will have a better response. I certainly hope so.

I yield back the balance of my time.

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

MOTION TO REFER OFFERED BY MS. ZOE LOFGREN OF CALIFORNIA

Ms. ZOE LOFGREN of California. Mr. Speaker, I have a motion at the desk.

The SPEAKER pro tempore. The Clerk will report the motion.

The Clerk read as follows:

Ms. Zoe Lofgren of California moves that the House refer the resolution to the Committee on House Administration.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to refer.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to refer.

The motion was agreed to.

A motion to reconsider was laid on the table.

PROVIDING FOR CONSIDERATION OF H.R. 6063, NATIONAL AERONAUTICS AND SPACE ADMINISTRATION AUTHORIZATION ACT OF 2008

Mr. HASTINGS of Florida. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1257 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 1257

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 6063) to authorize the programs of the National Aeronautics and Space Administration, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived except those arising under clause 9 or 10 of rule XXI. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Science and Technology. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Science and Technology now printed in the bill. The committee amendment in the nature of a substitute shall be considered as read. All points of order against the committee amendment in the nature of a substitute are waived except those arising under clause 10 of rule XXI. Notwithstanding clause 11 of rule XVIII, no amendment to the committee amendment in the nature of a substitute shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived except those arising under clause 9 or 10 of rule XXI. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. During consideration in the House of H.R. 6063 pursuant to this resolution, notwithstanding the operation of the previous question, the Chair may postpone further consideration of the bill to such time as may be designated by the Speaker.

The SPEAKER pro tempore. The gentleman from Florida is recognized for 1 hour.

Mr. HASTINGS of Florida. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to my colleague and friend from Florida, Representative DIAZ-BALART. All time yielded during consideration of the rule is for debate only.

I yield myself such time as I may consume. I also ask unanimous consent, Mr. Speaker, that all Members be given 5 legislative days in which to revise and extend their remarks on House Resolution 1257.

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

There was no objection.

Mr. HASTINGS of Florida. Mr. Speaker, House Resolution 1257 provides for consideration of H.R. 6063, the National Aeronautics and Space Administration Authorization Act of 2008, under a structured rule.

The rule provides 1 hour of general debate controlled by the Committee on Science and Technology. It also waives all points of order against consideration of the bill except clauses 9 and 10 of rule XXI.

The rule makes in order the 12 amendments listed in the Rules Committee report accompanying the resolution. Finally, the rule provides one motion to recommit with or without instructions.

□ 1815

Mr. Speaker, the National Aeronautics and Space Administration Authorization Act is a commonsense and fiscally responsible authorization plan for NASA that will strengthen our ability to improve our Nation's economy, communities and programs, as well as our national security.

The bill authorizes $20.21 billion for NASA for fiscal year 2009. This includes $1 billion in funding to accelerate the development of the Orion Crew Exploration Vehicle and Ares 1 Crew Launch Vehicle. This ensures that we do not lose ground to Russia and China as we work to build the next generation of space flight vehicles.

I would take a point of personal privilege to point out, Mr. Speaker, that the husband of a Member of the House of Representatives, GABRIELLE GIFFORDS, is on the present space vehicle that is in outer space. I learned from, we call her ''Gabby,'' that her husband will be home Saturday, and we wish him and the crew all safety and Godspeed.

Additionally, the underlying bill provides for programs in human space flight and exploration, aeronautics research and development and scientific research, including Earth observations and research.

The bill authorizes an additional Space Shuttle flight to deliver the Alpha Magnetic Spectrometer to the International Space Station.

Lastly, the underlying bill contains important provisions related to education, space traffic management and astronaut health care.

Mr. Speaker, the underlying bill's bipartisan support is a testament to the fact that my colleagues on both sides understand the tremendous importance of supporting NASA. However, in this time of soaring drug and food prices, a plummeting economy and war, some are asking why Congress should invest in our Nation's space program. To put it another way, why are we going in space when I don't have gas to get to the grocery store? While I wholeheartedly disagree, I would be remiss if I did not at least acknowledge their concerns.

It provides us with the opportunity to recount the many lifesaving and life-altering methods and products that were made possible through space technology.

Mr. Speaker, people of all ages know that putting men on the moon in 1969 was one of NASA's pioneering achievements. Missions to space have given us all a sense of national pride and allow us to better understand the universe in which we live. Few know, however, that for 50 years space technology has laid the foundation for consumer products that help businesses run more efficiently and allow everyday people to live safer, longer and better lives.

Think about it. The United States has some of the most cutting-edge medical technology in the world because of NASA. The pacemaker, voice-controlled wheelchairs and the MRI all rely on technology that was first developed for space exploration.

More than 560,000 Americans will die from cancer this year, including over 40,000 in my home State of Florida. Space technology has led to life-saving advanced screening and treatment methods for breast cancer that are more accurate, cost-effective and less invasive.

Do you want more? We have all come to realize the consequences of not protecting our environment and conserving our resources. NASA has made significant contributions to the way that we adopt environmentally-friendly practices in our homes, businesses and everyday lives. It has been at the forefront of documenting climate change.

Further, solar energy, environmental control sensors that monitor emission levels and water purification systems that could save millions in poorer countries from developing deadly and debilitating water-borne diseases were all made possible because of space technology.

Mr. Speaker, I could go on and on. I would be remiss if I didn't mention the microwave oven, food products and drinks that have been developed because of space technology.

The past 7 years have made us acutely aware, Mr. Speaker, of the importance of having the infrastructure and tools to respond to natural and man-made disasters. There too, NASA has played a crucial role in national security by providing the resources and technology to make our communities, borders, waterways and airways safer. We owe wireless technology, storm warning devices and radiation hazard detection in part to space technology that was developed and tested under NASA programs.

Mr. Speaker, for me, the future of the U.S. space program hits close to home. The Kennedy Space Center in Cape Canaveral has a profound impact on Florida's economy and well-being, and my colleague in the minority, Mr. DIAZ-BALART, and I know this all too well.

Again a point of personal privilege. Where Cape Canaveral, Cape Kennedy is, Mr. Speaker, as a child I fished there in the Haulover Canal, and I can't tell you what a tremendous, scintillating experience for me it is to see an area that was and still is pristine, now the place where our national pride is raised every time a space vehicle is launched.

In 2006 alone, the space program contributed nearly $1.7 billion to Florida's economy. It provides thousands of direct and indirect jobs, encourages businesses and recreational travel, and also helps groom the next generation of mathematicians and scientists by providing learning and research opportunities for students of all ages.

Mr. Speaker, by supporting this rule and the underlying bill, we are investing in the welfare of our great country and installing the next chapter in the American book of creativity and innovation.

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

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I would like to thank my good friend, the gentleman from Florida (Mr. HASTINGS), for the time, and yield myself such time as I may consume.

Mr. Speaker, next month we are set to celebrate the 50th anniversary of the creation of the National Aeronautics and Space Administration, NASA, in the beginning of its mission ''to pioneer the future in space exploration, scientific discovery and aeronautics research.''

Since then, NASA has sent men to the moon, established a permanent human presence in space aboard the International Space Station, sent robots to explore Mars for signs of life, and launched the Hubble Telescope that revolutionized astronomy by providing unprecedented deep and clear views of the universe. One can only imagine what NASA will accomplish in the next 50 years as we begin working building a permanent base on the moon and eventually sending astronauts to explore Mars and beyond.

Since the creation of the Kennedy Space Center in 1962, as my good friend Mr. HASTINGS has explained, Florida has played an integral role supporting NASA's mission through a partnership between Florida's academic and business sectors. Florida will continue to play an important role as the space flights to the moon and Mars begin their journey of exploration at the Kennedy Space Center in Florida. I am pleased that the underlying legislation, H.R. 6063, will continue this successful partnership.

Three years ago, Congress passed the NASA Authorization Act of 2005 which provided policy and programmatic guidance for NASA that made clear that NASA is and should remain a multi-mission agency, with a balanced portfolio of programs in space, aeronautics and human space flight, including human and robotic exploration beyond low Earth orbit.

Today's legislation reaffirms those basic principles, while emphasizing the importance of NASA leadership and Earth observations and research, aeronautics research and development to address critical national needs, and an exploration program strengthened by international cooperation under strong United States leadership.

The underlying legislation authorizes $20.21 billion in funding for fiscal year 2009. That is a 2.8 percent increase in investment from fiscal year 2008.

As we all know, NASA intends to retire the shuttle fleet in 2010. The shuttle will be replaced with a 21st century exploration system, the Constellation Program, that will be cost-effective, reliable, versatile, and, most importantly, safe for our brave and brilliant astronauts.

Until the Constellation Program is ready for lift off in 2015, we will be reliant upon Russia to ferry our crews and equipment to the International Space Station. NASA has agreements to pay Russia $760 million, and those costs could rise as high as $2.8 billion during the gap. To reduce our reliance on Russia, the bill authorizes an additional $1 billion to accelerate the development of the replacement Orion and Ares rockets and reduce the 5-year gap. Doing that will help retain thousands of well-paying aerospace, engineering and technician jobs and maintain American expertise in those areas.

The legislation also fully authorizes the administration's request for the International Space Station to ensure

its safety and long-term viability and funds additional shuttle missions, including one to deliver the Alpha Magnetic Spectrometer. The spectrometer is designed to search for unusual matter by measuring cosmic rays. Its experiments will help researchers study and unlock the mysteries of the formation of the universe.

This legislation fully authorizes NASA's Education Program, which seeks to inspire and motivate students to pursue careers in science, technology, engineering and mathematics. I believe it is vital to keep the United States competitive in science, math and engineering. Our children are our future, and by seriously funding math and science programs we ensure that our future generations will continue to excel, explore and discover.

I would like to thank Chairman GORDON and Ranking Member HALL and Subcommittee Chairman UDALL and Ranking Member FEENEY for their bipartisan work in the Science Committee on this important reauthorization bill. Unfortunately, Mr. Speaker, that bipartisan spirit didn't make it past the doors of the Rules Committee, where the majority only allowed one Republican amendment, while allowing 10 Democratic amendments. It is a new ratio, 10 to 1. And that one Republican amendment is just a sense of Congress, while many of the Democratic amendments call for substantive changes in policy.

One example of how the majority consistently blocks Republicans but allows Democratic amendments is illustrated with the disparate treatment of the Lampson and Gingrey amendments. The majority on the Rules Committee made in order the Lampson amendment exempting NASA from section 526(a) of the Energy Independence and Security Act, and yet when Representative GINGREY submitted two amendments to the Rules Committee regarding the same issue, they were both rejected.

So far this year, the majority on the Rules Committee has issued a record 54 closed rules, while only allowing one open rule. The majority had an opportunity yesterday to change their ways and provide an open rule for this legislation, thus doubling their amount of open rules, but instead they decided by a party-line vote that they are quite content blocking an open debate.

An open debate on the NASA reauthorization would be particularly helpful in getting this legislation signed into law. Prior to the hearing in the Rules Committee, the administration issued its Statement of Administrative Policy, or SAP, as it is known. The SAP stated that the administration has several areas of concern with the legislation. By allowing an open debate process, we could vet the areas of concern so we can produce a bill that can be signed into law. However, the majority decided against an open and fair debate, and now this important reauthorization may be delayed.

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It didn't have to be like that. One of the central tenets of the Democrats' campaign in 2006 was that they would run Congress in a more open and bipartisan manner. On December 6, 2006, Speaker PELOSI reiterated her campaign promise. She said, and I quote, ''We promised the American people that we would have the most honest and open government, and we will.''

Yet here we are, three-fourths of the way through the 110th Congress, and the majority has come forth with one open rule. What a shame that their promises were left on the campaign trail.

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

Mr. HASTINGS of Florida. Madam Speaker, I yield 3 minutes to the distinguished gentlewoman, a member of the Rules Committee and my good friend from Florida (Ms. CASTOR).

Ms. CASTOR. I thank my good friend from Florida (Mr. HASTINGS) who is a strong supporter of the space program.

Madam Speaker, I rise today in strong support of H.R. 6063, the National Aeronautics and Space Administration Act of 2008.

NASA is celebrating its 50-year anniversary this year, and I salute and congratulate everyone at NASA for their contributions to American life and science. Space exploration and research comprised the foundation of technological advances in America that have greatly improved all of our lives.

For example, in early NASA missions, large-scale integrated circuits were created that today are the basis for all modern computers, and how would we live without computers today? NASA also helps the United States maintain its competitive edge in the global marketplace. More engineers now come from outside the United States that are produced by our colleges and universities.

America can do better. NASA is one of the keys to doing so. NASA scientists and researchers keep America focused on innovation and better-paying jobs. In addition, fewer and fewer children are interested in entering science fields, even though our world today is dominated by science and technology. We must encourage young people and students to stay interested in science and enter scientific fields of study. The fantastic NASA missions and research also plays a vital role here.

There are currently seven astronauts aboard the Space Shuttle *Discovery* preparing to return to earth after a highly successful mission. I had the privilege of watching the successful launch of the Space Shuttle *Discovery* a week and a half ago at the Kennedy Space Center in Cape Canaveral, Florida. I was thrilled to share that day with our colleague, Congresswoman GABRIELLE GIFFORDS, as her husband, Mark Kelly, is the commander of the Space Shuttle *Discovery*.

Congratulations to the *Discovery* crew, the mission team on the ground as well, as they have successfully delivered the Japanese Kibo scientific lab to the International Space Station and have now completed their mission. The personnel at the Kennedy Space Center and their partners throughout Florida have an unmatched dedication to our country's space program.

They are a highly trained workforce with a record of achievement and tradition that cannot be matched. That's why it troubles me that President Bush has threatened a veto of this important NASA bill.

I urge President Bush to reflect on these facts before he picks up his veto pen, which he threatened to do yesterday in a letter to us. Before President Bush vetoes this outstanding NASA reauthorization bill, I would urge the White House to consider the economic impact of such a bill.

The SPEAKER pro tempore (Ms. CLARKE). The time of the gentlelady has expired.

Mr. HASTINGS of Florida. I yield the gentlelady an additional 30 seconds.

Ms. CASTOR. I thank the gentleman.

Before President Bush picks up his veto pen to veto this outstanding NASA reauthorization bill, I urge the White House to consider the economic impact of such a veto on the State of Florida, Florida's economy, and aeronautic research and science throughout this country.

I congratulate Chairman UDALL and all in the committee for this fantastic bill. Congratulations to everyone at NASA for their 50-year anniversary.

I urge a ''yes'' vote on this important bill.

Mr. LINCOLN DIAZ-BALART of Florida. Madam Speaker, at this time I would like to insert into the RECORD the Statement of Administration Policy.

EXECUTIVE OFFICE OF THE PRESIDENT, OFFICE OF MANAGEMENT AND BUDGET,

Washington, DC, June 10, 2008,

STATEMENT OF ADMINISTRATION POLICY

H.R. 6063—NATIONAL AERONAUTICS AND SPACE ADMINISTRATION AUTHORIZATION ACT OF 2008

(Rep. Udall (D) Colorado and 7 cosponsors)

The Administration supports maintaining a strong national civil space science and aeronautics enterprise and is committed to advancing the quest for new knowledge, discovery, and exploration that is embodied in NASA programs and activities. However, the Administration strongly opposes H.R. 6063 because it mandates specific Space Shuttle flights that greatly threaten NASA's ability to retire the Shuttle in 2010, an action that is critical to implementing the President's Vision for Space Exploration. In addition, the Administration has other serious objections to several provisions of H.R. 6063 that must be satisfactorily addressed prior to final congressional action on reauthorization legislation.

The bill contains provisions that mandate two contingency logistics flights and an additional Shuttle flight for the Alpha Magnetic Spectrometer and require that these flights take place before Shuttle retirement,

thus effectively superseding the 2010 Shuttle retirement date that is a critical step to enabling successful development of the Crew Exploration Vehicle as called for by the President's Vision for Space Exploration. Consistent with the Vision, the current Space Shuttle flight manifest is a measured and carefully balanced plan to allow the completion of the International Space Station (ISS), a safe and orderly retirement of the Shuttle, and the smooth transition of facilities and personnel to Exploration Systems programs by September 2010. The direction in this section would almost certainly result in several serious impacts and risks to NASA's exploration programs and other activities, including: (1) significantly increasing costs of the Shuttle program, not including potential recertification activities; (2) delaying the operational capability of the Orion CEV well beyond its current projected dates; (3) exacerbating transition challenges, including facilities and workforce; and (4) exposing astronaut crews to increased risks. In addition, statutorily mandating additional flights regardless of safety assessments and costs sets a dangerous and unwise precedent.

The Space Shuttle must be retired by the end of 2010, and the NASA Administrator's authority to make the final determination on Shuttle flights based on safety considerations must be preserved. In addition, any increased cost of an additional Shuttle flight must be satisfactorily accommodated within the President's proposed discretionary spending total.

The FY 2009 budget request of $17.6 billion is sufficient to achieve NASA's goals, and the additional $2.6 billion authorized in the bill above the President's request is inconsistent with the Administration's fiscal policies. Accordingly, the Administration opposes this increased authorization level.

In addition, H.R. 6063 directs several specific activities under the assumption that additional funding will be appropriated, making it likely they will become unfunded mandates. Directing activities in this manner would severely disrupt the budgets for NASA's ongoing, carefully-balanced programs and Centers linked to other high-priority goals and activities. For this reason and in view of associated problematic policy implications, the following requirements should either be removed from the bill or appropriately modified: (1) carrying out an additional procurement for Commercial Orbital Transfer Services (COTS) crew capabilities, and mandating that NASA purchase commercial services regardless of cost; (2) establishing an Exploration-related technology research and development program that would draw funding away from the Orion CEV, delaying its availability; (3) establishing a cross-cutting technology development program within the Science Mission Directorate at a level of five percent of the Directorate's budget; (4) requiring the continued operation and utilization of the ISS by the United States after 2016, without first mitigating significant budget implications in the outyears; and (5) prescribing specific roles and responsibilities regarding NASA's work with various advisory and external review committees and other Federal agencies that the Administration believes would be problematic and duplicative of already well-established roles and responsibilities.

The Administration also is concerned with the proposed wording of certain provisions and strongly urges that these provisions be modified before passage of the bill. For example, the direction in the bill to limit NASA's ability to dispose of Space Shuttle-related hardware is likely to severely disrupt ongoing Shuttle retirement and transition activities. Similarly, the specific wording of other provisions in H.R. 6063, including requiring all space observatories to be serviceable regardless of practicality; overly-prescribed aeronautics research goals; and unproductive astronaut health surveys could lead to serious unintended consequences, including greatly increased costs to carry out these mandates. The Administration calls on Congress to modify these provisions to provide NASA sufficient flexibility to make programmatic and management decisions as necessary.

In addition, the bill directs NASA to initiate discussions with foreign nations on ''space traffic management.'' This provision directly infringes upon the President's authority to conduct foreign affairs. The United States already actively promotes international cooperation to enhance spaceflight safety and supports consideration of voluntary transparency and confidence building measures in appropriate venues under the leadership of the Department of State, with appropriate assistance from the Department of Defense. These provisions accordingly should be removed. A similar objectionable provision is contained in the bill's section governing ''exploration crew rescue.''

Finally, in addition to the significant concerns highlighted above that must be satisfactorily addressed prior to final congressional action, the Administration has an overarching concern about the highly prescriptive nature of the bill and the significant number of reports and studies that this legislation would require. The Administration understands the need for timely information for Congress to conduct its oversight responsibilities; however, the burden that would be placed on various agencies of the Executive Branch, including NASA, is of concern. The Administration looks forward to working with Congress to modify these aspects of the bill.

The President does not threaten to veto the legislation. He enumerates in this statement a number of concerns with the legislation and finalizes the statement by saying that the administration looks forward to working with Congress to modify these aspects of the bill.

Madam Speaker, at this time I would like to yield 3 minutes to a distinguished colleague from Michigan, whose father was an aeronautical engineer and always has demonstrated great leadership on the issue of NASA and cutting-edge space technology, Mrs. MILLER.

Mrs. MILLER of Michigan. I certainly appreciate the gentleman yielding time to me.

Madam Speaker, I am opposed to the rule, but I do wholeheartedly support the underlying bill.

As my colleague said, my dad was an aeronautical engineer and actually worked for the Chrysler missile plant that was down at Redstone with Wernher von Braun and was one of the original rocket scientists. So I certainly have always marveled at everything that NASA has done.

I do support this bill, H.R. 6063, the National Aeronautics and Space Administration Authorization Act of 2008. I think a strong and a vital space program is absolutely crucial to ensuring America's place at the forefront of technological advancement. Most people today take for granted so many of the incredible contributions that our space program had made toward improving the quality of our every day lives.

Many of them have been articulated today, but we certainly recognize GPS, global positioning systems, and weather forecasting and advanced medicine, cell phones or BlackBerries, satellite TV and even microwave ovens. They all exist today in large measure due to America's space program.

From Mercury, to Gemini, to Apollo, to the Skylab, to the space shuttle, to the International Space Station, NASA has led the way in sending Americans from the earth to the moon and our technology to heights unimagined, I think, by previous generations.

We currently are on the edge of a very exciting new scientific breakthrough as NASA begins to shift, really, to the technologically advanced Orion Crew Exploration Vehicle and to the new Ares I Crew Launch Vehicle, which could eventually lead to a manned mission to Mars.

And I recognize that while some might debate the cost of the space program, or they might argue that money can be better spent elsewhere, I would also respond with the fact that those same arguments were presented more than a generation ago. Where would we be today if in the 1960s America had not answered President Kennedy's call to reach for the stars?

In fact, I would bet that Columbus may have had some debate with the Queen of Spain that the Spanish Treasury needed to finance his exploration of the New World when everybody was absolutely convinced that the world was, in fact, flat.

So who knows what discoveries or advances to the world that we might miss if we do not continue to challenge the scientific and creative imaginations of the entire world? I absolutely believe that it is in the best interest of this Nation to continue our commitment to space exploration, and I wholeheartedly support this bill.

Again, I do oppose the rule. I am distressed that it has been brought to the floor like this, but I certainly would urge all of my colleagues to support the underlying legislation and to continue to reach for the stars.

Mr. HASTINGS of Florida. Madam Speaker, I am the last speaker for this side. I will reserve my time until the gentleman has closed for his side and yielded back his time.

Mr. LINCOLN DIAZ-BALART of Florida. I thank my good friend.

Madam Speaker, at this time I would like to yield 3 minutes to a great leader from the State of Illinois (Mr. ROSKAM).

Mr. ROSKAM. I thank the gentleman for yielding.

Madam Speaker, I came down a couple of minutes ago and listened to the opening comments of the distinguished gentleman from Florida as he went through the litany of successes of the space program in the past, and it was a good recitation and a good reflection

on those things that we can really be proud of as Americans that the space program has accomplished. I jotted down a couple of notes, the pacemaker, solar energy, environmental control systems, MRIs, microwaves, wireless technology and so forth and so on.

I am here as a supporter of the space program and as someone who wants to see that innovation and that creativity deployed in a way that not only has an impact on these types of things, but also has an impact on the great struggle that we are facing as a country and that my district and many, many other districts around the country are facing, and that is the cost of aviation fuel. I had an amendment that I offered to the Rules Committee that unfortunately was just swatted away in a partisan fashion, and I was very disappointed in that. Not a single Democrat was willing to vote for it, and I was just disappointed.

My sense is let's take the NASA program and develop that talent and tilt that talent that the gentleman from Florida cited so eloquently a few minutes ago, and let's get it working on alternative fuels as it relates to aviation. Because, you see, I represent O'Hare Airport in the Chicago metropolitan area. I represent thousands and thousands of passengers, thousands of airline employees.

The airline industry is now under the crushing weight of excessive costs of aviation fuel. Fuel is up 40 percent to the point of a ticket price, 40 percent now is that of the ticket price, of the ticket on an airplane, up from only 15 percent back in the year 2000. American Airlines spent $61 billion this year in fuel, whereas last year they spent only $41 billion.

My amendment simply said this, to direct NASA, to say, look, don't allocate resources at this time when we can't afford it, to the Deep Space Climate Observatory. Instead, direct those resources to alternative fuels for commercial aviation with a three-prong test, the need to reduce our dependence on foreign sources of energy, the need to develop a fuel that will provide greater stability for the airline industry and also that will reduce the emissions.

I think that's an area where the entire Congress can come together. For the life of me, I don't understand why it was swatted away in such a partisan fashion, and I hope that on future evaluations by the Rules Committee that they will have a little bit of an open mind.

Mr. HASTINGS of Florida. Madam Speaker, I continue to reserve the balance of my time.

Mr. LINCOLN DIAZ-BALART of Florida. Madam Speaker, it's my privilege to yield 3 minutes to the distinguished gentleman from Georgia (Mr. GINGREY).

Mr. GINGREY. I appreciate the gentleman for yielding and the previous gentleman that spoke, the gentleman from Illinois, talking about those airline prices. There is no question what's causing that is the cost of jet fuel.

Madam Speaker, I rise in strong opposition to this rule where the Democratic majority has once again denied the American people a full debate on the ramifications of our Federal policies on American energy independence. Unfortunately the rule for H.R. 6063, the National Aeronautics and Space Administration Authorization Act of 2008, made only one Republican amendment in order and has effectively shut down debate once again, breaking the promise, as my distinguished colleague from Florida said, that Speaker PELOSI made that this would be the most open and honest Congress in history.

I, along with several of my Republican colleagues, offered two of the amendments that were not made in order. Our amendments would have worked to correct a misguided provision of the Energy Independence and Security Act of 2007, section 526, that prevents the Federal Government from developing and implementing alternative fuels from domestic sources that could help NASA reduce fuel costs.

Over the past 5 years NASA has seen an increase of almost 400 percent in spending for jet fuel from $4.5 million in fiscal year 2003 to $18.3 million in fiscal year 2007. Put simply, this growth is out of control. NASA has been actively researching alternative fuel sources to help reduce fuel costs, not only for itself, but for other Federal agencies as well. Indeed, listen to this, the Department of Defense uses 380,000 barrels of refined products per day, 380,000 barrels.

□ 1845

They estimate that its increased cost of fuel in 2008 will be approximately $10 billion. Now this is just the delta. This is just the increase because of ballooning oil prices.

NASA, as my colleagues have pointed out, has historically been on the cutting edge of innovation with contributions that have been mentioned here, technologies this Nation uses on a daily basis. What a lot of people don't know, currently NASA is partnering with the Air Force on aggressive research to convert domestic energy sources—domestic, that means right here in River City—on aggressive research to convert things like coal, natural gas, biomass, oil shale into cleaner, yes, cleaner, and more economic alternatives to traditional jet fuel.

Gas prices continue to rise, and yet the Democratic majority, and I don't blame my colleague from Florida in the majority who I enjoyed thoroughly serving with on the Rules Committee, I blame the Democratic leadership. They have effectively stymied innovation at NASA that could potentially help us reduce our dependence on foreign oil.

We have this great opportunity, and yet the leadership of the Democratic Party has turned their back on the American people.

The SPEAKER pro tempore. The gentleman's time has expired.

Mr. LINCOLN DIAZ-BALART of Florida. I yield the gentleman an additional minute.

Mr. GINGREY. My amendments, by either repealing section 526 or by providing a full waiver to NASA, just to that one agency as my amendments would have done, we could allow the agency to continue its ongoing work to develop emerging technologies and not be held hostage to baseless policies driven by out-of-control environmental extremists.

Madam Speaker, it is unfortunate that the Democratic majority again chooses to deny an open debate on important energy issues. So I urge my colleagues to defeat the previous question and this rule so we can help the Democratic majority live up to its promise to conduct the most open and honest Congress in history.

Mr. HASTINGS of Florida. Madam Speaker, I continue to reserve my time.

Mr. LINCOLN DIAZ-BALART of Florida. Madam Speaker, back on April 24, 2006, just over 2 years ago, now-Speaker NANCY PELOSI issued the following statement: ''With skyrocketing gas prices, it is clear that the American people can no longer afford the Republican rubber-stamp Congress and its failure to stand up to Republican Big Oil and gas company cronies. Americans this week are paying $2.91 a gallon for regular gasoline, 33 cents higher than last month, and double the price than when President Bush first came into office.''

Madam Speaker, most Americans would be happy if they were paying $2.91 a gallon today instead of over $4 a gallon.

Reinforcing the fact that the majority has yet to confront the high price of gasoline, just over a month ago the newspaper Investor's Business Daily in an editorial said that this Congress ''is possibly the most irresponsible in modern history. This is especially true when it comes to America's dysfunctional energy policy.''

Madam Speaker, I include for the CONGRESSIONAL RECORD the editorial from the Investor's Business Daily.

[From Investor's Business Daily, Apr. 29, 2008]

CONGRESS VS. YOU

We've said it before, but we'll say it again: This Congress is possibly the most irresponsible in modern history. This is especially true when it comes to America's dysfunctional energy policy.

The media won't call either the House or the Senate on its failures, for one very obvious reason: They mostly share an ideology with the Democrats that keeps them from understanding how free markets and supply and demand really work. Sad, but true.

So we were happy to hear the president do the job, calling out Congress for its inaction and ignorance in his wide-ranging press conference Tuesday.

''Many Americans are understandably anxious about issues affecting their pocketbook, from gas and food prices to mortgage and tuition bills,'' Bush said. ''They're looking to their elected leaders in Congress for action. Unfortunately, on many of these issues, all they're getting is delay.''

Best of all, Bush didn't let the issue sit with just generalities. He reeled off a bill of particulars of congressional energy inaction, including:

Failing to allow drilling in ANWR. We have, as Bush noted, estimated capacity of a million barrels of oil a day from this source alone—enough for 27 million gallons of gas and diesel. But Congress won't touch it, fearful of the clout of the environmental lobby. As a result, you pay at the pump so your representative can raise campaign cash.

Refusing to build new refineries. The U.S. hasn't built one since 1976, yet sanctions at least 15 unique ''boutique'' fuel blends around the nation. So even the slightest problem at a refinery causes enormous supply problems and price spikes. Congress has done nothing about this.

Turning its back on nuclear power. It's safe and, with advances in nuclear reprocessing technology, waste problems have been minimized. Still, we have just 104 nuclear plants—the same as a decade ago—producing just 19 percent of our total energy. (Many European nations produce 40 percent or more of their power with nuclear.) Granted, nuclear power plants are expensive—about $3 billion each. But they produce energy at $1.72/kilowatt-hour vs. $2.37 for coal and $6.35 for natural gas.

Raising taxes on energy producers. This is where a basic understanding of economics would help: Higher taxes and needless regulation lead to less production of a commodity. So by proposing ''windfall'' and other taxes on energy companies plus tough new rules, Congress makes our energy situation worse.

These are just a few of Congress' sins of omission—all while India, China, Eastern Europe and the Middle East add more than a million barrels of new demand each and every year. New Energy Department forecasts see world oil demand growing 40 percent by 2030, including a 28 percent increase in the U.S.

Americans who are worried about the direction of their country, including runaway energy and food prices, should keep in mind the upcoming election isn't just about choosing a new president. We'll also pick a new Congress.

The current Congress, led on the House side by a speaker who promised a ''common sense plan'' to cut energy prices two years ago, has shown itself to be incompetent and irresponsible. It doesn't deserve re-election.

Today I will be asking each of my colleagues to vote ''no'' on the previous question to this rule. If the previous question is defeated, I will amend the rule to make it in order for the House to consider any amendment that would actually do something to reduce gas prices for consumers, such as H.R. 5905, the CARS Act introduced by Congressman MARIO DIAZ-BALART, which would give commuters a tax break on their commuting expenses.

Madam Speaker, I ask unanimous consent to insert the text of the amendment and extraneous materials immediately prior to the vote on the previous question.

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

There was no objection.

Mr. LINCOLN DIAZ-BALART of Florida. Madam Speaker, before finishing my remarks, I yield 2 minutes to the distinguished gentleman from Indiana (Mr. BURTON).

Mr. BURTON of Indiana. Madam Speaker, I really appreciate my colleague on the Rules Committee yielding to me, and it is nice to see my buddies on the other side of the aisle looking so bright and cheerful tonight.

You know, if we don't do something about the price of gasoline and fuel, we will be able to go to the moon cheaper than we can drive down to the corner drugstore. I know that may sound like a joke, but the cost of fuel is going up so rapidly that everybody I have met, and I am talking about Democrats, Republicans, people on the street, everybody that I have met when I ask them what do you think about the price of fuel and gasoline, they say we have got to do something about it.

And I ask, What do you think about drilling here in the United States and the territorial possessions of the United States and offshore on the Outer Continental Shelf, and they say drill wherever you have to; drill wherever you have to, but get my gas prices down. And that is about 80-some percent of the American people that are saying that. Everyone I have talked to has said that.

You know, last night I spoke on the floor and as I left the floor, I talked to some of the people who work here. I am not going to tell you who they were because I don't want to get them in trouble, but a couple of them told me that they drive about 35 or 40 miles to work every day, and they can't afford to do it because the price of gasoline has gone up so rapidly. One of them told me he was going to buy a blow-up mattress so he can sleep someplace around here in the Capitol because he can't afford to go home at night. Now this isn't baloney.

People can't survive with gasoline at the prices they are right now. And not only that, the transportation of foodstuffs and other commodities are going up as well because of the cost of transportation.

So when I say, you know, that it may cost more to go to the store than it does to go to the moon, I am being facetious, of course, but it sure sets the point in hard concrete. The cost is unbelievable, and the American people want us to do something about it. And my colleagues on the other side of the aisle, you are not listening. You are not listening to the American people. They want to drill in the United States. They want energy.

The SPEAKER pro tempore. The gentleman's time has expired.

Mr. BURTON of Indiana. May I have another 30 seconds?

Mr. LINCOLN DIAZ-BALART of Florida. I yield the gentleman another 30 seconds.

Mr. BURTON of Indiana. People in this country want their energy prices to go down, and they want them to go down now. You are not doing anything, and a lot of you guys are my friends, but I am going to tell you right now, this is going to be one of the major issues if not the major issue in this fall's campaign.

I talk about immigration and everything else. This dwarfs immigration and all of the other issues we talk about because it is hitting people right where they live in their pocketbook and we must not be controlled by the lobbyists around here that are concerned about the environment. There has to be some balance between the economy and the environment in this country, and you guys need to do something about the price of gasoline. You're the ones who are holding it up.

Mr. LINCOLN DIAZ-BALART of Florida. Madam Speaker, precisely. In order to be able to take up legislation to give a tax break to commuters for the expenses, their expenses, rising expenses, daily rising expenses of getting to and back from work, I am going to ask all of our distinguished colleagues to vote ''no'' on the previous question so that we can take a stand against these high fuel prices and begin to give commuters a break in this country. I urge a ''no'' vote on the previous question.

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

Mr. HASTINGS of Florida. Madam Speaker, I yield myself the balance of my time, and I won't use it all.

Madam Speaker, this is a good rule for a great bill. And I was getting very confused as I heard my colleagues talking. The bill is the National Aeronautics and Space Administration Authorization Act of 2008. This measure has received overwhelming support across the political spectrum because it balances fiscal responsibility, oversight and advancement.

My colleagues protest rightly the accelerating price of gasoline for consumers in this country. And heating oil can't be far behind when winter comes.

But to stand and say that the Speaker of the House of Representatives has not done anything about this particular matter ignores the fact that in the other body on just about every measure that has been proposed, some that have passed out of this body, the other body in the minority have stopped them in their tracks. Now I know back in April that the Speaker called on the President to suspend purchases of oil for the Strategic Petroleum Reserve, and I regret that I am buying into the notion that you have accelerated that this good space bill now has become something to do with gas.

As you know, the ranking Republican of the Science and Technology Committee, Representative Mr. HALL, and the ranking Republican on the Subcommittee on Space and Aeronautics, Representative FEENEY, are both original sponsors of this bill. In fact, Representative FEENEY praised the Democratic members and staff for crafting the bill in a bipartisan fashion from the beginning. And I too join with praising the staff on both sides for this measure.

The underlying bill authorizes funds that will maintain NASA's current operations while allowing it to lay down

the foundation to achieve future goals in the areas of space exploration and scientific research.

Furthermore, the bill provides our need and desire for a better environment, educational opportunities, and improved national security. When we invest in quality programs like NASA, we are investing in the American people and the future of our country. NASA has undoubtedly contributed to the tremendous successes that America experienced in science and technology in the later part of the 20th century. If properly funded, NASA will ensure that America remains a world leader in science, space travel, and technology in the 21st century and beyond.

Madam Speaker, I want to take just one more moment to respond to my friends who want us to lower gas prices. They are correct, but this body has, through the leadership of NANCY PELOSI, sought to crack down on oil price gouging, hold OPEC accountable for oil price fixing, and repeal subsidies for profit-rich Big Oil so we can invest in a renewable energy future. I want you to know that those measures alone have passed out of this House.

Now let's just be for real here and stop scaring the American public. There is no Member of the House of Representatives or the United States Senate that does not want gas prices in this country to be lower. There is no Member that does not want food prices to be lower. All of us need to understand something, there is no short-term fix for the problem that we have gotten ourselves into, and the majority are the people that got us in most of this fix that we are in, and it is Democrats under NANCY PELOSI that are trying to pull us out of this hole that we got ourselves in.

Mr. BURTON of Indiana. Will the gentleman yield?

Mr. HASTINGS of Florida. I will yield to my friend.

Mr. BURTON of Indiana. I just want to ask you one question.

You are right, this is a major problem, energy, and you can blame anybody you want to all of the way back to the Carter administration and Reagan. But what do you think about drilling in the ANWR or off the Continental Shelf to get some of our oil? What do you think about that?

Mr. HASTINGS of Florida. I thank my good friend. Reclaiming my time, I think my good friend knows and doubtless has heard me talk about my opposition to oil drilling in ANWR.

What I would say in response to my friend, if we started drilling in ANWR today, it would be 10 years before a drop of oil would enter into an automobile if that is what we are still using. We need energy conservation. We need renewable energy. We need all of the things that everybody is talking about, and we need to understand that nothing is going to happen in the morning. It is going to take a very long time and an awful lot of sacrifice. And I personally just get tired of people beating up on people here in this body. That is what leads to the partisan rancor. That is not what we are asking for.

I believe that we can get out of this problem. They ought to lock all 535 of us up here in this Capitol and require us to work together and require businesses to stop gouging people as they are doing.

Now this ain't the energy bill. This is the space bill, and this rule is about space.

Ms. JACKSON-LEE of Texas. Madam Speaker, I rise today in strong support of the rule for H.R. 6063, the National Aeronautics and Space Administration Authorization Act of 2008. As we mark the 50th anniversary of the establishment of the United States space program, this legislation reaffirms the ever growing and changing role of NASA, providing resources to carry the agency forward with its ambitious agenda of research, exploration, and discovery. I would like to thank Congressman UDALL for introducing this important legislation, as well as Science Committee Chairman GORDON for his leadership in bringing this bill to the floor today.

This structured rule allows for the consideration of 14 amendments, including one that I offered. I would also like to thank Chairman GORDON for his support of my amendment, which modifies section 1108 of the bill, and it states:

(1) in subsection (a), strike "small businesses" and insert "small, minority-owned, and women-owned businesses"; and

(2) in subsection (b)(2), insert ", giving preference to socially and economically disadvantaged small business concerns, small business concerns owned and controlled by service-disabled veterans, and HUBZone small business concerns" after "to small businesses."

My amendment clarifies that the NASA Outreach and Technology Assistance Program will include small, minority-owned, and women-owned businesses. It would also give preference, in selection of businesses to participate in the program, to socially and economically disadvantaged small business concerns, small business concerns owned and controlled by service-disabled veterans, and HUBZone small business concerns. I would like to thank my colleague and fellow Texan, Congressman LAMPSON, for his leadership in authoring the important section describing the NASA Outreach and Technology Assistance Program, and for supporting my amendment.

Madam Speaker, today's legislation will allow NASA to continue to push the boundaries of what is possible, keeping our Nation on the forefront of innovation and exploration. After the Columbia disaster, NASA stands at a pivotal moment in its history. It is the responsibility of this Congress to ensure that the future of NASA is one of continued progress. Space exploration remains a part of our national destiny. It inspires our children to look to the stars and dream of what they too, one day, may achieve. Space exploration allows us to push the bounds of our scientific knowledge, as we carry out research projects not possible within the constraints of the planet Earth. As a nation, we have made tremendous strides forward in the pursuit of space exploration since President John F. Kennedy set the course for our Nation in 1962, calling it the "greatest adventure on which man has ever embarked." Despite the setbacks of recent years, including the tragedy that befell the Space Shuttle *Columbia*, NASA and the American people have refused to abandon the pursuit of knowledge of our universe. On October 1, 1958, the National Aeronautics and Space Administration began operation. At the time it consisted of only about 8,000 employees and an annual budget of $100 million. Over the next 50 years, NASA and the Jet Propulsion Laboratory have been involved in many defining events that occurred which have shaped the course of human history and demonstrated to the world the character of the people of the United States.

Many of us remember how inspired we were when on May 25, 1961, President John F. Kennedy proclaimed: "I believe this Nation should commitment itself to achieving the goal, before this decade is out, of landing a man on the moon and returning him safely to Earth. No single space project in this period will be more impressive to mankind, or more important for the long-range exploration of space; and none will be so difficult or expensive to accomplish." The success of the United States space exploration program in the 20th century augurs well for its continued leadership in the 21st century. This success is largely attributable to the remarkable and indispensable partnership between the National Aeronautics and Space Administration and its 10 space and research centers. One of these important research centers is located in my home city of Houston. The Johnson Space Center, which manages the development, testing, production, and delivery of all United States human spacecraft and all human spacecraft-related functions, is one of the crown jewels of the Houston area.

Today, NASA is the Nation's primary civil space and aeronautics research and development agency, and its current activities employ over 18,000 Americans. Today's legislation reaffirms the fundamental operating principles of NASA, emphasizes the importance of NASA leadership in a range of endeavors such as Earth observations and research, aeronautics reach and development, and an exploration program. It authorizes $20.21 billion in NASA funding for FY 2009.

Madam Speaker, in addition to this funding, H.R. 6063 begins to address what many of us believe is a serious problem that we will face in the coming years. Between 2010, when the space shuttle will be phased out, and 2015, when the next-generation human spaceflight vehicle is likely to become operational, the United States will have no method of transportation to the International Space Station, which we have already invested a great deal of American resources in. This legislation allows for an additional space shuttle flight to the International Space Station, to deliver important hardware (the Alpha Magnetic Spectrometer). The bill also authorizes $1 billion in augmented funding to accelerate the development of the Orion Crew Exploration Vehicle, the successor to the space shuttle, in hopes of narrowing the gap.

Always on the forefront of technological innovation, NASA has been home to countless "firsts" in the field of space exploration. America has, countless times, proven itself to be a leader in innovation, and many technologies that have become part of our everyday lives were developed by NASA scientists. The benefits of NASA's programming and innovation

are felt far beyond scientific and academic spheres. Space technologies provide practical, tangible benefits to society, and NASA provides valuable opportunities to businesses in our community.

I strongly urge my colleagues to join me in support of this legislation, and in support of the future of American innovation and exploration.

The material previously referred to by Mr. LINCOLN DIAZ-BALART of Florida is as follows:

AMENDMENT TO H. RES. 1257

OFFERED BY MR. DIAZ-BALART OF FLORIDA

At the end of the resolution, add the following:

SEC. 3. Notwithstanding any other provision of this resolution or the operation of the previous question, it shall be in order to consider any amendment to the bill which the proponent asserts, if enacted, would have the effect of lowering the national average price per gallon of regular unleaded gasoline. Such amendments shall be considered as read, shall be debatable for thirty minutes equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived except those arising under clause 9 of rule XXI. For purposes of compliance with clause 9(a)(3) of rule XXI, a statement submitted for printing in the Congressional Record by the proponent of such amendment prior to its consideration shall have the same effect as a statement actually printed.

(The information contained herein was provided by Democratic Minority on multiple occasions throughout the 109th Congress.)

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Democratic majority agenda and a vote to allow the opposition, at least for the moment, to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives, (VI, 308–311) describes the vote on the previous question on the rule as ''a motion to direct or control the consideration of the subject before the House being made by the Member in charge.'' To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that ''the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition'' in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R–Illinois) said: ''The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition.''

Because the vote today may look bad for the Democratic majority they will say ''the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever.'' But that is not what they have always said. Listen to the definition of the previous question used in the Floor Procedures Manual published by the Rules Committee in the 109th Congress, (page 56). Here's how the Rules Committee described the rule using information from Congressional Quarterly's ''American Congressional Dictionary'': ''If the previous question is defeated, control of debate shifts to the leading opposition member (usually the minority Floor Manager) who then manages an hour of debate and may offer a germane amendment to the pending business.''

Deschler's Procedure in the U.S. House of Representatives, the subchapter titled ''Amending Special Rules'' states: ''a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate.'' (Chapter 21, section 21.2) Section 21.3 continues: Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon.''

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Democratic majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. HASTINGS of Florida. I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. LINCOLN DIAZ-BALART of Florida. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

□ 1900

AUTHORITY TO ACCEPT DIESEL EMISSION REDUCTION SUPPLEMENTAL ENVIRONMENTAL PROJECTS

Mr. BOUCHER. Madam Speaker, I move to suspend the rules and pass the Senate bill (S. 2146) to authorize the Administrator of the Environmental Protection Agency to accept, as part of a settlement, diesel emission reduction Supplemental Environmental Projects, and for other purposes, as amended.

The Clerk read the title of the Senate bill.

The text of the Senate bill is as follows:

S. 2146

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

SECTION 1. EPA AUTHORITY TO ACCEPT DIESEL EMISSIONS REDUCTION SUPPLEMENTAL ENVIRONMENTAL PROJECTS.

The Administrator of the Environmental Protection Agency (hereinafter, the ''Agency'') may accept (notwithstanding sections 3302 and 1301 of title 31, United States Code) diesel emissions reduction Supplemental Environmental Projects if the projects, as part of a settlement of any alleged violations of environmental law—

(1) protect human health or the environment;

(2) are related to the underlying alleged violations;

(3) do not constitute activities that the defendant would otherwise be legally required to perform; and

(4) do not provide funds for the staff of the Agency or for contractors to carry out the Agency's internal operations.

SEC. 2. SETTLEMENT AGREEMENT PROVISIONS.

In any settlement agreement regarding alleged violations of environmental law in which a defendant agrees to perform a diesel emissions reduction Supplemental Environmental Project, the Administrator of the Environmental Protection Agency shall require the defendant to include in the settlement documents a certification under penalty of law that the defendant would have agreed to perform a comparably valued, alternative project other than a diesel emissions reduction Supplemental Environmental Project if the Administrator were precluded by law from accepting a diesel emission reduction Supplemental Environmental Project. A failure by the Administrator to include this language in such a settlement agreement shall not create a cause of action against the United States under the Clean Air Act or any other law or create a basis for overturning a settlement agreement entered into by the United States.

SEC. 3. INCLUSION OF THE DISTRICT OF COLUMBIA IN CERTAIN STATE AND LOCAL GRANT PROGRAMS FOR DIESEL EMISSION REDUCTIONS.

(a) IN GENERAL.—Section 791 of the Energy Policy Act of 2005 (42 U.S.C. 16131) is amended by adding at the end thereof the following:

''(9) DEFINITION OF STATE.—The term 'State' includes the District of Columbia.''.

(b) CONFORMING AMENDMENTS.—(1) Section 793(d)(2) of such Act (42 U.S.C. 16133(d)(2)) is amended by striking ''Governor'' and inserting ''chief executive''.

(2) Subparagraphs (A) and (B) of section 793(c)(2) of such Act are each amended by striking ''50'' and inserting ''51'' and by striking ''2 percent'' and inserting ''1.96 percent'' in each place such terms appear.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Virginia (Mr. BOUCHER) and the gentleman from Nebraska (Mr. TERRY) each will control 20 minutes.

The Chair recognizes the gentleman from Virginia.

GENERAL LEAVE

Mr. BOUCHER. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the bill now under consideration.

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

There was no objection.

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

I rise to urge the passage of S. 2146, a measure which was previously approved by the Senate. The House counterpart legislation was sponsored by our California colleague, Mr. COSTA,

and has been approved by the House Committee on Energy and Commerce.

The bill allows the Environmental Protection Agency to continue using supplemental environmental projects funds to retrofit existing diesel powered engines with emission reduction controls. Diesel emissions from on and off-road vehicles and engines account for more than one-half of the nitrogen oxide and particulate matter emissions from all mobile sources. The Environmental Protection Agency has issued regulations to limit emissions from new diesel engines and vehicles, but those rules only apply to the new vehicles, not to the heavy duty diesel fleet that is on America's roads today. And given the long life of many diesel vehicles and engines, it's estimated that the existing fleet of vehicles will not be entirely cycled out of existence until about the year 2030.

In order to achieve emission reductions from that very large existing diesel fleet, a number of actions have been taken in order to retrofit those vehicles with emission reduction technologies. For example, the Environmental Protection Agency has administered the Clean School Bus Program for a number of years, providing grants to school districts across the Nation for the purpose of retrofitting diesel powered school buses.

As another example, Congress has provided funding for diesel retrofits under the Congestion Mitigation and Air Quality Program. And in addition, the Diesel Emissions Reduction Act was included as part of the Energy Policy Act of 2005. That Act authorizes the expenditure of $200 million annually over a 5-year period for grant and for loan programs funding diesel project retrofits.

Most recently, $49.2 million was appropriated by the Congress for that program as a part of the fiscal year 2008 appropriations bill.

In addition to these programs administered by EPA, private entities have also often funded clean diesel programs as part of settlement agreements that have been reached with the Environmental Protection Agency in cases in which the agency had alleged that the private entity had committed violations of the environmental laws. These supplemental environmental projects used for diesel emission reductions have totaled $45.5 million from fiscal year 2001 through fiscal year 2006, and they've been a very valuable source of obtaining emission reductions from the existing diesel fleet.

But as matters now stand, this very valuable tool to obtain diesel emission reductions from the older vehicles can no longer be used. The Environmental Protection Agency has concluded that because Congress appropriated funds for the Diesel Emissions Reduction Act, which is targeted toward older vehicle retrofits, supplemental environmental projects for diesel retrofits may no longer be used.

That decision interprets the Miscellaneous Receipts Act, which prohibits agencies from augmenting from other sources their budgets as approved by the Congress. Because of that Act, the EPA has determined that it can no longer use private funding from case settlements to accomplish diesel retrofits since Congress has directly appropriated some funds for that purpose.

In view of the fact that there are 10 million heavy duty diesel vehicles and other engines in use today, the continued use of supplemental environmental projects in case settlements is both cost effective and environmentally beneficial.

Mr. COSTA's bill would assure their continued use. The measure enjoys bipartisan support and has been endorsed by more than 45 interested organizations, including a broad range of health, environmental and industry groups.

The measure would simply grant to EPA specific authority to accept diesel emission reduction supplemental environmental projects as part of settling alleged violations of environmental laws, provided that the projects protect human health or the environment, are related to the underlying violation, do not constitute activities the defendant would otherwise legally be required to perform, and do not provide funds for the staff of the agency or contractors in order to carry out internal EPA operations.

I commend Mr. COSTA for his fine work in bringing this measure to the House, and I urge passage of the Senate bill which incorporates his legislation.

Madam Speaker, I reserve the balance of my time.

Mr. TERRY. I yield myself as much time as I may consume.

Madam Speaker, I rise in support of Senate bill 2146, a very commonsense based solution to dealing with older diesel technology.

Retrofitting simply is a cost-effective way to address the issues. It produces immediate emissions reductions and eliminates these really unnecessary infrastructure requirements.

So with that, I'm going to urge all of my colleagues to support us in this measure.

Before I reserve my time, I yield to the gentleman to answer if he has any other speakers.

Mr. BOUCHER. I thank the gentleman for yielding. Mr. COSTA will be speaking. He is the only other speaker which we have. After he finishes, I will be yielding back our time as well.

Mr. TERRY. Since they have the right to close, anyway, I'm going to yield back our time and let them wrap it up.

Mr. BOUCHER. Madam Speaker, I yield 5 minutes to the gentleman from California (Mr. COSTA). He is the author of the legislation we are considering.

Mr. COSTA. Congressman BOUCHER and Congressman TERRY, I want to thank you and your staffs for the hard work that you've done with your colleagues. The Energy and Commerce Committee has made a significant difference in bringing this legislation to the floor.

This measure, along with its companion measure, Senate bill 2146, is, I think, very important to ensuring that we provide improved opportunities for air quality, as well as throughout the country.

I also want to thank my cosponsors in the House bill, which includes the original cosponsors, Congressmen CARDOZA, MCNERNEY, Congressman NUNES, as well as Representative BUTTERFIELD, Representatives HILL, KIND, MATHESON, MATSUI, BONO MACK, SHIMKUS and again Congressman TERRY.

This measure, combined with Senate 2146, will allow the Environmental Protection Agency to continue the prior practice of accepting diesel emission reduction projects as part of an environmental settlement agreement. These settlement agreements are important when you're trying to reach an accord with the private sector and still, at the same time, clean up the air.

For many years the Environmental Protection Agency has funded diesel retrofit projects through the Supplemental Environment Projects, otherwise known as SEPS with the corporations as part of overall settlement agreements. From fiscal year 2001 to fiscal year 2006, the Environmental Protection Agency entered into diesel emission reductions with these settlement environment projects valued at over $45 million. This bill will help maintain this separate private funding source as a part of a private/public partnership for these projects and, at the same time, improve air quality in basins throughout the country that have regional air issues that they are in noncompliance with.

This is particularly of importance in my own district that I share with my colleagues, Congressmen NUNES and MCCARTHY and Congressmen RADANOVICH and CARDOZA, as well as MCNERNEY. The San Joaquin Valley area is a non attainment area, and consequently, we have difficult challenges trying to become an attainment area, especially when we consider that we are one of the fastest growing regions in California.

The air basin is 250 miles long, but it's shaped in a valley where you have mountain ranges on each side. Therefore, we not only have our own stationary and mobile sources of emission that we create, but because we're in the center of the transportation hub between Northern and Southern California, actually, all the way along the west coast, we have interstate transportation on 99 and Highway 5, which is no contribution of ours, but it's part of interstate transportation that contributes to the emissions that we have to deal with. So, therefore, this is an important measure.

We have among the highest rates of childhood asthma in the State. We

have other issues that we are continuing to deal with.

Today, 90 percent of the commercial trucks are powered by diesel engines. Two-thirds of all farm and construction equipment run on diesel engines. Therefore, this measure can make a difference.

California does lead the Nation in clean diesel technology, and some of the cleanest types of diesel fuel anywhere in the world. But even retrofit projects have their role and play a significant contribution to improving air quality, not only in our district but throughout the country.

Finally, in addition, retrofitting clean diesel technologies for diesel vehicles and equipment, I think, is one of the most cost effective strategies for achieving tangible and immediate air quality benefits. The Environmental Protection Agency estimates that these retrofit projects have a 13:1 benefit-to-cost ratio, meaning that the $45 million invested between 2001 and 2006 translates to over $600 million of health benefits that also benefit young people, children who have asthma cases, those who have cardiovascular issues and the like.

I want to again thank my colleagues, Congressman TERRY, Congressman BOUCHER and your staffs and all those who are cosponsors of this important measure. This is cost effective. It's meaningful. It will improve air quality throughout the country.

At this time I want to urge all of my colleagues to support the passage of this measure.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. BOUCHER) that the House suspend the rules and pass the Senate bill, S. 2146, as amended.

The question was taken.

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

Mr. BOUCHER. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

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CAROLINE PRYCE WALKER CONQUER CHILDHOOD CANCER ACT OF 2008

Mr. PALLONE. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 1553) to amend the Public Health Service Act to advance medical research and treatments into pediatric cancers, ensure patients and families have access to the current treatments and information regarding pediatric cancers, establish a population-based national childhood cancer database, and promote public awareness of pediatric cancers, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1553

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 ''Caroline Pryce Walker Conquer Childhood Cancer Act of 2008''.

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) Cancer kills more children than any other disease.

(2) Each year cancer kills more children between 1 and 20 years of age than asthma, diabetes, cystic fibrosis, and AIDS, combined.

(3) Every year, over 12,500 young people are diagnosed with cancer.

(4) Each year about 2,300 children and teenagers die from cancer.

(5) One in every 330 Americans develops cancer before age 20.

(6) Some forms of childhood cancer have proven to be so resistant that even in spite of the great research strides made, most of those children die. Up to 75 percent of the children with cancer can now be cured.

(7) The causes of most childhood cancers are not yet known.

(8) Childhood cancers are mostly those of the white blood cells (leukemias), brain, bone, the lymphatic system, and tumors of the muscles, kidneys, and nervous system. Each of these behaves differently, but all are characterized by an uncontrolled proliferation of abnormal cells.

(9) Eighty percent of the children who are diagnosed with cancer have disease which has already spread to distant sites in the body.

(10) Ninety percent of children with a form of pediatric cancer are treated at one of the more than 200 Children's Oncology Group member institutions throughout the United States.

SEC. 3. PURPOSES.

It is the purpose of this Act to authorize appropriations to—

(1) encourage the support for pediatric cancer research and other activities related to pediatric cancer;

(2) establish a comprehensive national childhood cancer registry; and

(3) provide informational services to patients and families affected by childhood cancer.

SEC. 4. PEDIATRIC CANCER RESEARCH AND AWARENESS; NATIONAL CHILDHOOD CANCER REGISTRY.

(a) PEDIATRIC CANCER RESEARCH AND AWARENESS.—Subpart 1 of part C of title IV of the Public Health Service Act (42 U.S.C. 285 et seq.) is amended by adding at the end the following:

''SEC. 417E. PEDIATRIC CANCER RESEARCH AND AWARENESS.

''(a) PEDIATRIC CANCER RESEARCH.—

''(1) PROGRAMS OF RESEARCH EXCELLENCE IN PEDIATRIC CANCER.—The Secretary, in collaboration with the Director of NIH and other Federal agencies with interest in prevention and treatment of pediatric cancer, shall continue to enhance, expand, and intensify pediatric cancer research and other activities related to pediatric cancer, including therapeutically applicable research to generate effective treatments, pediatric preclinical testing, and pediatric clinical trials through National Cancer Institute-supported pediatric cancer clinical trial groups and their member institutions. In enhancing, expanding, and intensifying such research and other activities, the Secretary is encouraged to take into consideration the application of such research and other activities for minority, health disparity, and medically underserved communities. For purposes of this section, the term 'pediatric cancer research' means research on the causes, prevention, diagnosis, recognition, treatment, and long-term effects of pediatric cancer.

''(2) PEER REVIEW REQUIREMENTS.—All grants awarded under this subsection shall be awarded in accordance with section 492.

''(b) PUBLIC AWARENESS OF PEDIATRIC CANCERS AND AVAILABLE TREATMENTS AND RESEARCH.—

''(1) IN GENERAL.—The Secretary may award grants to childhood cancer professional and direct service organizations for the expansion and widespread implementation of—

''(A) activities that provide available information on treatment protocols to ensure early access to the best available therapies and clinical trials for pediatric cancers;

''(B) activities that provide available information on the late effects of pediatric cancer treatment to ensure access to necessary long-term medical and psychological care; and

''(C) direct resource services such as educational outreach for parents, peer-to-peer and parent-to-parent support networks, information on school re-entry and postsecondary education, and resource directories or referral services for financial assistance, psychological counseling, and other support services.

In awarding grants under this paragraph, the Secretary is encouraged to take into consideration the extent to which an entity would use such grant for purposes of making activities and services described in this paragraph available to minority, health disparity, and medically underserved communities.

''(2) PERFORMANCE MEASUREMENT, TRANSPARENCY, AND ACCOUNTABILITY.—For each grant awarded under this subsection, the Secretary shall develop and implement metrics-based performance measures to assess the effectiveness of activities funded under such grant.

''(3) INFORMATIONAL REQUIREMENTS.—Any information made available pursuant to a grant awarded under paragraph (1) shall be—

''(A) culturally and linguistically appropriate as needed by patients and families affected by childhood cancer; and

''(B) approved by the Secretary.

''(c) RULE OF CONSTRUCTION.—Nothing in this section shall be construed as being inconsistent with the goals and purposes of the Minority Health and Health Disparities Research and Education Act of 2000 (42 U.S.C. 202 note).

''(d) AUTHORIZATION OF APPROPRIATIONS.—For purposes of carrying out this section and section 399E–1, there are authorized to be appropriated $30,000,000 for each of fiscal years 2009 through 2013. Such authorization of appropriations is in addition to the authorization of appropriations established in section 402A with respect to such purpose. Funds appropriated under this subsection shall remain available until expended.''.

(b) NATIONAL CHILDHOOD CANCER REGISTRY.—Part M of title III of the Public Health Service Act (42 U.S.C. 280e et seq.) is amended—

(1) by inserting after section 399E the following:

''SEC. 399E–1. NATIONAL CHILDHOOD CANCER REGISTRY.

''(a) IN GENERAL.—The Secretary, acting through the Director of the Centers for Disease Control and Prevention, shall award a grant to enhance and expand infrastructure to track the epidemiology of pediatric cancer into a comprehensive nationwide registry of actual occurrences of pediatric cancer. Such registry shall be updated to include an actual occurrence within weeks of the date of such occurrence.

''(b) INFORMED CONSENT AND PRIVACY REQUIREMENTS AND COORDINATION WITH EXISTING PROGRAMS.—The registry established pursuant to subsection (a) shall be subject to section 552a of title 5, United States Code, the regulations promulgated under section 264(c) of the Health Insurance Portability and Accountability Act of 1996, applicable Federal and State informed consent regulations, any other applicable Federal and State laws relating to the privacy of patient information, and section 399B(d)(4) of this Act.''; and

(2) in section 399F(a), by inserting ''(other than section 399E–1)'' after ''this part''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. PALLONE) and the gentleman from Nebraska (Mr. TERRY) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey.

GENERAL LEAVE

Mr. PALLONE. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

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

There was no objection.

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

Madam Speaker, we're here today to consider H.R. 1553, the Caroline Pryce Walker Cancer Act of 2008.

Between infancy and 15 years of age, cancer is the leading cause of death by disease among children in the United States. In 2007, approximately 10,000 new cases of pediatric cancer were diagnosed in children ages 0 to 14 years.

Although the incidents of invasive cancer has increased slightly over the past 30 years, mortality has declined dramatically for many childhood cancers. Despite these advances, treatments for some childhood cancers are inadequate. Negative effects resulting from current pediatric cancer therapies indicate a need to strengthen Federal support for activities leading to an enhanced understanding of childhood cancers and treatments that are less toxic and more effective.

H.R. 1553 would strengthen the Federal investment in pediatric cancer research and reassert Congress's commitment to conquering childhood cancer. This legislation directs the Secretary of Health and Human Services to continue to enhance, expand, and intensify pediatric cancer research and other activities related to pediatric cancer. Furthermore, this legislation directs HHS and the Centers for Disease Control and Prevention to enhance and expand infrastructure to track the epidemiology of pediatric cancer into a comprehensive nationwide registry of actual occurrences of pediatric cancer.

I want to thank my colleagues on the Energy and Commerce Committee for working together in a bipartisan fashion to get this important legislation to the floor today. I would also like to commend, in particular, Representative CHRIS VAN HOLLEN and also Representative DEBORAH PRYCE, whose diligent work and commitment to this issue are the reason we're here today.

This legislation, Madam Speaker, is named in memory of Representative PRYCE's 9-year-old daughter Caroline who tragically lost her valiant battle against a rare form of cancer, neuroblastoma, on September 4, 1999. I can't think of a more fitting tribute to Caroline Pryce Walker than to see her mother's legislation overwhelmingly pass the House floor today.

I encourage all of my colleagues in the support of this bill.

I reserve the balance of my time.

Mr. TERRY. Madam Speaker, I yield myself as much time as I may consume.

Madam Speaker, I rise with Ranking Member JOE BARTON and all of our Energy and Commerce colleagues in enthusiastic support of H.R. 1553 which is called appropriately the Caroline Pryce Walker Conquer Childhood Cancer Act of 2008.

I would like to thank my friend from Ohio (Ms. PRYCE) for introducing this important piece of legislation. I want to thank Chairman DINGELL and Subcommittee Chairman Mr. PALLONE for working in such a bipartisan manner as we moved this bill through our Energy and Commerce Committees

Because of the bipartisan efforts of all of those involved in this legislation, I'm proud to say that the legislation before us today will now work in conjunction with the NIH Reform Act of 2006, and I believe that this bill should serve as a model for others that seek to improve a particular field of research at the NIH.

As my colleagues are no doubt aware, I firmly believe that it is our responsibility as Members of Congress to ensure that the NIH has the latitude and flexibility to continue its research in all areas of health care.

Our focus in Congress should be on ensuring that the NIH, along with other relevant Federal agencies, receive the necessary funding to carry out their missions; and I believe that Congress must also strive to avoid micromanaging the NIH unless we want to inadvertently hamper the very scientific discoveries that we all want to see come to fruition.

DEBORAH PRYCE is a committed mother and a dedicated, tireless advocate for ending the dreadful curse of childhood cancer in our great Nation and throughout the world. Through this legislation, she is honoring not only the memory of her daughter but also the memories of all the children and families who have suffered from cancer. As a parent, I can't imagine anything more tragic and devastating to see your child go through that.

So we've worked so hard to help improve the research capacity of the National Institutes of Health. Always keep in mind that it is my sincere desire that these efforts would lead to fewer parents knowing this awful feeling of loss.

We will all greatly miss Representative PRYCE after her retirement from the House at the end of this Congress. Without question, she is leaving both a legacy for her work on behalf of the people of Ohio as well as further leadership of the Republicans in the House of Representatives.

Again, I thank my colleagues for their efforts, Mr. PALLONE, Mr. DINGELL, Mr. BARTON, and encourage all of my colleagues on this side of the aisle to support this legislation.

With that, Madam Speaker, I reserve the balance of our time.

Mr. PALLONE. Madam Speaker, I would yield 4 minutes to the lead Democratic sponsor of the bill, the gentleman from Maryland (Mr. VAN HOLLEN).

Mr. VAN HOLLEN. I thank my colleague.

Madam Speaker, I rise in strong support of this bill, the Caroline Pryce Walker Conquer Childhood Cancer Act of 2008, and I want to first and foremost thank my colleague, DEBORAH PRYCE, for her leadership and commitment on this very important issue that affects so many children and families around our Nation. We're all very grateful to her for working to prevent other people and other families from facing the same tragic loss that she and her family experienced with the loss of a child, and I'm honored to have worked with her on this bipartisan piece of legislation.

I also want to thank Chairman DINGELL, Chairman PALLONE, Ranking Members BARTON and DEAL and their staffs for working to bring this legislation to the floor today and for their commitment on this very important issue.

I think that the title of this bill is a fitting tribute not only to DEBORAH PRYCE's daughter, Caroline Pryce Walker, but also to the other millions of children who have courageously fought pediatric cancer and those who are bravely fighting pediatric cancer today as we speak on this floor.

I have had the opportunity to meet with many of those children and their families who are struggling with childhood cancer. One of them, Matthew Grossman, was diagnosed at the age of 13 with a very rare brain tumor. Before his diagnosis, he was a soccer player, a swimmer, a talented young musician from Bethesda, Maryland. Matthew underwent 7 months of chemotherapy, brain surgery, 6 weeks of daily radiation to the brain and spine, and two bone marrow transplants.

This brave young man has been in full remission since January 2006. He went back to school and rejoined his class, despite having been out of school for a year and a half. He recently celebrated his 17th birthday and continues to play guitar, perform in a band, and sing in his school's choir.

Matthew is one story out of thousands. Unfortunately, there are many children who are not as fortunate as Matthew. Cancer remains the number one killer of children under the age of 15 who die from disease in this country. Pediatric cancer, including brain tumors, comes in many variations. Each year there are about 12,000 new cases of pediatric cancer. And while the incidents of pediatric cancer has increased, the causes are largely unknown.

Thanks to past funding in childhood cancer research, we know that 78 percent of childhood cancer patients overall are now able to survive the disease. Forty years ago, it was a much different story. Cure rates for children with cancer was lower than 10 percent. This shows that biomedical research and funding that we've been able to do has saved lives, and it's also why we're here today to say we need to finish the job and continue the commitment because currently, the NIH has not received the funds it needs.

We know that the President's proposed budget this year has once again, unfortunately, been flat funded for NIH. Since the doubling of the NIH budget in the year 2003, that funding has not kept pace with biomedical inflation, and that has impeded our ability to delay and do the research we need into the onset of many diseases. If we fail to invest in innovative research at NIH, we will forfeit the opportunities to make ground-breaking, life-saving work to save lives.

The NCI currently spends approximately $170 million a year on pediatric cancer research. Much of this now goes to laboratory and pre-clinical testing. We also need to do the important work to invest in clinical trials. An NCI peer review group of scientists in 2002 recognized this and recommended $54 million in funding for pediatric cancer clinical trials. That level was never funded.

The SPEAKER pro tempore. The gentleman's time has expired.

Mr. PALLONE. Madam Speaker, if I could yield the gentleman an additional minute.

Mr. VAN HOLLEN. Madam Speaker, I thank the chairman.

That level was never fully funded, and since then, this funding has been cut.

Because Federal funding for pediatric research continues to drop, many critical trials have been put at risk. As many as 20 studies has been put on hold and enrollment in new clinical trials has decreased by more than 400 children. This is taking us in the wrong direction.

This act will enhance and expand pediatric cancer research activities at the NIH, establish a pediatric cancer registry, and increase educational informational and support services to patients and families affected by childhood cancer.

Madam Speaker, we can do better in our fight against pediatric cancer. Let's help give our children and their families the future they so deserve by passing this bill. I urge my colleagues, and once again, thank our colleague, DEBORAH PRYCE, for leading by example in this very important area.

Mr. TERRY. Madam Speaker, at this time I yield as much time as she may consume to the author and the grand gentlelady from Ohio (Ms. PRYCE).

Ms. PRYCE of Ohio. I thank the gentleman for yielding very much.

Madam Speaker, I believe today we stand on the cusp of something very significant, and that is the chance to spare families forevermore from having to hear the words ''your child has cancer.'' Today, after many hard years of work by staff here on Capitol Hill, by people in the administration, by grassroots groups across the country, by concerned citizens everywhere, we will consider a bill that will make a historic difference in the lives of more than 12,000 children a year who are diagnosed with cancer.

I would like to thank my colleagues, especially Chairman DINGELL and Chairman PALLONE, Ranking Members BARTON and DEAL, my cosponsor CHRIS VAN HOLLEN who just spoke, a great supporter on my side of the aisle, MIKE MCCAUL, and for a new friend that I have found here in Congress, JOE SESTAK, who also knows the issue far too well and who also has heard the words ''your child has cancer.''

Madam Speaker, some of us that I have just named are rivals of the highest degree and the strongest of adversaries when it comes to politics and even some issues. But as for the issue of cancer, we have a unique way of transcending the political and tapping into what is uniquely human among us.

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I would also like to thank my friend DARLENE HOOLEY and my very dear friend LOIS CAPPS, also on the committee, and also Mrs. CAPPS has been one of those sad Members of the club who has heard the words, ''Your daughter has cancer.'' I want to thank them for their thoughtfulness, that they suggested that this bill be renamed in honor of my daughter, Caroline, who as it was mentioned lost her courageous battle with cancer 9 years ago.

In the years that I've been working on this legislation, my friends have been with me every step of the way, as has Caroline, making sure that her little promise to help those other kids that she played with in their fights and so all the kids who come after her won't have to go through what she did. Madam Speaker, Caroline would have graduated from high school last Friday. This is our graduation gift to her.

So, yes, this bill is very personal to me, and it should be very personal to everyone because there is not a single American who hasn't been touched by this dreadful disease called cancer. Unfortunately, there are far, far too many, and we must know that a Nation with our resources or a Nation with our scientists, our committed doctors and oncologists and our fighting spirit, we can and we will do more to defeat this disease that attacks our children and put an end to their suffering.

You know, cancer is no longer the mystery that it once was. The scientific and medical communities continue to crash through barriers every day to unlock cancer's deadly secrets. We will continue to cut this opponent down to size, but we continue to lose one in every five children diagnosed. Each and every school day, 46 children, more than two classrooms, will be diagnosed with cancer; 2,300 of them will die from it. We can and we will do better.

The bill before us today provides the lifeblood necessary to continue our advancements in pediatric cancer research, $30 million annually over 5 years. It is a very small price to pay for the life years that will be saved.

This bill creates a national database on childhood cancers to help researchers detect trends in these diseases, variables like genetics, geography and environmental influences that may be sources that are possibly causing these diseases which we can't figure out.

The bill provides for education and information services to patients and families to ensure that they are aware of and have access to appropriate clinical treatment, as well as the array of needed support services. Madam Speaker, nothing equates to the fear and uncertainty felt when a parent hears a cancer diagnosis for their child. This will give them somewhere to turn.

What this bill will help us learn about pediatric cancer will likely yield breakthroughs in our understanding of other diseases and treatments. And pediatric cancer research is leading the way in clinical advancements.

You see, last year, roughly 1.4 million people were diagnosed with cancer; yet, a measly 3 percent of those patients were enrolled in clinical trials. Now, by contrast, clinical trials are now part of the standard of care for pediatric cancer, and the vast majority of children diagnosed are enrolled in these trials.

And we're learning so much because of these enrollments. We're learning more about the trials than we thought possible. We're learning how to successfully handle survivorship issues. We're helping these kids live longer, and more importantly, we're inching closer to a cure.

For the past few weeks, hundreds of thousands of people filled the streets of our Nation's cities in the National Race for the Cure. It is an emotional, humbling and awe-inspiring experience to bear witness to this sea of pink humanity, women, men, and children from all walks of life, united by the common goal of defeating breast cancer.

Today, with this bill, we have a chance to capture that same spirit and resolve, to reclaim the many hundreds of life years lost, to save countless families the grief and despair of this sickness and death of a little one, and to one day look back upon this moment as a true catalyst that led to the end of childhood cancer.

I urge all my colleagues to support this legislation, and I urge them to urge our Senate colleagues to support this legislation, as we look forward to seeing the end of this plague upon our children.

Mr. PALLONE. Madam Speaker, I would yield 3 minutes to the gentlewoman from California (Mrs. CAPPS).

Mrs. CAPPS. I thank my colleague.

Madam Speaker, I rise in very strong support of H.R. 1553, the Conquer Childhood Cancer Act. It is very fitting that we have named this legislation in memory of Caroline Pryce Walker, daughter of this bill's champion, my dear colleague, DEBORAH PRYCE.

This bill is going to take necessary and important steps to address specific needs of pediatric cancer in at least three significant ways. It will ensure that we have enough qualified pediatric oncologists and nurses. It will improve clinical trials for the treatment of cancer in children. Finally, it would also conduct more public awareness about treatment options and support for children with cancer and their families.

As one of the co-chairs of the Cancer Caucus, along with my colleague from Ohio, I am so proud to see this bill, which was one of our priorities, and a personal priority as we all know, moving forward.

I want to share a bit about how the momentum behind this bill has already spurred people across the country into action.

Just this past Saturday, I attended an event in my town of Santa Barbara called ''Kids for a Cure.'' Amazingly, it was organized by Madison Lewandowski, an 8-year-old constituent of mine, who, despite being so young, knows that she can make a difference in the lives of others. I told my young friends who were gathered last Saturday that I was going to share this story as a testimony to this legislation and to what is happening across this country.

Madison organized a wonderful charity event, with proceeds going to the Cancer Center of Santa Barbara's pediatric research fund. We all enjoyed a day of story telling, face painting, a silent auction, and this amazing rummage sale in which children and their families brought used toys to share with other children and their families and raise money in the process, and that money all going to raise awareness for pediatric cancer. I can think of nothing more powerful than the sight of children advocating on behalf of other children.

I know our colleague from Ohio in these past 9 years has spearheaded a number of community events around the country actually and in this city to raise awareness for childhood cancer and to raise the necessary funds to be added to the funds, which our legislation will hopefully make possible for pediatric cancer.

So whether it's through community organizing or comprehensive legislation, we are all working together in this country to fight pediatric cancer.

I am honored and proud to be a part of this effort, particularly on this day, to honor my colleague and friend as well because of the dedication she has provided for this House in leading us to this point.

I thank the leadership of our committee that has brought us to this point as well and the work that we will do with our colleagues to make sure this legislation is passed and signed into law.

Mr. TERRY. Madam Speaker, at this time, I yield 5 minutes to the gentleman from Texas.

Mr. MCCAUL of Texas. I thank the gentleman.

Madam Speaker, every now and then, as Members of Congress, we have one of those moments, a moment when we feel like we can truly make a difference. This, in my view, is one of those moments, and I want to thank Congresswoman DEBORAH PRYCE for her leadership, her perseverance in this issue.

It's been a long, hard fight, but we got here. It's going to pass, and this is a great day. It's a great day for those who have suffered. It's a great day for those who have been in pain. It's a great day for the victims.

This bill provides a beacon of light. It provides a voice for the innocents who don't have a voice, for children whose eyes we have looked into who are dying from this dreaded disease, for victims of this disease like my constituents Tim and Donna Culliver who lost their son Adam at the age of 4, to Caroline who lost her life at the age of 9.

I think of my own daughter, Caroline, my five children, the countless other children out there who could be a victim of this dreaded disease. This bill will lead the path towards a cure for cancer.

And this is not a Republican or Democratic issue. This is an American issue. It's an issue for the children, and it's a fitting tribute to you, Congresswoman PRYCE, and your daughter, Caroline, for all the hard work and the efforts you've put into this.

I've been through the pediatric hospital, as many of us have, and there's nothing more painful than to look into the eyes of a child who is dying from this disease, who's afflicted with this disease, whose parents look at you as a Member of Congress and say: Isn't there something you can do? Can you stop this?

I watched my best friend in grade school die from cancer, and we have all been touched, as DEBORAH PRYCE said, by this disease in some way or another. But this is a real monumental moment, a moment where we truly can make a difference. They often say the measure of a man's life or woman's life is the, do I leave this world in a better place than it was before I came in. I can truly say that with the passage of this bill, that this Congress and this brave Congresswoman, through her leadership and her legacy, will leave this world a better place.

Mr. PALLONE. Madam Speaker, I yield 3 minutes to the gentleman from Pennsylvania (Mr. SESTAK).

Mr. SESTAK. Madam Speaker, 12,000 children will be diagnosed with cancer this year; 2,000 will not make it with their cancer to the end of this year. But there's no real face to those numbers until you've had it happen to you. As my new, wonderful friend from Ohio had it with her beautiful daughter, Caroline, or I did with my 4-year-old daughter Alex, nothing in my 31 years in the military, whether it was the ravages of being in war or whether it was the challenges of a cold peace, ever prepared for me for those words ''tumor,'' ''cancer,'' the words that need to be removed from our vocabulary by eradicating it from the lives of our children.

When you live in a cancer ward and oncology ward, you see such hope as a child, your child, holds your hand and puts all that hope in you as a parent, knowing that you're going to make it all right. And at the same time, as you so well know, you see such hopelessness at times in the oncology ward when there's nothing else to be done.

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I came down today to speak of you. You really do take that wonderful dictum of Hubert Humphrey to fruition, that ''the moral test of a government is how well it does take care of those in the dawn of life, the children, so that they might see the twilight of life as seniors.

The only sad thing about today is that you won't be here next year. In the Bible, Jonathan and David, as they departed, the two great warriors, for the very last time, Jonathan said to David, ''Tomorrow thou shalt be missed because thy seat shall be empty.'' Your seat won't be empty because you have left such a wonderful legacy behind for my daughter, so she will have a chance in the future, if it does come back. Because you all will, in this legacy, not only for her, but for so many, have given them the opportunity, those in the twilight of life, to know the dawn of life, to see the twilight of life as seniors. So thank you for her that, yes, we, as parents, can make it all right.

I urge all my colleagues to support this bill. And thank you very much.

Mr. PALLONE. Madam Speaker, I yield 1 minute to the gentlewoman from Ohio (Ms. KAPTUR).

Ms. KAPTUR. I thank the gentleman for yielding.

Madam Speaker, it is a great privilege this evening to rise in support of H.R. 1553, the Caroline Pryce Walker Conquer Childhood Cancer Act of 2008, and to thank my beloved colleague from Ohio, from our Buckeye State, DEBORAH PRYCE, a loving mother and a very, very able Congresswoman, for taking her grief and helping place it here, and in memory of her beautiful daughter, taking that struggle forward for the sake of the future of our country.

I suppose one could say, ''for every season there is a purpose,'' and Caroline's season forever will be spring; and that what you lived together you shared with the country. And the personal became political in the best sense so that we could make it better for those who will come after us. And after all, is that not what we are here to do?

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. PALLONE. Madam Speaker, I yield an additional minute to the gentlewoman.

Ms. KAPTUR. I also stand here this evening in memory of a young gentleman by the name of Zachary Hebda from the State of Maryland, who died at the age of seven of a childhood cancer. And at seven, that child had such measure, just like an adult. And he faced, as your daughter did, something that we, as adults, wonder if we could face. And we never forget them because they hold us up in our own work with their strength and their courage. We need answers. We need answers for our children. We need to stem this disease, and we need to prevent and we need to cure.

I want to thank Congresswoman PRYCE for her years of service and doing what is so wrenching, to continue after the loss of someone who is so much a part of yourself and helping us better ourselves as a country. I thank you for this exceptional piece of legislation.

I thank Chairman PALLONE. I thank Congresswoman CAPPS and those who have supported you in this effort. And I thank you for, most of all, sharing Caroline with us as a most beautiful, beautiful memory and tribute to her and to you.

Mr. PALLONE. Madam Speaker, I yield 2 minutes to the gentlewoman from Texas (Ms. JACKSON-LEE).

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Congresswoman PRYCE and I came to the floor as a mother, and certainly someone who has spent a good deal of time working in the Women's Caucus. And we would be together in a time when Democrats and Republicans would come together around issues of children and women. And I know of your forceful voice. And so I come today to thank you for this legislation and this tribute to Caroline because, coming from Houston, we have the Texas Children's Hospital. And I have visited the McDonald's House, which is a home that families are able to use to be able to see the children who are with their family who are suffering from cancer and obviously are in great need of pediatric research. And you see the smiling faces, and you see the uniqueness of their look, if you will—many of their heads are shaven—but you also see love. And this is what this bill represents to all of us; it is a testament of love, and the fact that children should have a future.

Caroline Pryce Walker, in the words Conquer Child Cancer Act of 2008, is embodied in the love that you have for your daughter.

I just want to recount one or two of the findings, because I think it is very important to note that cancer kills more children than any other disease. Many of us don't know that. You would think of many other elements that might kill. You don't know that cancer is the number one killer of children.

Each year, cancer kills more children between one and 20 years of age than asthma, diabetes, cystic fibrosis and AIDS. So I simply want to close by indicating that I was in a committee hearing and we just finished and I saw you speaking on the floor, and I was compelled to just come and say thank you. Thank you for your leadership. And you have entrusted in us the fact that we will carry on in your name and in your daughter's name.

I ask for support of this bill, and I thank Chairman PALLONE.

Mr. TERRY. Madam Speaker, I yield myself the rest of our time.

I've participated in some very intense debates on this House floor. And these are times that, on a bill like we have before us today, where truly we all come together. It's beyond bipartisanship, as people have heard from the rather dramatic and emotional testimony from all of the Members who have testified here today. Because there is nothing more emotional than a child who has been diagnosed with a cancer. There is just nothing more traumatic to a parent, to a family. And if there is anything that we can do as a congressional body to try and alleviate that type of pain a family could suffer in the future, we should undertake that. And we've done it here today.

I want to thank DEBORAH PRYCE for her strength, not only in her testimony here on the floor today, but for the years that she has continued to work this issue and push it forward to its House conclusion today.

I also want to just thank Mr. PALLONE and Mr. DINGELL, who participated in this bill and made sure that it moved through our committee in a timely way and onto the House floor, as well as Mr. VAN HOLLEN and so many other supporters of this bill. Many thanks go out to them.

So we should be proud, as Mr. MCCAUL and many speakers said, of our efforts here today. I encourage every single member of our conference on this side of the aisle to join me in supporting the Caroline Pryce Walker Conquer Childhood Disease Act.

With that, Madam Speaker, I yield back the balance of my time.

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

Madam Speaker, I would like to urge all my colleagues to support this bill overwhelmingly. And I want to make a commitment to Congresswoman PRYCE, as she had urged, that we get this over to the Senate and get it passed as quickly as possible so we can send it to the President.

I know that this is in memory of her daughter Caroline, and all the different things that have been said here today is certainly a tribute to you and all that you have done here in the House of Representatives.

I just want to say, I've watched you over the years. I know you were the chairwoman of the Republican Conference, and as you said, we were often battling. But in all of that, Congresswoman PRYCE was always a lady and really someone who was able to get along with people on both sides of the aisle and work towards good government goals.

So this bill really is a tribute to her in memory of her daughter. And I just want to thank her again for all that she has done.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. PALLONE) that the House suspend the rules and pass the bill, H.R. 1553, as amended.

The question was taken.

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

Mr. TERRY. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

PERSONAL EXPLANATION

Ms. KAPTUR. Madam Speaker, I would like to place on the RECORD the following: That this afternoon when the House voted on H.R. 6003, rollcall 400, I would have voted ''yes'' on the Passenger Rail Investment and Improvement Act as I have fully supported its intent and worked with the distinguished chairman, Mr. OBERSTAR, to include the Cleveland-Toledo-Chicago Corridor in that bill, and as a member of the Transportation Housing Subcommittee of Appropriations with responsibility for funding the effort. However, at the time of the vote, after voting ''no'' on the prior motion to recommit, when that vote was held open for 15 minutes I left the Chamber to locate 226 high school students from Timber Stone Junior High School in my district, who were nowhere to be found on either the east or west side of the Capitol. When I came back to the floor, the vote had been reduced to 5 minutes and I was not able to record my final vote as ''yes'' on the final vote. I wanted to place that on the RECORD.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 5749, EMERGENCY EXTENDED UNEMPLOYMENT COMPENSATION ACT OF 2008

Mr. ARCURI (during consideration of H.R. 1553), from the Committee on Rules, submitted a privileged report (Rept. No. 110–710) on the resolution (H. Res. 1265) providing for consideration of the bill (H.R. 5749) to provide for a

program of emergency unemployment compensation, which was referred to the House Calendar and ordered to be printed.

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SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. POE) is recognized for 5 minutes.

(Mr. POE addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

U.S. OPEN BEGINS PLAY TOMORROW

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. HUNTER) is recognized for 5 minutes.

Mr. HUNTER. Madam Speaker, I want to let all of my colleagues know that, as most of them already do, that tomorrow is the United States Open, the great U.S. Open, the great tradition in golf competition. And it is going to be held at Torrey Pines in San Diego.

I thought this might be an appropriate time to pay tribute to those great golfers who have come to the San Diego area, and especially to talk about the dean of golf in San Diego, that great champion who won two U.S. opens, Billy Casper. We have had a number of great champions out of San Diego.

Madam Speaker, there is a line that connects Billy Casper and Phil Mickelson, who is one of the top contenders. He is going to be playing tomorrow. He is a great U.S. Open competitor who has been runner-up four times. He said the other day, I think it was on the Golf Channel, that he loves the U.S. Open. So far the U.S. Open hasn't loved him. But he follows a succession of great golfers out of San Diego.

We had ''Gene the Machine,'' Gene Littler, who won the U.S. Open in 1961; the great Mickey Wright, possibly the greatest woman golfer of all time, who won, I believe, four LPGA championships; Craig Stadler, who while he didn't win the U.S. Open, won the Masters; the great Paul Runyan, ''Little Poison,'' who at one point, even though he was outdriven about 100 yards on every drive by Sam Snead at the PGA Championships back in the thirties beat the Great Snead 8 and 7 by being so good around the greens; and of course the great Scott Simpson who won the U.S. Open in 1987. And that leads me to the guy who won the U.S. Open two times, really the dean of golf in San Diego, California, the great Billy Casper.

Madam Speaker, people don't understand how great Billy Casper was and is. He won 51 professional tournaments. During the heyday of the big three, that was Palmer, Player and Nicklaus, that period between 1964 and 1970 when those three golfers were winning a combined 35 victories, Billy Casper by himself was winning 23 victories, more than Palmer or Player combined and three more than Jack Nicklaus. In fact, I think it was the great Jack Nicklaus who said at one point that it should have been the big four.

Billy Casper is a guy who had the greatest Ryder Cup record in the history of American golfers and the best come-from-behind win in a U.S. Open championship in our history. And let me tell you just a little bit about that. It was 1966 at Olympic Golf Course in San Francisco. Billy Casper walked up to the tee on the last nine, the back nine of the last 18 holes of the last day of the U.S. Open. He walked up to the tee seven shots behind the great Arnold Palmer in his prime. And after he had finished that nine holes, he had shot a 32, he had tied Palmer who was only three over par on the back nine, and with a seven-shot lead, you ought to be able to win the U.S. Olympic with the 37 on the last nine. But he tied him, caught him by seven strokes in the last nine holes. And the next day, the great Billy Casper won the playoff against Arnold Palmer with a 69. That is the great Billy Casper, one of the great Americans of all time, one of the great athletes and golfers of all time, and our dean of golf in San Diego.

I want to recognize my friend, Danny Burton who, while he is very modest, is a great athlete. He was the high school champion in Indiana, a guy we have all looked up to and a guy who also has some memories of his own about some of these U.S. Open champions.

I would like to yield to my friend from Indiana.

Mr. BURTON of Indiana. I thank the gentleman for taking the time to do this. I wish everybody that is interested in golf were paying attention tonight because you're mentioning some really great players from San Diego. There must be something in the water out there.

But Scott Simpson is a friend of mine. I have had the opportunity to play with Scott a few times. And he is probably one of the nicest people I have ever met in golf. He is a very good Christian man. He is an outstanding golfer. He doesn't know the meaning of ''quit.'' And he won the U.S. Open as well. And he is one of those guys from San Diego that you as a San Diegoan, I guess that is how you say it, ought to be very proud of.

Billy Casper and Phil Mickelson, Scott Simpson and Gene Littler, a great bunch of guys and a great bunch of golfers; Phil Mickelson, I have had the pleasure of playing with him as well. I will tell you, he is going to win the Open one of these days because he has the ability, and he is the caliber of man to get the job done. I know he has had a few flukes here in the past. He has won the Masters twice. And I predict Phil will win the U.S. Open before too long.

Mr. HUNTER. Let me ask my friend, Dan Burton, a lot of people have criticized Phil Mickelson because he is kind of a go-for-broke player. And they often say, as in some of the shots that he took in some of the closing holes in some of the majors, that Phil Mickelson didn't play the odds, that he didn't hit the safe shot. He went for the go-for-broke shot. And in some cases, it didn't work out. I kind of like that. Because that is really what we go to the golf course to see.

Mr. BURTON of Indiana. The people that criticize Mickelson probably can't even carry his shoes. He has won two Masters. He is the number two golfer in the world right now. He is tough in every tournament. So when people say something bad about Mickelson, they had better take a good look at themselves, especially if they are a golfer.

Mr. HUNTER. I thank the gentleman. And I will just say that it is a great day for Billy Casper, a great day for Phil Mickelson tomorrow, and a great day for the U.S. Open and all of our past champions.

Mr. BURTON of Indiana. Tomorrow is the beginning of the best and greatest golf tournament in the world.

Mr. HUNTER. I thank the gentleman.

STATE OF THE NATIONAL ECONOMY

The SPEAKER pro tempore (Mr. COURTNEY). Under a previous order of the House, the gentleman from Rhode Island (Mr. LANGEVIN) is recognized for 5 minutes.

Mr. LANGEVIN. Mr. Speaker, I rise today to discuss one of the most critical issues facing American families today—the state of the national economy. I want the American people to know that this Congress understands the struggles facing millions of people. And we have been taking steps to provide assistance to those in need. Just last week, we heard the troubling news that our unemployment rate jumped from 5 percent in April to 5.5 percent in May.

Now in Rhode Island, the problem is even worse with an unemployment rate of 6.1 percent. Now I strongly support an extension of unemployment insurance to those who exhausted their benefit. And I am disappointed that Republicans blocked its passage in the House earlier today. Unfortunately, our economic woes are not limited, though, to high unemployment. As health care costs and food prices rise, families find themselves forced to decide between buying groceries and medicine, a choice no person should ever have to make. And compounding problems of skyrocketing energy costs have made it tougher for people to fill

their gas tanks while affordable housing has become also increasingly rare.

We know what the American people are facing, and we are taking steps to help. Of the many challenges that we are dealing with right now, one important priority for me is to address the housing crisis. Now home ownership has become an unreachable dream for many Rhode Islanders who face the typical monthly housing payments upwards of $2,200. The situation for renters is not much better. The average two-bedroom apartment right now rents for nearly $1,200 a month. Meanwhile our State's foreclosure rate has risen 20 percent in the last few months. I have worked to help Rhode Islanders facing foreclosure, but we need to do more at the national level.

I have been proud to support Chairman FRANK's efforts to pass comprehensive housing legislation which would significantly increase availability of affordable housing nationwide and help those facing foreclosure to keep their homes. I am certainly hopeful that the Senate will act soon and we will bring swift relief to the American people.

Our constituents also face skyrocketing energy costs which are eating up an ever larger portion of disposable income. The average U.S. household spends approximately $1,000 more per year on gasoline than it did 5 years ago. Meanwhile oil and gas companies are reaping record profits while doing nothing to lower prices for consumers. I think this is an absolute outrage.

I have strongly advocated a comprehensive energy plan to lower costs, create jobs and improve our environment. As a short-term strategy, this Congress has, among other things, suspended shipments to the Strategic Petroleum Reserve to provide more oil to the market. We cracked down on price-fixing among energy companies and passed legislation to repeal massive tax breaks for oil and gas companies.

In the longer term, though, we must invest in conservation and domestic production of clean and renewable fuels. This will reduce our reliance on foreign energy sources while creating new jobs in the green energy sector. Unfortunately, the President's stubborn opposition to commonsense initiatives has blocked any real progress. I'm going to keep fighting to move our Nation forward, toward a more responsible energy policy, and I urge my colleagues to join me in this effort.

Finally, Mr. Speaker, I am concerned about the state of our Nation's health care system. Right now, approximately 47 million Americans lack health insurance while the rest watch their coverage costs continue their steep climb. That is why I've introduced the American Health Benefits Program Act, which will provide every American with access to the same quality, affordable coverage as Members of Congress. My bipartisan proposal offers a practical model to begin reigning in costs, improving quality and delivering the same level of health care that this country deserves.

American prosperity, Mr. Speaker, depends on individual economic security. Only when Americans no longer have to choose between groceries, gas and health care will our economy truly flourish. I am committed to improving the economic outlook for the millions who are struggling, and I will continue working with my colleagues in Congress on this vital and urgent goal.

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

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Kansas (Mr. MORAN) is recognized for 5 minutes.

(Mr. MORAN of Kansas addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

THE ENERGY CRISIS AND THE AMERICAN ECONOMY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. BURTON) is recognized for 5 minutes.

Mr. BURTON of Indiana. Mr. Speaker, we have been talking about the energy crisis in this country now for some time, and it has captured the imagination and the attention of probably every person in America, all 300 million people, because the price of gasoline is now over $4 a gallon.

It has affected every family as far as their ability to live the kind of life they want to because they have to spend so much money on energy. It has affected the price of our food because the people who transport our commodities across the country—the truckers—are now paying $4.50 to $5 a gallon for diesel fuel. In fact, they've demonstrated here at the United States Capitol with their trucks because it's so expensive for them to do their jobs.

We had a hearing today on how China is being involved in the United States and in Central and South America. They're buying up more and more of the oil because they have an economic expansion program, funded, in large part, by the money that we give to them in trade. India is now taking more and more energy and oil. So the demand around the world is growing at a very rapid rate.

My colleagues on the other side of the aisle are always talking about new energy—new sources of energy, new technologies. I'm for all of that. We all want to clean up the environment, but with the demand for oil growing at such a rapid rate all around the world and with these countries that have more and more ability to buy oil and to use oil because they need more because their populations are growing so rapidly, we need to do something about energy in this country.

We have the ability from coal shale, I understand, to take care of this country for a couple of hundred years, as far as oil is concerned, by converting that shale into a usable energy oil shale. We have the ability to get 1 million to 2 million barrels of oil a day out of the ANWR in Alaska. We're not doing that. We have the ability to get 1 million or 2 million barrels a day off the Outer Continental Shelf. We're not doing that. We have up to a 500-year supply of natural gas in this country. We're not drilling for that. It's all because of what people call environmental concerns.

I would just like to say to my colleagues on the other side of the aisle that we should be concerned about the environment, but we should also be concerned about the economy of this country. We can't survive if the energy costs continue to go up and up and up while we wait on the transition to new technologies. Those new technologies are going to come, but it may take 1 year, 5 years, 10 years from now before they are able to pick up the major part of the energy needs of this country. We can't wait that long. We simply can't. We could become a second-rate economic power if we don't get control of our energy needs and are able to get the energy that is necessary for this country to grow economically.

I just don't understand why my colleagues on the other side of the aisle and in the other chamber on the other side of the aisle continue to say we should not drill for oil in our own country.

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The American people, if you went out on the street and asked anybody at any service station, will tell you they don't care where we drill, because they want their gas prices down.

Now, we can drill in an environmentally safe way, but my colleagues on the other side of the aisle will not allow us to do it. It is just unexplainable, as far as I am concerned. We have the resources in this country, we have the ability in this country, to provide for the oil resources that are necessary to lower the gas prices in this country, and we are not doing it. And we are not going to do it as long as the other side, the Democrats in this Congress, continue to block us, because of ''environmental concerns.''

There has to be a balance between the economic concerns in this country and the environment concerns, and my colleagues on the other side of the aisle are simply not realizing that. They have the ''ostrich syndrome.'' They have got their heads in the sand.

Gasoline prices have gone up $1.50 in the last 2 years since this body has been taken over by the Democratic Party. This is intolerable. They said they were going to do something about the energy crisis in this country when it was $1.50 less per gallon. We have to do something about it, and we have to start now.

We talked about energy independence during the Carter years back in the

seventies, and we haven't done anything about it. We had gas lines real long back in those days and we were going to become energy independent. We have not done it. The Congress of the United States has been controlled by the other party up until 1994, and we haven't done anything about the energy shortfalls in this country.

It is time that we become really bipartisan in the search for energy. It is time for us to work together. We need to be able to explore this country for the natural resources we have, the oil that we have in the ground and the natural gas we have in the ground, and we are not doing it.

I would just like to end by saying this, Mr. Speaker, to my colleagues on the other side of the aisle: Let's work together. Let's explore and drill for the oil that we have in this country so we can truly move towards energy independence and at the same time move toward the new technologies that will give us more and more of a clean Earth. That is what we all want. But at the same time, we have got to have energy now. We have to drill for it now. And I hope my colleagues will realize this before it is too late.

This is going to be a major issue in this campaign this fall, and I hope they will realize that and come to the conclusion that we ought to become truly energy independent and move in that direction.

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. WOOLSEY) is recognized for 5 minutes.

(Ms. WOOLSEY addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

AMERICA NEEDS TO RECAPTURE ITS INDEPENDENCE FROM FOREIGN INTERESTS

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Ohio (Ms. KAPTUR) is recognized for 5 minutes.

Ms. KAPTUR. Mr. Speaker, today the New York Post reported that a foreign government in the form of the Abu Dhabi Investment Council plans to buy the Chrysler Building, a New York City landmark, for more than $800 million, continuing a trend of foreign government buyouts of American business, real estate and assets. This is the same sovereign wealth fund that bailed out Citigroup earlier in this year. Recall Citigroup, America's biggest bank and a key player in recycling international petrodollars and a holder of enormous debt from the subprime lending crisis.

Abu Dhabi is jointly owned by the Abu Dhabi Investment Authority and the National Bank of Abu Dhabi. The former chairman is Sheik Khalifa bin Zayed al-Nahyan, who is pictured here on the poster with President Bush. The Sheik is the President of the United Arab Emirates and the ruler of Abu Dhabi. This is not just a foreign executive buying up an American icon building. This is the ruler of a foreign country.

For those who are opposed to the American government owning private property, allowing foreign governments, and I underline that, to own America's priceless assets should be anathema. But the same people who advocate less U.S. Government involvement surely cannot support the meddling of undemocratic governments such as Abu Dhabi in buying up America's assets.

U.S. Treasury Secretary Paulson went to Abu Dhabi earlier this month to put stardust on the state of the U.S. economy, assuring the Sheik that the United States encourages these types of foreign government investments and buyouts, even while the Secretary advocates a smaller role for the U.S. Government in our own country. Does this make any sense?

Abu Dhabi's investments are particularly alarming, because in addition to the Authority and Council being state-run and perhaps the largest such funds in the world, they are among the least transparent sovereign wealth funds. According to the Sovereign Wealth Fund Institute, there is a ranking of the transparency of who really owns these funds and whose money is in there and what is that money doing.

Abu Dhabi and the UAE are at the very bottom, at the very bottom. They are the least transparent of global sovereign wealth funds. The Authority in particular has a reputation for intense secrecy, without even an internal communications department. The fund is state-run and ''does not answer to a wide public at home,'' said David L. Mack, a former United States Ambassador to the United Arab Emirates.

How would this fund stand up to the regulations we have in place here in our own country? Would this fund be legal in the United States? How is this fund supportive of democratic principles? Abu Dhabi and the UAE are not democratic places. Without even asking these questions, this oil-hungry administration courts these investors personally.

Of course, sovereign wealth funds are not just in the UAE. Kuwait, Qatar and Boston Properties purchased the GM Building earlier this week. Do you see the pattern? Nor are these funds limited to the oil-rich Middle Eastern countries. In fact, one of the largest funds is Norway's. But that country, a democracy, has perhaps the most transparent and conventional investment strategy. They are at the top in terms of transparency and normal Western business and law practices.

China, Saudi Arabia and many funds, such as those of the UAE, invest unconventionally, are very secret. They are not transparent, even when countries like Norway set an example of responsible investment.

As our trade deficit swells even more, in April it deepened even more, to $60.9 billion in one month, America cannot afford to sell off any more of our country. We need to reduce our dependency on oil, balance our trade accounts and invest in our own country so that undemocratic and secretive foreign governments do not buy out our heritage. We need to recapture America's independence and stand on our own two feet again. It will require sacrifice and discipline and responsibility.

Freedom's clock is really ticking for this generation. Are we going to hear it? Are we going to hear it?

Mr. Speaker, I include the June 11, 2008, New York Post article entitled ''Chrysler Building on the Block'' for the RECORD.

[From the New York Post, June 11, 2008]

CHRYSLER BUILDING ON THE BLOCK

(By Lois Weiss)

The latest Big Apple trophy being coveted by oil-rich sovereign wealth funds is the landmark Chrysler Building.

Sources say the super-rich Abu Dhabi Investment Council is negotiating an $800 million deal for a 75 percent stake in the Art Deco treasure that has defined the Midtown skyline since 1930.

The Chrysler assets would be purchased from TMW—the German arm of an Atlanta-based investment fund that's been eager to cash out of its Chrysler stake.

The deal follows last month's sale of the GM Building and three other Macklowe/Equity Portfolio properties for $3.95 billion to a group of investors including the wealth funds of Kuwait and Qatar and Boston Properties.

As part of the Chrysler deal, sources said the Abu Dhabi Investment Council would also get part of the skyscraper's signature Trylons retail prize next door.

Tishman Speyer Properties owns the remaining 25 percent stake in the Chrysler Building and operates the landmark at 405 Lexington Ave., along with the Trylons and the newer next door neighbor at 666 Third Ave.

The Trylons space also involves retail portion, which includes the Capital Grille steakhouse and a Citibank branch.

The buildings sit on land owned by Cooper Union, which leased it in a long-term arrangement to others and uses the payments to support tuition for its students.

Recently Tishman Speyer obtained a 150-year extension of the ground lease.

Sources say the deal would leave Tishman Speyer in charge of the building, with the Abu Dhabi fund essentially acting as a silent partner.

Abu Dhabi has also partnered with Tishman Speyer in other deals around the world, sources said. Since TMW and Tishman Speyer sold 666 Fifth Ave. to Kushner Companies for $1.8 billion last year, the Atlanta group began informing the real estate community that it was ready to cash out in the landmark Chrysler Center, as well.

None of the principals involved in the deal had any comment.

Boston Properties closed on its purchase of the GM Building on Monday with investment partners Kuwait and Qatar, and will complete the purchase of three other former Macklowe properties over the next few months.

Developer Harry Macklowe was forced to sell the assets after taking a personal loan on the GM Building and other family assets to raise nearly $7 billion to buy a city package of former Equity Office buildings.

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from North Carolina (Ms. FOXX) is recognized for 5 minutes.

(Ms. FOXX addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

TAXES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia (Mr. BROUN) is recognized for 5 minutes.

Mr. BROUN of Georgia. Mr. Speaker, our Founding Fathers did not establish Congress to level society or to endlessly take money out of the pockets of people, and they were very clear on that point. According to Thomas Jefferson, ''Congress has not unlimited powers to provide for the general welfare, but only those specifically enumerated.''

James Madison went even further. He wrote, ''I cannot undertake to lay my finger on that article of the Constitution which granted a right to Congress of expending, on objects of benevolence, the money of their constituents.''

Heavy taxation is bad representation. As a rule, I use a four-part test for every piece of legislation that crosses my desk. My test asks these four simple questions: Is it moral? Is it constitutional according to the original intent of the Constitution? Is it needed? And can we afford it? Most of the time, the legislation fails at least one of those tests and I stand against it.

Mr. Speaker, the American people have stood against new taxes time and time again because the current tax system is not moral, is not constitutional, is not needed, and we cannot afford it. This government of takers has imposed an immoral death tax, an anti-growth capital gains tax, an unfair dividend tax, and job-killing business taxes, all with supposed social benefits.

We need to stand up for the overburdened taxpayer by taking away the financial yoke of big government. It is absolutely immoral for Congress to allow death taxes to stand. The government has no business inflicting more stress on those in our society that are already mourning the loss of their loved one. I don't believe that a person should be forced to visit the IRS and the undertaker on the same day.

How can the people trust a government so controlled by greed? Congress must understand that every time a new tax is passed, there will be unintended consequences and unfair results. The people do not want these taxes. Truly limited government does not need them. The people want to be treated fairly, and our Constitution requires us to comply.

Not only are some taxes immoral, but many are unconstitutional as well. For example, extra taxes that target successful businesses are harmful, unfair and anti-capitalistic. Harmful because the more the government taxes businesses, the less they produce and the less they compete; unfair, because consumers are denied the benefit of a wide variety of low-cost products produced by a competitive market; and anti-capitalistic because it is not the government's place to redistribute wealth.

As the great Winston Churchill once said, ''for a nation to try to tax itself into prosperity is like a man standing in a bucket trying to lift himself up by the handle.''

These corporate taxes will always be unwise, and in the American economy there is only one social responsibility of business, and that is to make as much money for their investors as possible, within the rules, of course. As an ardent capitalist, I believe that the marketplace, unencumbered by government regulation and taxes, is the best way to control quality, quantity and the cost of all goods and services, no matter what it might be, whether it is health care, my business, or selling anything that might be available to the public.

Cutting taxes and reining in the Federal Government is fundamental to returning power to the U.S. citizens and promoting economic growth. We should support our free market by eliminating unfair corporate taxes and promoting economic growth. Along with promoting economic growth, we should also promote economic consistency and stability. We can only do that by eliminating, not just reducing, but eliminating capital gains taxes.

Just as businesses should not be penalized for being successful, investors should not be penalized for making good decisions and for supporting good companies. If we continue to try to tax people into making a perfect world, we will create a bureaucratic monster. In fact, Congress has been doing just that.

Congress has always been able to raise new taxes when it can sell a new program to one group of citizens while sending the bill to another. The American people should always remember that whatever the government gives, it first must take it from somebody else. Congress should always remember that the less money it takes from people, the more freedom people have.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oregon (Mr. DEFAZIO) is recognized for 5 minutes.

(Mr. DEFAZIO addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan (Mr. MCCOTTER) is recognized for 5 minutes.

(Mr. MCCOTTER addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. GEORGE MILLER) is recognized for 5 minutes.

(Mr. GEORGE MILLER of California addressed the House. His remarks will appear hereafter in the Extensions of Remarks).

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Arizona (Mr. FRANKS) is recognized for 5 minutes.

(Mr. FRANKS of Arizona addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Kentucky (Mr. YARMUTH) is recognized for 5 minutes.

(Mr. YARMUTH addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia (Mr. WESTMORELAND) is recognized for 5 minutes.

(Mr. WESTMORELAND addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. CONAWAY) is recognized for 5 minutes.

(Mr. CONAWAY addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

□ 2030

ENERGY DEVELOPMENT

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, the gentleman from Pennsylvania (Mr. PETERSON) is recognized for 60 minutes as the designee of the minority leader.

Mr. PETERSON of Pennsylvania. Mr. Speaker, today, June 11 of the year 2008, we had an interesting happening in the Capitol. We have had $4 gasoline for some time now, we have had $5 diesel, record high natural gas prices approaching $13 per thousand, the most expensive energy America has ever known.

We had a chance today in committee the deal with this issue. I was stunned. I have been working on this issue for many, many years. We passed a major bill in 2006 with good bipartisan support, a lot of Republicans, but we had probably 40-some Democrats. A lot of people in this Congress realize that we must produce more energy in America if we are going to deal with the prices in America.

Today the Interior subcommittee met. I offered an amendment to open up the Outer Continental Shelf. As you look at the chart to my left, that's the east coast and the west coast and down

here in the gulf on both sides of Florida. The red or pinkish areas are locked up. There's 86 billion barrels in those areas, by old standards, by old seismographic tests which was 30-some years ago. Most people feel there is many times that. There is 400 trillion cubic feet of natural gas there.

My amendment today would have removed the moratorium. For 27 years Congress has had legislative language that says we cannot produce here. It's locked up. This Outer Continental Shelf is from 3 miles offshore. The first three miles is controlled by the States. Next 197 miles is owned by us, the taxpayers, citizens of America. Not by any company, not by the President, not by Congress, but owned by the citizens, not by any State. It's our resources.

The interesting and troubling fact is my amendment would have opened it up from 50 miles to 200.

Every country in the world that has energy offshore produces it. It's the most environmentally sensitive place to produce energy.

In most places the fisheries are better, they like the platforms, they like the places to hide. The fishermen love them being there because it's where the best fishing is.

Down here in this little blue area, 40 percent of our energy comes from there that we produce in this country, that little bit of the gulf.

Now there they produce right up to the shoreline. We were given a 50-mile buffer. There has not been an oil spill on a beach from a well except for the one in Santa Barbara in 1969, pretty good record, in my view. There has never been a natural gas well that's ever caused an environmental problem that I know of.

But today we had a vote of nine ''noes'' for the Democrats and six ''yeses'' for the Republicans. I don't like to be partisan. I like to have bipartisan support, and I worked very hard on this amendment. I thought I had strong support from both parties, and I was stunned today.

I guess it's another example of Speaker power.

I have been in the legislative business for 31 years, 19 years at the State and 12 years here. I have seen legislative bodies that were good process bodies where you debate the issues from the subcommittee to the full committee to the floor. Then when the House and Senate meet in a conference committee, that really gives you seven shots at a bill. That's not happening here.

This is the most top-down legislative body I have ever been a part of. Today showed that. I would bet the farm there are members on this subcommittee that wanted to vote for this, but for some reason chose not to. I am not going to name them, I am not going to second-guess them, but I was stunned.

I think America would be stunned. I believe this Congress is way behind the folks, approaching 60 percent of Americans at a recent poll, who want us to produce offshore, on shore, wherever we have energy. I find, in talking to town meetings and large groups, when you discuss the issue and explain the facts and explain the alternatives, almost all Americans want energy produced so it's affordable.

Our economy was built on affordable energy. The problem we have, the arguments today were that there are 68 million acres already leased, and that's enough. This is the percentage, and, actually, it's less than 3 percent, of the Outer Continental Shelf where there is a lease that has been offered. So there is a very small part of the continental shelf that actually has a lease on it.

They said, well, there are 68 million acres, we need lease no more. Well, if you have leased property—yes, there are leases, there are leases that are not active—but if you have leased property and spent millions and millions of dollars and you get dry holes, you don't drill anymore. You find out there is not oil in there.

As we look on here a little bit, this is interesting, this is a map. It's not as good as color as I had hoped to see. This is Cuba, this is Key West, this is Florida. These are the leases that have been granted by Cuba, China, Canada and Spain. I am not sure here, but these are the ones that are being negotiated now. Canada is going to be producing energy off our shores, and we absolutely disallow it.

Does that make any sense? No. Our biggest competitor, China, will be possibly producing our oil and our gas, using it to compete against us.

Natural gas is the one that's really in trouble in America. We know the oil prices today closed at $137, natural gas at $12.75. Natural gas is the one that we don't talk enough about. Oil is painful, but every country that competes with us pays that price. America may be the only country paying—now, this is not the price people pay. This is what the price today coming out of the ground is.

Now, what's sneaking up on Americans this year, they already know it costs a lot to travel. Those who are on propane and fuel oil last year know it was pretty expensive to heat their homes.

Natural gas did not rise a lot last year. But here is what happened to natural gas this year. This is the chart of natural gas for this year. This is what's happened this spring.

Never before have I ever seen natural gas prices—this is the time of year when we are not heating and cooling much, it's call the shoulder season for use, and this is when we usually put it in the ground for next winter's storage to heat our homes. We are putting gas in the ground at a price more than we paid for it last year. Now you have to add storage costs, transmission costs and processing costs.

Americans will be getting somewhere between a 60 to 100 percent increase of natural gas prices this winter. So those who are struggling to pay $4 to drive their cars are now going to struggle to heat their homes. The sad story is, with natural gas, our big employers like Dow Chemical in 2002 paid $8 billion for natural gas for a year's use. This year they are paying $8 billion every quarter, that's $32 billion.

Folks, here is what has happened to the jobs and what will continue to happen if we don't deal with energy prices because the rest of the world is. Natural gas will push petrochemicals, polymers, plastic and many other steel and aluminum jobs—I predict, glass will be made offshore, bricks will be made offshore. Bulk commodities will not be made in this country because of natural gas prices, because you use so much.

Here's what the arguments were. This is what people want to use. This is oil. From the middle over is history, this is what the Energy Department predicts for the future.

I don't quite agree with this chart, because we are turning down coal plants all over the country. The natural gas will be much wider, coal will be much shallower. I don't see the growth in coal. We also all had high hopes for coal-to-liquid. That's sort of on hold in this country. Why, I don't know, because of carbon, I guess. The concern of carbon has become a greater concern.

Nuclear, to stay here, we have to have 35 to 40 nuclear plants built in addition to what we have to keep nuclear where it's at as 20 percent of the grid.

Nonhydro, the amount, everybody wants—hydro is not growing because we are not doing dams. Nonrenewables are mostly woody biomass and hydro. That's what most of this is.

If we double wind and solar, and we hope we can, we are less than 1 percent of our energy needs in 5 years or 10 years whenever we do that. That's the scary part.

Now here's the dependence part. When I came to Congress, we were in the 40s. We are now 66.3 percent dependent on imports, and here is where we get it. Canada is our best friend to the north, Mexico is our next best friend, nonOPEC and Ecuador, and then we go down here.

These are the countries that are going to own us. These are the countries where our wealth is going. In fact, I think I heard a speaker a few moments ago on floor talk about the purchase of the Chrysler Building by one of the Mid East countries.

Ladies and gentlemen, if America does not deal with energy, we will not compete in the global economy of the world. We cannot have the highest energy prices known anywhere and compete. We will not have middle-class jobs. The middle class in America will disappear. That's not the America I want.

Now, how we get past this partisanship, how we get past that we can take the minuteness of wind and solar and replace fossil fuels, I wish I knew. I am

for hydrogen. I belonged to the hydrogen caucus for years, but it has not grown. Wind and solar has grown a very small amount.

Until we can store electricity, we are going to depend on fossil fuels to make it. If we continue with the chart I just looked at to not produce coal plants, that's going to come on natural gas. If we don't open up the Outer Continental Shelf and much of the Midwest, we are not going to have the natural gas—and natural gas, let's come back to the natural gas chart.

Natural gas, in my view, is the clean, green fuel. We would have been far wiser, in my view, to have used compressed natural gas in automobiles than ethanol. Automobiles, with a couple of thousand dollars addition can burn natural gas. That's a clean fuel.

If we open up the Outer Continental Shelf, if we opened up the Roan Plateau in the west and some of the new areas that we know are potentials in this country—but we have to drill a hole in the ground, and why aren't we doing that? Well, here are the people that I think have been successful.

I was having a debate late week with the Sierra Club on NPR radio in California. When the debate was over she assured the audience that she would be beating me back next week when I offered my amendment. They won today.

The Sierra Club, they are against shale oil development. They are against coal gasification, and they are against offshore energy. Then we have Greenpeace, and they want to phase out all fossil fuels. They want to eliminate all of these and replace them with these.

Now, I wish we could do that. They are opposed. Environmental Defense Fund, no power plants, no smokestacks, League of Conservation Voters, no coal-to-liquid, wrong way to go; Defenders of Wildlife, no offshore, no coastal production; Natural Resource Defense Council, no coal, coal is evil; Center for Biological Diversity, no oil and gas drilling. That's devastating on public lands.

□ 2045

Friends of the Earth, no liquid coal, that is dirty.

Folks, we have technology in this country today. We can produce energy cleanly. We can burn it cleanly. We have clean coal technology we are refusing to build to replace the old plants.

If we continue, we are the only country I know of in the world that is on a madness mission, I call it, that we are not going to use fossil fuels. Now I want to grow all of these. I would be building hydrodams. The only one that has grown on this chart, and I have another chart that shows it better, woody biomass has doubled in the last decade. That is wood pellet stoves. Almost a million Americans use them now. That is using wood for generators, small plants for electricity using wood waste, and heating small factories. I am from a wood area, the greatest hardwood forests in America are in northern Pennsylvania, and we dry kiln our wood. We used to use propane and natural gas, now we use wood waste. Wood waste has found a marketplace, and it is continuing. But that's the only one that has had measurable growth that you can put on a chart. I don't have that chart here.

But folks, we need to have a comprehensive policy. But until we have the renewables available to use, we have to use clean fossil fuels in the very best manner we can. But if this Congress says no in full committee a week from now, we will be doing our bill in full committee, if they say no again, partisanly, and if they say no on this floor when we do the Interior bill, America will miss its only chance.

My bill, the Outer Continental Shelf bill, has 170-some cosponsors, and can't get a hearing or a discussion. We are not going to talk about fuels in this Congress.

Now we passed a great bill a couple of weeks ago where the Democrats proposed to enable us to sue OPEC. We are going to sue a group of countries, I had the chart here a minute ago, that we don't think have produced enough energy, when we refuse to produce it at all. Now what is the logic of that? What court is going to listen to that, and how do you even have a serious face. Back home, people laughed about that. They thought it was stupid.

We also have proposals to tax oil companies. Who pays the taxes, the energy users. I know there is hatred for the energy companies. They are really a small part of the mix. The vast majority of energy in this country is not produced by Big Oil. It is produced by small producers in my district in Pennsylvania and all down through the south. It is mostly independents. They are the brand names. They own some of the refineries. They own a lot of product lines in their names, but they are a small part of the production of energy. Yet we want to punish energy production.

We passed a bill here once, fortunately the Senate didn't, that was going to tax all energy companies. And I have two refineries in my district, one who was struggling, American Refiners and United Refinery, and we were going to make them pay higher taxes than the businesses right down the road. Did that make any sense? No. That is taxing American energy; not taxing imports but American energy.

I believe this Congress is way behind the American public. When I go back to my office many times after giving one of these speeches, I have phone calls for hours, I have phone calls for days saying I believe in what you said; I believe America should be producing energy; thank you for speaking out.

I believe the American public in the next election, I believe energy availability and affordability will be one of the major issues that they will be looking at because I don't think we are done. I don't think $4.05 gasoline is the end.

We have these high prices today that have scared the American public. I have people in my district who don't know how they are going to get through the winter and how they are going to heat their house. They don't know how they are going to make it. We have these high prices today. We have not had a storm in the gulf, which interrupts a lot of production when it happens, for 2½ years. Everyone is predicting we are going to have major storms in the gulf, hurricanes, and that will eliminate a lot of energy production and prices will skyrocket.

We have not had a successful terrorist attack on our energy supply system. That could happen tomorrow. We have not had a major foreign country, and I had that chart of countries we get our oil from, most of those are dictatorships that could tip over. When there is a little trouble in Nigeria, energy prices skyrocket. When there were problems in Venezuela, prices skyrocketed. When Chavez was arguing with Exxon, oil went up $20 just because they were arguing.

The reason is there is no surplus in the system. Historically we had eight million barrels of oil that another country could produce if some country couldn't produce. Today we are down to where this is about a million barrels of oil. It is 86 million barrels a day countries use. We use 21, and so there is only a one million barrel surplus. So if a country has problems and produces three million less, there is not enough oil.

Now the reason these gas prices that I showed you earlier are going up, we are using more gas than we are producing. One of the big storage companies told me a month ago, they are not sure they can get their storage full this winter and they have always had it full by winter because we cannot produce enough gas, we have to put it in underground caverns and store it for winter.

I believe this Congress is at the root of the high prices of energy, and three Presidents, too, I am not going to hold them countless, because we have not had an adequate, thoughtful energy policy for America. While the rest of the world is building an energy supply for themselves, we are twiddling our thumbs and we are refusing to produce fossil fuels.

I think if this Congress before we recess in July does not deal effectively with energy and open up supply, you are going to see the beginning of the decline of the America we know. It is a national security issue. It is an economic issue. American companies cannot compete, and when they can't compete here, they will diminish their operations here and they will expand them over there. They have had other reasons to do that, but the biggest one has been energy. So I beg my colleagues on both sides of the aisle, let's get by this partisan bickering and let's support an energy policy for America.

The gentleman from Ohio has come to join us, and I yield to Mr. LATTA.

Mr. LATTA. I thank the gentleman for yielding, and he speaks the truth. This country is in a crisis and we are not listening. The folks back home get it. But we are not getting it. It is time we do.

I would like to start off with this. This is kind of sobering. Right now the United States uses 21 percent of the world's energy. If you look across this chart, in 2010 we still have energy supremacy and usage over India and China. When you look at 2015, those two countries together will be consuming more energy than the United States. When we get to 2020, China is going to be consuming more energy than the United States. And just look at the chart as it goes across, the United States is barely moving while China is making leaps and bounds. The question is, what does that all mean. It means this: energy means jobs. Those are American jobs. The folks back home get it. Congress doesn't get it.

I come from the Fifth Congressional District of Ohio which is the ninth largest manufacturing district of the 435 districts in Congress. I also represent the number one agricultural district in the State of Ohio. What does it mean, if we don't have energy, we don't have jobs. Companies out there are looking, we look at this chart, companies are looking at where can they get energy. How are they going to keep their jobs and keep their people employed. Farmers are out there right now in our State planting, and some people say farmers are getting these high prices this year. Let's look at some facts.

When they are buying diesel and buying fertilizer that is also made from oil, when they are buying their chemicals that they are putting on the field made from oil products, they are not making that much money.

What does that mean to the consumer? Very simple, the consumers when they go to the grocery store are finding that prices are going up for milk, bread and cereal. It is all going up.

Looking down the road, when you are paying $4 a gallon for gasoline, you are paying more for food and it is costing you more to get to work. I have talked to a lot of my manufacturers in Ohio in my district, and I asked how far do most people drive to work. It is not unusual to have people say people are driving 50 or 60 miles to get to work. So when we look at people who are driving maybe 100 miles round trip every day, 500 miles a week, and $4 a gallon for gasoline, some folks are saying I'm not sure I can afford this job. We can't have that happen.

As the gentleman from Pennsylvania mentioned about Dow, we have a company in my district, a float glass company, the price of their fuel for natural gas in a 5-year period of time has gone from $10 million to $30 million. What does that mean for America? There are only 37 float glass facilities left in this country. The Chinese are building 40 as we stand here today and bicker, unfortunately, about doing something in this country about oil and our energy usage and needs. They have the energy and they are going to have a cheaper labor supply, I am going to ask you in the future, where are you going to buy a window pane that is made in the United States of America? Or where are you going to buy a windshield that is made in the United States of America? They will not be made in this country at all. And the gentleman from Pennsylvania is absolutely correct, more and more products are being made offshore and those are American jobs. We can't afford that.

What made this country great is very simple. After the Civil War, the Industrial Revolution really kicked into high gear. We had all the natural resources in the country, and we were able to produce for the world, and we produced for the world for years. We had the head start on everybody, of course, after World War II when the rest of the world lay in ruins and the United States' factories were humming. But the rest of the world is catching up, if not surpassing us, and this chart shows it. And we can't afford it.

What is the rest of the world doing? France, 70–80 percent of their power is nuclear. They are exporting power to the rest of Europe.

Japan, 55 nuclear reactors, two under construction.

China, they are building 40 nuclear power stations in the next 25 to 30 years.

India, 30 plants in the next 25 years.

Coal. That was talked about earlier. China and India use 45 percent of the world's coal. China is building coal-powered plants as we speak and putting them online right now. They are investing $24 billion in clean coal technology.

The gentleman mentioned they are also out there building the Three Gorges hydroelectric plant. Again, it is a communist country and they are not worried about displacing millions of people, but they are going to have that power station producing electricity to make sure that they are producing.

It has been mentioned how China is drilling onshore and offshore and right off our shore. But the real question is what is the United States doing on all of this? And this scares people, absolutely nothing. Absolutely nothing.

The last nuclear power plant to be licensed in this country was in 1977; 1977. The last one to go online was in 1996; 1996. We have 24 percent of the coal in the world; 24 percent. But what are we doing, nothing. You mention coal in this Chamber, and it is an absolute no. We have to have it.

In Ohio we have what they call high-sulfur coal so it is very, very expensive to burn because you need to have it clean. But if you burn it in a closed system, you don't have those emissions. What does that mean for Ohio, we will put miners to work and we will have companies that make steel to make the coal gasification plants out there, making those parts, and we will have people building those plants. And we will be able to consume that power in this country because when we have 24 percent of the world's coal reserves right now, we can get a lot done. But what are we doing about it, absolutely nothing.

What about oil. Again, when you have China out there doing everything it possibly can to make sure that they have their oil supplies up, they are putting thousands of cars on the road. A lot of people say we don't understand what is going on out there. Well, there is only so much oil out there in the world right now, and only so much of it has been refined. The whole world is now consuming more and other areas are producing more, but not in this country.

□ 2100

One of the things that we should be doing is, as the gentleman from Pennsylvania mentioned, we've got to be drilling. We've got to be exploring. And one of the places we've been talking about a lot is ANWR in Alaska.

As has already been mentioned, how big are we talking here? We're talking one-half of 1 percent of that area. Of 19.6 million acres, total, we're only talking 2,000 acres.

Anybody who has ever done any title work, you know that a section of land is only 640 acres, which is 1 square mile. We're talking a little over 3 square miles. Three square miles. And we're talking about an area of 19.6 million acres, and we're not allowed to go in there and produce?

And there's estimated that we have 10.4 billion barrels of oil that we can extract up there. What's it all about?

That's twice the proven oil reserves in Texas, almost half of the total U.S. proven reserves of 21 billion barrels. What are we doing? What's this Congress doing? Absolutely nothing.

But we are doing something that this past year we almost imported 65 percent of the oil that we need to use in this country; 65 percent of the oil being imported into this country.

We talked about it a little bit earlier. We're watching our dollars flow overseas. What's that all mean to America?

We have a $9 trillion national debt right now. What scares the devil and daylights out of me is this little fact. $2.4 trillion of that national debt is owned by foreign countries. The Chinese almost now own almost one-half of $1 trillion of American debt. That's what's happening.

You know, the American people out there, again, they get it. This Congress doesn't.

Again, as the gentleman mentioned earlier, right now it's estimated there's 420 trillion cubic feet of natural gas offshore and 86 billion barrels of oil. 85 percent of that's off-limits, and we

can't afford that. We can't afford that for the future.

Onshore, it's estimated there's, on Federal lands, 31 billion barrels of oil and 231 trillion cubic feet of natural gas. And again, it's restricted down to access, which does not allow Americans to be getting that. 92 percent on Federal lands for oil and 90 percent for natural gas. We can't get to it. What civilized country in the world allows this to happen? Not very many. But right here in this country it's happening. It's happening here, ladies and gentlemen, and we're doing nothing.

The old saying is, ''Rome burned and Nero fiddled.'' That's what's happening.

We haven't built a new refinery in this country, talk about problems, in two-and-a-half decades. I'm fortunate in my district, just by coincidence, that I have a company that produces solar panels. Over 99 percent of their production goes overseas to Europe. We have another plant that's going to be constructed. Solar is another area out there. It's good supplemental power.

We also have the only four wind turbines located in the State of Ohio. I can see them out my back door in Bowling Green. We only have four. There's a lot of objection now because people say they're unsightly; they don't want them; build them someplace else.

But when you talk about wind-powered turbines, to kind of get an idea how many you have to have to equal something, you have to have between 600 to 800 turbines to equal one coal-fired plant, or anywhere from 1,250 to 1,700 wind turbines to equal one nuclear power plant. If we're having problems around Bowling Green in Ohio, getting turbines built, how are we going to build 1,700 turbines if people are objecting to a few?

Because now in Ohio the Division of Wildlife is going to have to start making assessments what birds might be killed, or a bat. And it's going to be blocking them.

We also have an ethanol plant in my district. We're working on biofuels. It's all out there. But we've got to be acting and we've got to be acting now. We can't wait. The American people can't wait because we've got to be getting this done today.

This country, 10, 20 years ago, had the ability to make mistakes and say, well, in a few years, okay, we can get it corrected. We can't do that today. Why can't we do that today? Because the rest of the world has caught on and they're moving. Every day that we do not act they are, and we're falling farther and farther behind.

That's American oil, energy that we have to be producing, and we're not doing it.

I introduced a House resolution not too long ago, 1206, and it's really pretty basic what we need to be doing. Just a few points. We have to expand the use of our renewables and alternative energy sources. We have to increase the U.S. domestic refining capacity. We have to promote, incentivize an increase in the conservation and energy efficiency, expand and promote additional research and development through new and innovative methods, such as public-private partnerships, and enhancing the consumer awareness and education regarding methods to increase energy efficiency and available alternative fuel sources to reduce our dependence on middle eastern oil.

But the time's getting short. The clock's ticking, and America must act now.

I thank the gentleman from Pennsylvania, and I yield back.

Mr. PETERSON of Pennsylvania. I thank the gentleman from Ohio for his very thoughtful comments.

I now recognize the gentleman from Tennessee (Mr. WAMP).

Mr. WAMP. I thank the gentleman, and I'll try not to be long. But I do want to start by saying that I seek not to blame anyone, because one of the things that I'm the most turned off by in the modern era of American politics is that everybody wants to blame everybody. And Democrats always say Republicans are wrong. Republicans always say Democrats are wrong. The truth is, neither party has a whole lot to brag about, and more and more people are being frustrated or becoming frustrated with the two parties.

But I will say, on this particular issue of energy, it's important to realize that talk is cheap. Words are not worth much. And votes really do matter. And the positions you take really do have consequences, and we have to actually discuss that as we look at solutions, because what I want to talk about is solutions; not blame, but solutions to these major problems.

In my 14 years of service here, this issue now stings and hurts more than any issue that I've seen. And I've served through impeachment, through the Iraq war, through the awful response to Katrina, and I would say that more people are angry and upset and concerned about $4.05 gasoline than anything.

And it's easy to say, I told you so. The gentleman from Pennsylvania can definitely say I told you so because I've served with him for 12 years, and he's been talking about supply of oil and gas and the consequences of us not going after it and becoming more independent ourselves for the whole 12 years; a very powerful and effective voice.

I too have a long history of talking about the problems that are going to be associated with the energy crunch and was very concerned following September the 11th that we would end up here tonight. I do think that the nexus between national security, energy and the environment is the most important challenge of our generation because they're all connected now inseparably.

It's ironic that the left wants to promote legislation and conversation about global warming and climate change because actually that will further restrict our access to energy, and everybody knows that. And it will raise prices. It will increase regulation. It will actually compound this problem. Yet they're promoting that agenda at the same time that they're retreating from energy capacity. And these votes really matter.

Now I come at this with 10 years of service on the Energy and Water Appropriations Subcommittee, 8 years of service as the cochairman of the Renewable Energy Caucus here in the House, which is a bipartisan thing; the Representative that represents the premier energy research facility in this country, the Oak Ridge National Laboratory. And I want to start by saying that conservation is a very important piece of these solutions.

As a matter of fact, conservation is not for wimps, as some people would have you believe. Conservation is for warriors, in my opinion. Not everyone is going to put on the uniform of our Armed Forces. We should be grateful to everyone who does. But not everyone's going to do that.

But every person in this country can contribute to our national security by becoming more energy efficient, by conserving, by trying to be more efficient in their daily life, and there are a lot of ways to do that.

And I rolled out at the National Press Club, with some outside groups, some very effective outside groups, the Drive Smarter Challenge. You can go to drivesmarterchallenge.org, and you can save yourself hundreds of dollars by following simple instructions of how to conserve gasoline without cutting back on your travel. Obviously the speed limit and how much you travel would be a good step. But there a lot of other things you can do with your automobile, depending on how much gas it uses, to save and conserve, because even in small ways, if we reduce the demand, and the supply stays the same, the price will come down. Demand and supply are connected to each other.

I'm also very, very much about new technologies. As I talk about these solutions, understand that I'm here tonight, not because these solutions are all technology-driven or conservation-driven, but I'm here tonight because we have to go forward with an all-of-the-above strategy. We can't afford to leave anything off the table. We can't afford to pick winners and losers.

As a matter of fact, I can give you a good example of picking winners and losers in the energy sector because in California, they said, we're not going to use all of the resources for electricity production. We're going to mandate that a certain amount of our electricity has to be produced by these sources. They picked winners and losers. And guess what happened? The lights went out. They didn't have any electricity.

That's the problem with picking winners and losers. We have to have an all-of-the-above strategy.

I'm here tonight, as the gentleman from Pennsylvania laid out earlier, because we have to increase capacity. We have to go after these resources from the Outer Continental Shelf, from ANWR.

I've been in Congress 14 years. I've cast 24 votes to increase capacity for oil and gas in this country. Twenty-four votes. As has been said ad infinitum now, and I'm not a partisan guy—I don't want to blame anybody—but these votes matter. And almost every time the Republicans vote for new capacity, and almost every time the Democrats vote against it. Even today, it happened again. And 2 weeks ago it happened in the Senate again.

This is one of those issues that I don't want to be too partisan, but you can't deny there is a huge difference between increasing capacity. Frankly, even the wild-eyed environmentalist has to recognize that this is painful to regular people. And you've got to get off of your crusade to save every tree, you know, to save every form of wildlife at the expense of our human beings who can't pay their bills and they can't buy gas.

Be reasonable, people. That's not happening today.

But there's a tremendous amount of new technologies. I would argue that we can literally grow our economy, a manufacturing-driven, export robust U.S. economy, by being aggressive in this energy sector, because we have the innovation.

What does everyone around the world still emulate about our country? We would like to say it's our privilege to vote. That's important. But they don't all emulate that. We'd like to think that they all would freely worship as we do, and I cherish that. But they don't all emulate that. We would like to think we all have freedom of the press.

The one thing they emulate is our private sector, our capitalistic, free enterprise, innovative sector. We have that.

How did we balance the budget in the late nineties? I was here. Four straight years. People think, oh, you cut spending. No we didn't. We slowed the growth of spending, yes we did. We didn't cut spending. But revenues surpassed expenses principally because of one sector of our economy that roared, information technology. We led the world. Microsoft is an example. There are many others. We led the world. Revenues surpassed expenses.

That can happen again in this sector if we will lead and not be in retreat and not regulate, not limit, but expand, go after it, create new technologies, increase capacity. Be competitive.

As the gentleman from Pennsylvania said, it's important.

□ 2115

Now, I have had the editor of Automotive News say that we're going to be driving electric cars. That might be true. Ion lithium batteries have some potential. GM and Toyota say that next summer they're going to have plug-in hybrids. But I will also tell you that Volkswagon, which is a premier automotive interest in the world, can make a three-cylinder diesel engine, lightweight, gets 50 to 60 miles a gallon so biodiesel, biofuels, as long as they're cellulosic in nature and not corn based, are very important developments as well.

I will tell you what I don't think the Congress ought to do is pick winners and losers. I think we ought to have an all-of-the-above strategy. Let the market determine which one gets their best and first. Let consumers choose and promote them all. Let the marketplace decide. Let me say that if we do end up plugging our cars in, though, we don't have the electricity capacity to keep them running. We have to have nuclear energy.

The numbers—81 percent of France's electricity is generated by nuclear power. They have 53 reactors; we have roughly twice that many. They don't bury their waste, which we propose at Yucca Mountain. They reprocess their spent full turning most of the spent waste back into energy. Why don't we do that? Because we're still stuck in a Three Mile Island time warp mindset that it's somehow not safe, and it is. And there is no evidence that it is not. And we've not had any nuclear incidences. We have 53 nuclear reactors. It is emissionless.

You want to reduce the carbon footprint? Promote nuclear. If you want to reduce the carbon footprint in a meaningful way and you're against nuclear, you're disingenuous. I don't care what your name is. You're not living in the real world, or you're playing politics. We need nuclear.

Now, another new technology is the stationary solid oxide fuel cell. What is that? Well, it's developed out of Silicon Valley. Partnerships around the country. We have a 100-kilowatt system now being demonstrated in the Tennessee Valley. It looks like the HVAC system in your home, but here is the special element of a solid oxide fuel cell: It makes electricity, but it's not on a transmission grid. That's pretty cool in the world we live in today because without a transmission grid, you can't shut down the electricity through a terrorist incident because not everyone is connected to the grid.

And in this stationary solid oxide fuel cell, which is also emissionless, reducing the carbon footprint, it does have to be fueled in one feedstock. It's an HVAC system with fuel cells that creates 100 kilowatts of power which is roughly a 30,000 square foot building. Office building, commercial center, several houses. But you have to have a feedstock, but it will run on anything, just about. It will run on natural gas, it will run on solar in some places, ethanol, different feedstocks.

But that's an important development. It has got tremendous electricity potential especially if we start plugging in our cars and we need this new electricity capacity.

I believe we ought to look at a follow-up stimulus bill that directs resources to people that are stuck. And I'll tell you in the south, if you're on the lower income, you probably have a very inefficient vehicle and you probably drive a long way to work and you're stuck; and those are the people that our next economic stimulus ought to help. We ought to figure out a way in a bipartisan way to get them some resources to move to more efficient transportation, one way or another. Because people right now, they can't trade that big car. They can't get for it what it's worth, and then they don't have the money to go to a more efficient car. We should help them.

In closing, let me just say words are cheap and votes really do make a difference, and the votes for energy capacity have been really important in the past, and they're even more important today; and they're going to be even more important tomorrow. And this is where we have to bring this Congress together.

And the Democratic leadership in the House and Senate is way out of touch with reality unless they get serious immediately about increasing capacity because if we made moves that were published around the world that we're going back in the energy-production business, prices would come down overnight, not because the energy is there overnight, but because they know we're going in the right direction because right now we're going in the wrong direction.

We need help.

Mr. PETERSON of Pennsylvania. I thank the gentleman from Tennessee.

The president of DOW Chemical said in a letter I received, he said, We have a debate going on in this country and one side wants production, the other side wants conservation and renewables. He said you're going to need them all. You'll need them both. There's no room for choice.

At this time, I'm glad to be joined by my friend from New Jersey (Mr. GARRETT).

Mr. GARRETT of New Jersey. I appreciate the gentleman for hosting this special hour tonight and also very much importantly for all of your work all over the years on this very important issue.

And this issue really does strike at the heart of my constituents back in my great State of New Jersey whether it's from my home County of Sussex County, where over 60 percent of them have to commute out of the county every day by car, or Warren County or Bergen County where a host of so many commuters are being hard hit by this hard energy crisis that we're facing right now.

I join with my friend from Tennessee where—I don't come to the floor to blame anyone because the American public simply wants the Congress to come up with answers to the problems

that we are all facing back in our district.

And I think really when you get right down to it, it's not that complicated in one sense to take a look at the various policies or ideas out there. It's easy, I think, one way to tell whether a good—whether a policy is a good energy policy or not. All you have to do is look at three things: supplies, cost, and security.

A good energy policy is a policy that will do what? It will give you more energy. More supply. A bad energy policy will give us less supply. A good energy policy is one that will lower costs for Americans. A bad energy policy is one that is going to continue to raise or escalate costs, meaning that American families are going to have to have less money for their food, housing, education, and so on. And thirdly and finally, a good energy policy is one that will make us a stronger, more secure America. A bad energy policy is going to be one that makes us less secure, less independent of foreign, unstable regimes like Venezuela and overseas and Saudi Arabia and places like Russia and the like.

So why don't we take a minute to see what has, quite honestly, the other side of the aisle proposed for us. I have in my hand right here, the Democrat plan to lower gas prices. You may recall that when Democrats were campaigning for the 110th Congress, they said that they had a commonsense solution to lower the price of gasoline and energy for the American public. And we are now 18 months, I think, into the 110th Congress. And, well, there is absolutely nothing in the Democrat's plan.

Their commonsense solution, and that's why we're so eagerly awaiting it, and that's why we, on this side of the aisle, come to the floor every night to hammer home the point that something must be done. But we can look to see what has occurred over the last 17 months, 18 months of the 110th Congress now that the Democrats have been in charge of dealing with energy. On these three points: on supply, on cost, on security.

On supply. As I stand here tonight, as was already indicated from the gentleman from Pennsylvania, 85 percent of the Outer Continental Shelf where our energy supply comes from, natural gas principally, but oil as well, it's basically locked up off limits to us for further exploration even determining what is actually out there. There was legislation to do that just to say what's out there. Let's find out the information. Off limits to us.

Deep sea exploration. Over 100 or 200—200 miles off sea totally off limits right now. Eighty-six billion barrels of oil, 420 trillion cubic feet of natural gas could be at our disposal to give us greater supply, but it's not.

Oil shales In the Midwestern part of this country. Oil shales were reported in the paper just today as it was going through committee and will be coming to the floor later on, proposals to keep that off-limits as far as greater supply for the country.

Let me give you some quick little number here. U.S. has two trillion, that's with a ''T,'' two trillion barrels of oil that effectively are involved here. And to put that in perspective, from 1859 from the first days that oil was pulled out of the ground to today, one trillion barrels of oil has been used. And we have basically two trillion barrels over there that we could basically be getting in economically viable ways.

Supply has not been addressed, unfortunately, during the 110th Congress by the Democrats.

Costs. Well, when they were campaigning for office, I know in my district you could buy gasoline for $1.80. Now, of course, it's up to $4, doubling the price, and that's hurting the American family.

What else has occurred during these last 17 months? Four times legislation has come through this House that would raise taxes on energy costs. And who actually pays those taxes at the end of the day? You and I do at the pump or any other ways where we buy our energy.

And finally, there are still proposals, believe it or not, from the other side of the aisle that want to put more taxes on us like 50 cents-a-gallon gasoline taxes has been proposed by Chairman DINGELL. So the next time you go to the pump and you're paying around $4 bucks per a gallon of oil, just remember the other side wants to add another 50 cents; and there is another proposal for a nickel as well by Chairman OBERSTAR. So 55 cents more if they have their way in taxes.

Finally on security. Well, right now this country imports around 63 percent or is dependent upon foreign oil. Places like Saudi Arabia, places like Venezuela, places like Nigeria where they have so many problems, Down south in South America as well; and that number continues to grow for the reasons I have just stated.

Gasoline. We have not built refineries in this country so now we are like many countries across the globe. We have to import gasoline, 10 percent of our consumption of gasoline is coming into this country, which makes us a less secure Nation because we do not have our own supply of refineries right here at home.

Let me move off of what we're doing here on the floor to an outside source to look at this. And the Investors Business Daily has taken a look at this issue. And what they said is this. They said just going back a couple of years, under the eight Clinton years alone, U.S. oil production declined 1.3 million barrels per day, or 19 percent, while our foreign imports increased 3.5 million barrels a day, or 45 percent.

During President Clinton's time, he vetoed legislation that would have increased legislation that would have increased production of our own vitally needed oil supply, not only for Americans but for our national defense emergencies as well.

The article goes on to say—it poses this question. So were the Democrats and Members of Congress together merely short-sighted with only a few having any real business experience, or were they just ignorant about economics, the fact that the law of supply and demand determines the price of oil commodities such as oil, steel, copper, and lumber? Or were they utterly irresponsible and incompetent in their actions that led us to become dangerously dependent on increasing oil imports from foreign companies? We think, it says, we think it was all of the above.

The unintended consequences of the Congress Members' poor judgment and meddling micromanagement of U.S. energy policy is that they actually hurt most of the people that they profess to help: the average American consumer, lower-income workers, and those in the inner cities who can't afford an extra $100 a month to drive to and from work.

So that, ladies and gentlemen, is the dilemma we face here in the 110th Congress on a proposal, on plans that do not address supplies, costs, and energy. And that is why I so commend the gentleman from Pennsylvania for the solutions that he's offered over the years as well and his legislation that goes to the issue of supply to increase the amount of energy that the American consumer can attain, to lower the cost of energy for the American family so that they have more disposable income for other needs, and to increase national security to strengthen America to make us more independent of these volatile countries.

And with that, I thank the gentleman.

Mr. PETERSON of Pennsylvania. I thank the gentleman from New Jersey for his fine comments, and we yield back the balance of our time.

30-SOMETHING WORKING GROUP

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, the gentleman from Connecticut (Mr. MURPHY) is recognized for 60 minutes as the designee of the majority leader.

Mr. MURPHY of Connecticut. Mr. Speaker, I thank my colleagues for giving us the indulgence of once again allowing the Speaker's 30-Something Working Group to come down to the House floor. We are hopeful tonight that we're going to have a full House here on the House floor, that we will be joined tonight by our master of ceremonies, on most nights Representative MEEK and his original partner in crime, Mr. RYAN, as well as Ms. WASSERMAN SCHULTZ, and Mr. ALTMIRE.

It's appropriate that we're going to have hopefully four or five of us here by the time the hour is up because we have a lot to talk about. Because as our Republican colleagues have noted

over the last hour, the one thing that they are probably right on the mark about is that people are hurting out there. People have a level of anger and anxiety over what is happening in this economy that many of us haven't seen in a very, very long time.

I don't know technically whether we're in a recession, whether we're on our way into one. All I know is that people are having to do more with much less; that that salary increase that people thought they were getting isn't happening; that those overtime hours that my constituents in New Britain relied upon aren't there this year. And yet on the other side of their family's ledger, the prices to heat their home are going up, obviously the prices to fuel their car are going up, the college expenses, the health care expenses are going in only one direction and by and large far outpacing the rate of wage inflation that they're seeing as well.

□ 2130

And the New Direction Congress is trying to do something about it. There's no secret as to why we've gotten into this situation that we're in today, why our people are making money at the very upper echelon of the income scale, why do we have GDP continuing to expand, while we have wages remaining relatively stagnant.

It's because for a very long time on the floor of this House of Representatives before the New Direction Congress was installed last January, the voices that really mattered down here were the folks that were doing pretty well off in this economy: the drug industry, the health insurers, and at the top of the list, the oil industry.

The dichotomy right now that exists today between the success of the oil industry and the distress of the people who buy their product is absolutely unconscionable. And it is hard for us to understand, with our slim majority that we hold on the Democratic side, why we can't get more consensus here between Republicans and Democrats to take on those gross and unjustifiable profits that are being made by the oil industry.

Last quarter's profits from American and multinational oil companies set records, not for the history of the American oil industry, but for the history of American capitalism, and it's no secret where they're making those profits. They're making it off of all of us.

Now, we heard a couple of days ago that the average price across this country hit $4 a gallon. Well, that was old news to us in Connecticut. We hit $4 weeks, if not a month, ago. We are well on our way in Connecticut to $5 a gallon, and in Connecticut it hurts us a little bit more because we have more congested highways. We don't have mass transit alternatives like other parts of the country. People are driving.

In my district, we still have some jobs growing in Danbury, Connecticut, but nobody can live there because we don't have enough affordable housing. So people live in Waterbury, Connecticut, and they drive 30 miles to work every day. They'd live in Danbury if they could. They can't afford to do it. They'd live in Stamford if they could, but they can't. They live where they have to. They work where they have to. And it necessitates a commute which puts them out now record amounts, all the while, while the oil industry are making profits, they are setting records in the history of American capitalism.

So, to us, it seems pretty obvious where we should lay the blame, on an oil industry which has continued to take profits out of American consumers and at the feet of an administration run by two oil men. I mean, it doesn't get much more simple than that.

I mean, I understand people's frustrations. I understand the frustrations of the folks on the Republican side and the Democratic side, but it doesn't take too much imagination to figure out why we got where we got. We elected to the White House a President and a Vice President who made their fortunes in the oil industry, and they have created a legacy that they will leave behind in the White House of doing even more favors for that industry, of setting an energy policy that guarantees massive profits for the friends that they left behind in that industry.

And so, to us, the solution seemed pretty simple. The Senate tried just a few days ago to pass a windfall profits tax to suggest that maybe they're making a little bit too much in the oil industry; we should turn a little bit of that back around to hardworking consumers. Couldn't get the votes it needed to without Republican support.

Here in the House, we looked at the $18 billion in tax breaks and giveaways that have been given to the oil industry. We watched a recent report come out from GAO, the nonpartisan Government Accountability Office, about a week ago which told us that we have given away over $50 billion in annual unclaimed royalties that we should be collecting against the oil industry for their drilling across this country and off our shores. And we see an opportunity, we see an opportunity to take those unclaimed royalties that are making the oil industry rich, we see an opportunity to take those tax breaks, $16- and $18-billion, however you want to estimate it that the 2005 energy bill passed before the New Direction Congress got here and gave to the oil industry, and we see a chance to take that money out of the pockets of the oil industry and turn it around to hardworking consumers, hardworking commuters that need a break right now.

It's not like the money isn't out there. It's out there. It's lying in the hands of oil industry and gas industry CEOs and their top executives, their shareholders who are reaping the benefit of the misery that people in this country are witnessing at the pump. Four dollars may be the national number, but in Connecticut that's history. We're on our way to $5.

So, to us on the Democratic side, on the majority side, we don't want this to be a partisan issue. I appreciate the comments of our Republican friends who spoke before the 30 Something Working Group here tonight, but this, to us, isn't about Republicans or Democrats, because you're paying $4.50 at the pump in Connecticut whether you're a registered R or you're a registered D. And those oil company executives are making record profits, whether they are a registered Republican or whether they are a registered Democrat. Affiliation ideology does not mean anything here. The stats are the stats and the numbers are the numbers, and it shows us that there are people making a lot of money who don't deserve to make it, and there are people enduring a lot of misery who don't have to.

And one of the most respected Members of the other side of the aisle sat at the well just a few moments ago and told us that words are one thing, but votes matter. I don't think that there would be a voice of disagreement in this House. Absolutely, you can go out there and say one thing about how you're trying to take on the oil industry, but what you do here matters.

And so I would encourage people out there, my friends in the Fifth District of Connecticut, and all those in other parts of the country that are struggling to understand what's happening with energy prices out there to check the record, to go back and look at what Congress has done and has attempted to do to fix this problem and see where the votes are and where the votes aren't.

You see, we've tried to pass legislation to punish price gougers, to give the Federal Trade Commission the authority to press Federal charges against those individuals, retailers and wholesalers, who have tried to take advantage of this situation to unjustifiably run up the price, and we've been alone over here on the Democratic side of the aisle. We've passed legislation to repeal the antitrust exemption that the big, multinational oil companies have so that we can go after folks that are price colluding against American consumers, and we haven't had much cooperation on this side of the aisle.

And we have put actions behind words when it comes to conservation. I hope that Representative WAMP is right. I hope that we are on the verge of a new era in transportation technology. I hope that we are going to see electric cars be the predominant force in our automotive world. I hope that we are near that moment, and I think he's also right, frankly, that if we are going to get to that moment we're going to have to be honest about the electricity capacity that we do not have in this country.

I hope that we can set, Republicans and Democrats, a strategy to get there, to both encourage the development of electric car technology, of the recharging stations that we will need to make that a robust technology and a commercialized opportunity, an alternative for commuters, and that we will also do the right things in terms of electricity production and grid capacity to make it a realistic option.

But until we get there, until we get to a moment where we can plug in our car and go, we have an opportunity today to stand behind an effort to make the cars that we buy right now more fuel efficient. Thirty years went by until this House of Representatives stood up under a Democratic leadership and passed a new law requiring that every car in this country, the average fuel efficiency of a fleet, be 35 miles a gallon. Thirty years went by, 12 years of Republican rule, and not a single bill passed in this Congress to promote conservation with real policy directives behind it.

Now, we did get a lot of Republican sponsors on that legislation, the energy bill passed at the end of last year, but we needed more. We needed more, and on that case, votes did matter. On that case, votes did matter. We have had bipartisan cooperation, but led by a new Democratic majority, this House stood up and passed legislation requiring cars in this country to hit 35 miles a gallon, which will save the average consumer $1,000 over the course of the year at the pump. That's real dollars. That's real dollars for the average consumer. In fact, that number was from the end of last year. It's probably much more than $1,000 now that the price at the pump has gone up.

And the alternatives that the Republicans offer, as we try to say, listen, the solution here is to make the cars we drive now more fuel efficient, the solution is to go after those that would collude to set prices, those who would take advantage of this moment to price gouge at the pumps, when we sit here and say that we can also look at legislation promoted by Representative STUPAK and Representative LARSON, legislation being worked on now by the Energy and Commerce Committee to start to regulate the energy commodity trading markets that are skimming millions, if not billions, of dollars off of the product that people are paying for at the pump, we can do something to take money out of the hands of speculators who have done far too well off of the rising price of oil and put that money back in the hands of those hardworking, middle class Americans who are paying the bills for those speculators on Wall Street.

We're going to move forward legislation to do that as well. We're going to set a long-term strategy while we're at it because we can do things in the short-term with price colluding, with price gougers. We can take pride in legislation that Mr. WELCH and Mr. COURTNEY and others moved through the House to stop the President from putting more oil into the Strategic Petroleum Reserve and, instead, put that oil on the market. That's another 10, 15, 20 cents on the gallon. We can do all those short-term things necessary to get the price of oil down.

We can take a long-term view to try to get to a moment in 5 or 10 years where we're no longer relying on a foreign-produced and foreign-priced product that oil is. We can have that long-term view to have a renewable domestically produced energy source here.

We can do all those things, and we can do them together. It's not mutually exclusive to try to take some steps right now, going against the speculators, going against the price gougers, stopping putting oil in the Strategic Petroleum Reserve. That's not mutually exclusive from doing the long-term things necessary to wean ourselves off of this product that we do not price, that for the most part we do not produce.

The solution, though, is not to just say that we're going to get a little bit more from here in the United States. We have a chart here that maybe we can take a look at with regard to some of the claims of our friends on the other side of the aisle with regard to the great salvation of the American energy crisis which is going to be the drilling for oil in Alaska.

We are talking about a project that, first of all, is going to take 20 years to get to peak oil production. It's going to take 10 years, Mr. Speaker, just to get to a point where anything is coming out of the ground. Even in a moment right now, where big oil companies have license to drill right here onshore, on about 42 million acres, 42 million acres that they could take oil from onshore. You know how much that they're taking oil off of right now? Twelve million. There's 30 million acres with permitted potential here domestically that isn't being used today.

□ 2145

So this talk of drilling more, these oil companies have the ability to drill for more oil right now, 30 million acres permitted and not drilled for.

Let's talk about offshore as well. And I want to talk about what happens in ANWR, in the Alaskan Wildlife Refuge, but let's talk about offshore. Thirty-eight million acres ready to go, permitted for drilling by the big domestic and multinational oil companies. You know how much of that 38 million is being used today? Eight million acres. 30.6—let's be exact here—30.6 million acres of offshore territory permitted for use not being drilled upon today.

This effort to take a small parcel of land, admittedly no bigger than Dulles National Airport, and use this crisis moment in American energy history to open up a sensitive wildlife refuge for drilling is nothing more than a power and money grab by an industry that already today, by facts and figures that don't come from me, but come from the industry themselves, suggests that there are 60 million acres of onshore and offshore territory today that are not being drilled upon that could be used right now if they wanted to. Record numbers of new permits being handed out for drilling on available lands and available offshore territory today.

It is not that we don't have the capacity for new drilling. We have it, it's ready to go; the oil industry has decided not to use it. The oil industry has decided, for whatever reason—I can't get into their heads to try to figure out exactly what their motivation is, but you can certainly impute a motivation which would suggest that a holdback on supply isn't such a bad thing, that by keeping supply, by holding back on drilling, by keeping that 60 million acres that they could drill on right now tomorrow from going into production, they're going to make some profit off of that.

Our focus has to be on how on Earth we have allowed for more tax breaks, for more royalty breaks to an oil industry making record profits in the history of capitalism that sits today on 60 million acres that they're not drilling on.

But let's talk about what would happen if we did get beyond that, if we did sort of forgive the fact that they just simply aren't using the territory that's available to them today and we gave them the ability to drill in ANWR. You're not going to be even able to really see this chart. In fact, Mr. Speaker and my colleagues, it looks like a blank chart. It's titled, ''How Much Would We Save by Drilling in ANWR?'' And the statistics used to make this chart don't come from congressional Democrats or congressional Republicans, they come from the administration, they come from the administration's own energy agency.

And you can't see anything on this chart. It looks blank to you because it is blank. How much would you save by drilling in ANWR? By 2030, Mr. Speaker—I'm going to have my first child this summer, and my child will be on his way to college by the time 2030 rolls around. So by 2030, my child will be driving a car. And in 2030, he's going to have saved 1.8 cents per gallon if we drilled in ANWR.

So even if you got over the fact that there are millions of acres out there permitted today, ready to go for exploration today that the oil industry has not used, even if you get over the very legitimate environmental concerns that confront ANWR, you're getting 1.8 cents in savings per gallon in 2030. Why 2030? Because it takes 20 years to get to peak production. It takes 10 years to get one drop out of the ground.

And while we sit here and argue over whether we drill in ANWR or not, we're wasting valuable time that could go into making changes today, like the success we had just weeks ago in stopping the deposit of new petroleum into the Strategic Reserve. That's not 1.8

cents per gallon, that is potentially 15 or 20 cents per gallon. Stopping putting oil in the Strategic Petroleum Reserve isn't 2030, Mr. Speaker, it's today, it's next week—maybe not next week, maybe it's next month, maybe it's next year. It's not 2030, it's immediate.

And more to the point, by spending our time this year and next year talking about how we take this country back from this oil industry, how we create sources of energy that are produced here in the United States that we control and we price, we're doing something not just for energy prices, but we're doing something for national security. Because every day that we continue to go on, every day that we fight about what little bit more we can get out of the ground, we're empowering a global energy industry that is a threat to this Nation in the end.

Every day that we continue to fill up our gas tanks with a product that sends money overseas to countries that use that money to fuel the educational and recruitment initiatives of those who would do harm to us—because that's what's happening here, we're sending oil overseas, Ms. WASSERMAN SCHULTZ, to countries that maybe aren't directly using that money to send straight to terrorists, but they're using that money to fund the schools that train the kids that eventually turn into those terrorists. They're using that money to create societies that marginalize individuals in Saudi Arabia and other places so that they have no choice but to flee to those extremist movements.

Every day that we sit here and argue over whether we drill in ANWR, whether we drill offshore, whether we give more power to the international oil industry that already is making these record profits in the history of capitalism, we are endangering the safety of this country.

I want to do the right short-term and long-term things because I go home every weekend and I feel the hurt, as you do, Ms. WASSERMAN SCHULTZ, as you do, Mr. Speaker, of all of our constituents that don't deserve to pay $4, $5 at the pump while the oil industry is making record profits. But I also want to make the right decisions now on the future of our energy policy because it's how my future kids and grand kids live in a safe country and in a safe world.

And so I'm proud to be part of a ''new direction'' Congress that is finally, for the first time in a decade, taking on this oil industry. I'm proud to be part of a Congress that is both doing things in the short run—even if we don't get Republican votes to do it—and trying to set a long-term strategy. It's a lot to ask. It's a lot to ask, but this is a big moment right now. This is a big moment. Four or five dollar prices at the pumps cannot sustain. Families cannot pay that. And the question is, are we going to allow the oil industry to co-opt this moment, to take advantage of it, to get a little bit bigger piece of the pie in order to make even bigger profits? Or are we going to use this money, the $4 and $5 prices at the pump, to finally stand up to these guys, to finally say enough it enough, and to set a long-term plan to get this country off of this product that we can't control, Ms. WASSERMAN SCHULTZ?

I think I know the answer to that. I think I know where this Congress wants to go. I think I know that the American public are ready to follow. But it frustrates me—you just joined us here—it frustrates me to listen to some of our colleagues standing on the floor and basically asking for the same old, same old that we've seen for the late 8 years, Ms. WASSERMAN SCHULTZ.

Ms. WASSERMAN SCHULTZ. Yes, they seem to believe that the President's drill more and veto policy is the right way to go when it comes to our energy policy. And I'll tell you, as I often call myself, Mr. MURPHY and Mr. RYAN, a minivan mom because I have three young kids, I spend most of my time, when I'm home, driving them from diving practice to baseball games to gymnastics, and it consumes quite a bit of gas. So when I'm home and have to go and fill up that gas tank, which I did just last week before I came back to Washington, it cost me $76, Mr. RYAN.

And we've done 30-something in the last few weeks, and I think the last time I was here it cost me $62 to fill up my gas tank, the last time we talked about this. And we've gone from $62, I'm at $76. The week before last I was at $72. The week before that, I was at $68 to fill up the tank. I mean, so now we're talking about real money. Seventy-six dollars is what a very small amount of groceries cost. And that's money that is the difference between someone being able to buy the groceries in the supermarket or put gasoline in the tank or make sure that they can take their kids to the doctor and make that copayment for the doctor's appointment. I mean, we have record gas prices now that are hurting, cutting people to the quick. And the Republicans, our good friends on the other side of the aisle, what is their solution?

First of all, before we became the majority and began to even put this issue on the front burner, it wasn't an issue for them. The last action that they took, when they were in charge, was to give $14 billion in subsidies to the oil industry, which is the most profitable industry in America. Now, what does that mean? We've heard a lot of us talk about those $14 billion in subsidies. What it means is that the Federal Government gives the oil industry permission, they are allowed to drill for oil on Federal lands and in exchange they are supposed pay royalties to the Federal Government to do that. We forgive those royalties, that's what the $14 billion is. And what we have proposed is, because we want to truly wean ourselves off of our addiction to oil—and not just foreign oil, we need to wean ourselves off of our addiction to oil period because oil is a finite resource. We need to really invest in renewable energy sources, in biofuels.

And what we would like to do is repeal that $14 billion in subsidies, require the oil industry to pay the royalties—because they're pulling oil out of the ground on land that they don't own, on land that is owned by the Federal Government, they're profiting from that and paying nothing for the privilege—we want to take that $14 billion in subsidies and invest it in alternative energy research. Because, you know, growing up, Mr. MURPHY and Mr. RYAN, I remember during the Carter administration, I remember the energy crisis. I remember sitting in the back seat of my parents' car on gas lines. And I remember in elementary school seeing all the conservation efforts that they started doing all the way down to, you know, to the public school and elementary school level. We had signs next to the light switches that suddenly were put on there that said, you know, ''turn the lights off.'' There was a big national energy conservation effort that just fizzled once Ronald Reagan became President. And we never invested in alternative research like we should have. The conservation efforts went by the wayside, and we went back to the same old story, oil, oil, oil.

And look, right now, the Republicans are talking about needing to drill for more oil in ANWR, pulling oil out of shale, this 68 million acres available now that they are not drilling on, 68 million; I mean, it's absolutely ridiculous. They need to be utilizing the turf that they've got now, and they're not.

So we need to make sure that it's clear to the American people—and that's why we come out here every night—who's for solving this energy crisis and who's all talk. And I think the Republicans have clearly proven that through their actions and their lack of stewardship when they were in charge. And I yield to the gentleman.

Mr. RYAN of Ohio. What's funny here, Mr. Speaker, is that this is another pattern, as these issues continue to come up, where the Republicans continue to offer solutions that have absolutely nothing to do with the problem that we're trying to deal with. You know, they lack ideas. They are a party that's void of ideas.

We cannot drill our way out of this problem. That's the issue here. Drilling has increased in the last 7 years by 66 percent, and there has been no decrease in the price of gas, there has been a tremendous increase. And on Friday, there was an increase in the per barrel cost of oil that was larger than a barrel cost 10 years ago. So the increase this year was more than a whole barrel cost 10 years ago. We've been drilling more than we've ever been drilling, 66 percent more in the last 10 years, and it's still not reducing the price.

The key here is we need to move off of our dependency on foreign oil. So if

you look at what the policies have been up to this point—and everyone says, you know, they come down to the floor, ''if we could only drill in ANWR,'' if you started drilling in ANWR today, you wouldn't get a drop of oil for 10 years. And in 20 years, you would only reduce the cost of a gallon of gas by one penny. That is the energy plan of the Republican minority in Congress and President George Bush: Go drill, and in 20 years we'll save you one penny per gallon of gas.

□ 2200

What we're trying to do is to make a very mature decision, which is unusual for Washington, that if we take the $15 billion or $18 billion in subsidies that we're giving to the oil companies under the Bush administration, we can move that into alternative energy research and development and have a long-term plan to solve this problem. We do not want to be here. Hopefully, God willing, our constituents will continue to elect us.

Mr. MURPHY of Connecticut. Will the gentleman yield for just 1 minute for a correction?

Mr. RYAN of Ohio. I would be happy to yield.

Mr. MURPHY of Connecticut. I just want to point out that it's not actually a penny, Mr. RYAN. We have a chart here. It's 1.8 cents.

Mr. RYAN of Ohio. I'm sorry.

Mr. MURPHY of Connecticut. It's actually 1.8 cents.

Mr. RYAN of Ohio. I reserve the right to revise and extend my remarks. So I'd like to take this opportunity to say 1.8 cents per gallon of gas 20 years from now.

Mr. MURPHY of Connecticut. Right.

Mr. RYAN of Ohio. What we're trying to say is we don't want to be in the same position 20 years from now or 10 years from now that we're in today, so that means that we need to make some long-term decisions. It's easy to come down to the floor: Drill, drill, drill. Drilling will not solve this problem.

If you look at what President Bush's policies have been, if you look at what the Republican Congress' policies have been—drill, increase by 66 percent—gas still goes up through the roof. The war in Iraq has totally destabilized the region that has more oil than anywhere else, and it has totally helped to drive up costs.

What we're trying to do is to have these mature discussions, not drill and veto, drill and veto, drill and veto. Let's stop the manipulation of the commodities market. Let's stop the manipulation of the futures and everything else where it's just continuing to drive up the cost of gasoline for average people. That is basically what is going on.

I think Ms. WASSERMAN SCHULTZ made a great point. There are 68 million acres of land, Federal land, that the oil companies could tap into if they wanted. They have not. As for the refining capacity in the United States, everyone says, ''Build more refineries. Build more refineries.'' The refineries we have now are only working at 85 percent. So there are a lot of smoke and mirrors coming from the other side.

What we are trying to say is we need long-term, responsible policies that are going to stop providing corporate welfare for the oil companies, and we need to invest that money into long-term biodiesel, nuclear, wind, solar, and all of these other issues.

With that, I'd like to yield to our good friend from Pennsylvania.

Mr. ALTMIRE. I appreciate the gentleman from Ohio.

I do hope those who are interested in this topic—and everybody in this country, I think, is interested in the issue of gas prices and is certainly interested in alternative sources of energy—have heard what the gentleman has just said.

There was a poll taken which somebody talked to me about today. Fifty-four percent of the American people think that we should drill for more oil domestically. Well, I don't think there is anybody in this Congress who disagrees with that statement. What does that mean?

As the gentleman said, there are 68 million acres. That is not a typographical error. I'm not misspeaking. The gentleman was not misspeaking. There are 68 million acres of Federal lands that are currently available and permitted to drill for oil. Well, why aren't the oil companies drilling for oil there? There are a variety of reasons.

Some of it is the construction. The permitting, the geological, the surveying work that needs to be done takes a long time. That's the issue with ANWR, the Arctic National Wildlife Refuge. If we said today we were going to allow the oil companies to drill for oil in ANWR, it would be 10 years before the first drop of oil came, and it would be 20 years before ANWR was at peak capacity. I'll return to that momentarily.

Part of that 68 million acres that isn't being utilized is going to be developed at some point, but they're not there yet. Part of it is that the oil companies buy up these leases and stockpile them because that looks good on their assets, and they file their financial reports, and it helps their bottom line because they hold the futures on stockpiled assets that are leased acreage for oil drilling. But we have in the Outer Continental Shelf already identified where 80 percent of the known oil is. It is within the area where the oil companies are already permitted to drill and where 8,000 leases already exist. So 80 percent of the known oil in the Outer Continental Shelf is already within an area in which we're able to drill for more oil.

So those watching tonight might say, ''Well, how much of that 80 percent are we drilling on?'' Well, we're drilling on about a quarter of it. About 75 percent of the leases that are held in that area where we know that there is oil is not being used for oil drilling right now. It's the same situation. Some of it is being surveyed, and the geological work is being done, and they're going to do some construction, and they'll get there. Some of it is just being held by the oil companies.

Then you have the coast of Florida, where the gentlewoman is from, and you have the coast of California, and you're getting into those issues. It's the same thing. We have identified places in this country where it's already available to drill for oil.

You might say, ''All right. What are we talking about? How much oil are we talking about?'' How about 4.2 million barrels of oil per day that we could get from those 68 million acres if we were drilling right now where the leases are already held. 4.2 million barrels.

By comparison is ANWR, which we're talking about. The first drop of oil arrives in the pipeline in ANWR 10 years from the time that we say you're allowed to drill there. 40,000 barrels of oil per day that first year from ANWR. 40,000 barrels per day. Currently, the worldwide oil market is about 80 million barrels per day. So we're talking infinitesimal on the worldwide market.

When ANWR is at peak capacity, according to the experts, it's going to be approximately 800,000 barrels a day. It's going to be 800,000 barrels of oil a day in a market that's 80 million barrels a day, a worldwide market. Let's think about that 4.2 million barrels that we could get from the 68 million acres, and I know we're talking about a lot of numbers right now.

Mr. MURPHY of Connecticut. We're standing here, and we're incredibly impressed, Mr. ALTMIRE.

Mr. ALTMIRE. The point is this: We already know where there is oil to drill in this country. The oil companies already own the leases where they could drill for that oil. They're making a conscious decision, for a variety of reasons, not to drill for oil in places where they're already permitted to do so.

Lastly, on refineries, people will say, ''Well, let's build more refineries.'' Well, we have half the number of refineries today that we had 30 years ago because the companies have shut them down, and the refineries that we do still have are operating, as the gentleman said, at 85 percent capacity.

So what is the point of spending the time and the effort to build more refineries, and what is the point of spending the money if the refineries that we have aren't even operating at near full capacity? There are other ways we could spend our time. There are other ways we could spend our resources. There are other ways we could spend our money.

So what, I think, every Member of our side of the aisle agrees on is we have a crisis regarding gas prices in this country right now. I don't think anybody would disagree with that. We're paying over $4 a gallon. It's

going to continue to go up in the foreseeable future. We have to make a decision. We've arrived at a crisis point. We have a decision to make. There are no short-term solutions.

Now, we can put a Band-Aid on it and do the Strategic Petroleum Reserve, which we did, which is going to have some impact. It's not a long-term solution. We're going to talk about manipulation in the market and about the speculation that goes on, and that drives the price per barrel up. We can do some short-term things there, but in the long term, we have to make a decision.

There are one of two ways we can go. We could either continue our dependence on oil—and yes, we're talking about domestic sources of oil when we talk about ANWR and the Outer Continental Shelf and the coasts of Florida and California. That's domestic oil. But there is not nearly enough oil there to produce that would bring down the percentage that we get from foreign nations. So, even if we were done and if we were pumping all of the oil from those 68 million acres and from the new land in ANWR and from the other locations, we still would get more oil from foreign nations than we would produce in this country. There's no way to get around that.

So the question is: If it's a 20-year process until we get to peak capacity at ANWR and in the Outer Continental Shelf, isn't there a better way that we could spend the next 20 years if we're going to pour money into it and have a national commitment to say we're going to find an alternative source of energy?

What I advocate and what I'm sure my colleagues would agree with is we need to put our best and brightest on the job and give them all of the resources that they need. We need to take everybody from our eighth grade science students on up to our Nobel Prize winners and say, figuratively, ''You go in the same room. We're going to give you all of the money that you need, all of the resources and all of the support this Nation can provide. This is our number 1 priority. Figure out a way to make a car run affordably on something other than gasoline.''

We can do that, but we can't do both because every dollar we spend drilling for more oil or that we spend building more refineries is a dollar we could have spent getting us off oil and getting us off our dependence on foreign oil.

Mr. RYAN of Ohio. If the gentleman would yield.

Mr. ALTMIRE. I would.

Mr. RYAN of Ohio. When most of us here are back home, I know that people say, ''Just stop the politics. Solve the problem.'' That entails our making some tough decisions long term, and this is kind of the general theme of what we're talking about here.

It is that we're trying to provide, yes, some short-term relief but also some long-term planning and long-term investments so that we're not here 10 years from now. If you're running a corporation or a business, you have a long-term business plan. This is our long-term business plan for the United States of America.

Do you want billions of dollars going to the oil companies that are, supposedly, supposed to help them increase refining capacity and help make it easier to drill but where they're not doing it for whatever reason? Public tax dollars. So the average taxpayer is getting hit at the pump, and their tax dollars are going to the oil companies, and still the price is not going down.

What we're trying to say is this money can be better spent. We are making a decision here to invest this into the long-term alternative energies which will prevent us, as a country, from being in the same position that we're in today 10 years from now.

I yield to my friend.

Ms. WASSERMAN SCHULTZ. Thank you.

By the way, to the gentleman from Pennsylvania, that was a very impressive top-of-mind overview, and your command of the facts is truly incredible. So thank you very much for that very articulate overview.

We also want to stress that, in addition to laying out the problem and the shock that we have in reaction to the solution of our good friends on the other side of the aisle to drill and veto, we have not stood idly by and just said, ''Well, unless we repeal these $14 billion in subsidies, then we're not going to be able to do anything.'' We have a series of bills that we have passed, and I think it would be helpful for us to go through those and to tell people the efforts that we're making—some short-term, some long-term.

This is a difficult problem to solve in the short term. It is very difficult to dramatically bring down gas prices through legislation in a short-term way, but one of the things that we did was to pass the Strategic Petroleum Reserve Fill Suspension and Consumer Protection Act.

What that does is it says to the President that he is not to fill the Strategic Petroleum Reserve, and that was something that the President had previously opposed. He was threatening to veto it until he realized that the increase in gas prices was so politically painful for both his administration and for his Members of Congress that he had no other choice but to finally relent and agree to sign it. There were still 25 Republicans who voted against that bill.

What the Strategic Petroleum Reserve Act is designed to do is to bring gas prices down in the short term. During the rest of this year, we expect that bill to affect gas prices in the short term.

We have the Renewable Energy and Job Creation Act. That is a bill that will extend and expand tax incentives for renewable energy, the type of energy that we would like to go in the direction of, instead of the finite sources that the Republicans always talk about.

What that bill would do is generate hundreds of thousands of green jobs, spur American innovation and business investment, and cut taxes for millions of Americans. What the provisions of that bill will do is preserve hundreds of thousands of good-paying, green-collar American jobs.

A recent study showed that allowing the renewable energy incentives to expire would lead to about 116,000 jobs being lost in the wind and solar industries alone through the end of next year. Yet 159 Republicans voted against that legislation. That's how latched to the oil industry they are.

How about the OPEC and Big Oil companies accountability bill? We passed a bill that would combat record gas prices by authorizing lawsuits against oil cartel members for oil price-fixing as well as created an antitrust task force to crack down on oil companies that are engaged in anticompetitive behavior and market manipulation.

□ 2215

You still had 84 Republicans vote against that bill.

We also passed legislation, historic legislation, Mr. MURPHY, for the first time in 35 years we have passed legislation that will require the automobile manufacturing industry to increase fuel efficiency standards to 35 miles per gallon by 2020. That is the first congressional increase in more than three decades. Ninety-six Republicans voted against that legislation. It was signed into law on December 19, 2007, so we will over the long term see fuel efficiency standards improve, which, of course the automobile industry could have done years and years ago on their own. But, unfortunately, we had to cajole them along a little bit.

There are two more bills I want to highlight, simply because of the shockingly large number of Republicans that voted against those as well.

You have the Renewable Energy and Conservation Tax Act. That is the bill that included the repeal of this $14 billion in subsidies. It also would invest in clean and renewable energy and energy efficiency and also address a reduction in global warming. It included provisions that would generate, again, hundreds of thousands of green jobs by investing in solar energy and biodiesel jobs and protect an additional 75,000 wind industry jobs. And 174 Republicans voted against that bill.

Lastly, one of the things that we wanted to make sure we protected against when it came to our energy policy was price gouging, so we passed the Energy Price Gouging Prevention Act, because it is a little bit suspect that all of these retail establishments and all of the entire oil industry suddenly and dramatically all increase prices at the same time. What a coincidence.

So we thought it was important in order to provide immediate relief to consumers to give the Federal Trade Commission the authority to investigate and punish people and entities that artificially inflate the price of energy, and we wanted to ensure that the Federal Government had the tools it needed to adequately respond to energy emergencies and prohibit price gouging, particularly like, for example, when you have natural disasters like my State faces which we often struggle with. And 140 Republicans voted against that bill.

So it is just really important that we highlight these stark differences in our policy versus the Republicans, what we support and the actions that we have taken and what the other side supports. The other side is married to the oil industry, and we would like to move, again, in a new direction, so we can invest in renewable energy.

Mr. MURPHY of Connecticut. Ms. WASSERMAN SCHULTZ, just to put it in real stark terms here, 2002 to 2008, the oil industry we are talking about here, goes from $6.5 billion in profit, that is pretty good, you are going to take that, that is a good year, to 2008, $36.9 billion in profit.

We still haven't figured out why that is. Why is it that the oil industry and the drug industry are two of the most profitable industries in the world? Because they cornered the market, right? You have got to take that drug. You have got nowhere else to go. If that drug keeps you alive and nobody else makes that drug, you have got to buy that drug. If the only thing that gets you from point A to point B is the product that Exxon and Chevron and BP make, then they can charge whatever they want.

So we can talk about the margins here. We can talk about producing a little more. But, in the end, the reason why they get to just basically decide whatever they want, they can make $6.5 billion one year and $36.9 billion the next year, it is up to them, because they know whatever they charge, we will pay, because we have no alternative. That minivan mom, that soccer mom, guess what? Nothing else fuels that car right now, except for the products that these guys produce.

If I made a really good apple pie and I went out and everybody else that tried to grow some apple trees in their backyard, I whacked them down, I could charge whatever I wanted for that because nobody else could make that pie. That is what the Republicans are basically doing. Everybody else that tries to go out and plant some apple trees in their backyard to give an alternative to the big oil companies, they whack those trees down. Guess what? That apple pie is now about $5 a gallon, Ms. WASSERMAN SCHULTZ.

Mr. RYAN of Ohio. If you look on every issue, right, it is like we get hit on 9/11, the Taliban is housing them in Afghanistan, somehow we end up in Iraq. We have an energy problem. Drilling is up 67 percent. We have all this land and everything else, all these other areas. We got to keep drilling. That is the answer, when we know that it is these other things going on in the commodities market.

We look at trying to reduce the cost of college education. It is like we will put the banks in charge of loaning the money to the kids. Or if we want to provide prescription drugs, I got an idea. We will have the taxpayer pay for it, and we won't do any negotiations with the drug companies at all.

It is like they have a solution that doesn't address the current problem that we have at hand, Mr. Speaker. And what we are trying to say is we have solutions that will last more than a decade or two, and if they are wrong, we will switch them. But to come down and say drill, drill, drill, drill, drill. In ANWR, for example, it will reduce the cost of a gallon of gas by 1.8 cents per gallon of gas 20 years from now if we start drilling today. Totally off the mark.

Mr. ALTMIRE. I think it is instructive, the gentleman talks about mistakes having been made on other issues. It is instructive when you think about the people who are making the arguments for how to solve the problems that we face today, let's take a look at what the track record is and how we got to where we are today. Who made the decisions that have led us to where we are today?

I know I don't want to be partisan about this, but the facts are the facts. There are three reasons that gas prices have gone up, two of which we can control and one we can't. We can't control the increased demand in China and India and other countries in the world. It is a huge driving force. It is going to continue to get worse over time. It is going to continue to drive an increase.

The other two factors, increased speculation in the market and manipulation of the price in the worldwide oil market. The gentlewoman from Florida talks about what this Congress is doing on that issue in regulating that market and moving towards a more fair system that is going to decrease the price per barrel upwards of $30. We are taking action. That is a second cause.

But perhaps the biggest cause is the weak U.S. dollar. So let's take a look at why the dollar is so weak. Oil is traded in the worldwide market based on the dollar. We are paying more in this country. Obviously our currency is the U.S. dollar and we are paying more because of the weakness of the dollar which is at an all-time low, an historic low.

Well, it is because of the economic policies of the past 8 years that have driven our economy and driven the price of the dollar nearly to the ground. And I would invite anyone to compare where the dollar was based on other worldwide currencies 8 years ago versus today.

We have an enormous trade deficit which the gentleman and I deal with every day in our districts with the jobs that have been lost, and the trade deficit is at almost historic proportions. That has led to a decrease in the dollar.

But mostly the runaway spending of this Congress and the $3.5 trillion in debt that this administration and the previous three Congresses rolled up on the American people have led to the economic conditions that drove the price of the dollar down, that have resulted in sky-high gas prices.

So the exact same people who made the decisions that led to the crisis that we are in today now have their own recommended solutions. And I don't dispute their motives. I think they are in it for the same reason we are. They want to do the right thing. I just think they are wrong. I think that their course of action that they propose is not going to solve the problem, and in fact is going to lead to a worsening of the problem by furthering our dependence on oil, as we talked about.

Ms. WASSERMAN SCHULTZ. Mr. MURPHY, I might need a little help with this so I can be bipartisan. Let's spread this out here. It is always better in the 30-Something Working Group when we give visual examples of what we are talking about.

We walked through the agenda of the New Democratic Congress on our initiatives to try to affect the cost of energy in the short-term and the long-term.

Here is a visible example. Next to here are the names of the entire Republican leadership, and here are the four major pieces of legislation that we have moved through the Congress. Not allowing OPEC to price fix, making sure that our constituents are not gouged by prices, ensuring that we invest in renewable energy and repealing those $14 billion in subsidies, and ensuring that we have energy security going into the future.

There are no yeses on this entire grid, the entire Republican leadership. What is objectionable about making sure that we don't have price gouging when it comes to gasoline? Should we allow OPEC to fix prices? Is that okay? I am just not sure which of these bills was objectionable.

It is one thing for them to say that we should do some other things as well, but if we are going to try work in a bipartisan spirit and approach this problem and find a solution together, voting no on anything that doesn't prop up the oil industry is just insensitive and callous and doesn't recognize that this is a real problem that is affecting Americans in a significant way.

Thank you, Mr. MURPHY. I would be happy to yield back to Mr. MURPHY.

Mr. MURPHY of Connecticut. You know, before I was joined by my illustrious colleagues here this evening, one of actually our more helpful colleagues on the other side was talking about words are one thing and actions are another. Words are one thing and votes are something else.

Ms. WASSERMAN SCHULTZ, you are pointing out when this comes down to it, when we had the chance to gather together and link arms and be one as Republicans and Democrats, our friends on the other side of the aisle didn't join us. There have been plenty of opportunities for that to happen, for us, as Mr. RYAN says, to do what our constituents want and put politics aside.

As I said at the outset, the pumps don't care if you are a Republican or a Democrat. The pumps don't care if you voted for CHRIS MURPHY or not. They are going to charge you the same thing one way or another.

I think Mr. ALTMIRE is right. Maybe they have the best intentions at heart. But it is a pretty simplistic solution to a pretty complex problem: Drill more, drill more. Again, you are just feeding the beast. You are continuing to perpetuate a monopoly on energy that offers no real competition.

What you need is not competition between Exxon and Mobil. You need competition between oil and electric, between biodiesel and gasoline. That is what you need competition among. That is how you are going to solve this thing in the end.

But so long as the solution to high oil prices is just more oil and nothing else, Ms. WASSERMAN SCHULTZ, Mr. RYAN, you are not getting anywhere.

Mr. RYAN of Ohio. I think it is important, the American people are onto this. They have been dealing with this problem now for like 35 years.

Ms. WASSERMAN SCHULTZ. Pretty much our whole lives.

Mr. RYAN of Ohio. Before we were even born. But they have been dealing with this issue of oil and gas and the Middle East and dictators and how do we do this and prop up this one and try to figure it out.

In this whole scheme, I was watching a thing on Darfur last night. The only reason we couldn't get things done in Darfur is because China has oil in Sudan and we couldn't go in there because they were blocking things at the UN. Oil has become a major, major geopolitical and domestic problem in the United States of America. It has come to a head, and it is NANCY PELOSI and HARRY REID and the Democrats who are trying to move us off the dime and say long-term alternative energy is the investment. If we drilled in ANWR today, in 20 years you would save 1.8 pennies per gallon of gas. We can't drill our way out of this thing.

So if we don't start getting innovative and having a NASA-shoot-the-moon project for alternative energy, we are going to be in the same spot a decade from now, two decades from now. Our constituents did not elect us to come down here and play politics with this.

Mr. MURPHY of Connecticut. Mr. RYAN, Ms. WASSERMAN SCHULTZ, Mr. ALTMIRE, I thank the Speaker again for allowing the 30-Something Working Group to come down to the floor again and share with our colleagues the ''New Direction'' mentality that we continue to preach, talk about, and vote for here on the floor of the House of Representatives.

□ 2230

DEVELOP ENERGY IN THE UNITED STATES

The SPEAKER pro tempore (Mr. HARE). Under the Speaker's announced policy of January 18, 2007, the gentleman from Iowa (Mr. KING) is recognized for half the time before midnight.

Mr. KING of Iowa. Mr. Speaker, I appreciate greatly the privilege to address you tonight on floor of the United States Congress, and as I listen to my colleagues talk about the energy situation that we have here in America, it's quite interesting to me that my colleagues would say well, we can't drill in ANWR because in 10 years we are going to still have some other energy issue.

Are they looking for the silver bullet, I wonder? Do they insist that we can't do anything with regard to energy? We can sit here and deal with $4 gas? Unless we can fix $4 gas and make it $1 gas, we shouldn't do anything? I wonder what is the problem with the realistic approach to this that seems to be a barrier for my colleagues from the other side of the aisle?

We know this, that there is a little over 10 billion barrels of oil in U.S. reserves, and we know that the United States Department of Energy produced a number about three days ago that showed there is about 10.4 billion barrels of oil in ANWR. If we open up ANWR, we will essentially and virtually double the oil reserve supplies for the United States of America if we tap into ANWR.

Now, what kind of thinking person would say I would rather pay $4 for gas, or $5 for gas, or $6 or more dollars for gas before I would tap into 10.4 billion barrels of oil in a neighborhood up there that I would remind you, and I would remind the body, that in 1970, we were scheduled to go up to Alaska and drill for oil in the North Slope. I remember that very clearly, 1970.

The idea was, we will build a pipeline from the North Slope, Mile Post Zero up there at Dead Horse access on the Arctic Ocean, and that pipeline will run from there all the way down there through the Port of Valdez in Alaska where they will then tanker that oil down to refineries along the coast of California and other points. That was 1970.

The same philosophical environmentalists that are blocking drilling in ANWR today, the ones that took the floor just a few moments ago that said—where we shared—we dare not drill in ANWR because it's not going to solve all our problems are the ones that brought the lawsuit that brought the drilling that blocked the North Slope of Alaska in 1970.

In those days, there was a long and intense court battle that finally got the environmental extremists out of the way. In 1972, they said, all right, there isn't any logical or rational or legal reason why you can't drill the North Slope of Alaska.

So we went up and we started to punch holes in the North Slope of Alaska in 1972. In 1972 we started building a pipeline from the Arctic Ocean all the way down to the Port of Valdez. I don't actually know how far that is, but I know that there was a right-of-way for alongside the pipeline that went from Fairbanks 600 miles north. It's more miles than that from Dead Horse access on the Arctic Ocean on down to the Port of Valdez.

Even though the environmentalists in court blocked drilling in ANWR for that period of time for 2 years, even though we look back on that—well first, at the time, I thought how can the environmentalists be so effective as to shut down access to the American energy supply for two full years without a logical, rational or legal argument?

Well they did so, and now I look back on that, and I think how in the world did we resolve issue in two short years by going to court between 1970 and will 1972 to clear the environmental extremists out of the way and go in and drill in ANWR where all these extremists ideas were that if we punch our drill in the North Slope, if we punch holes in the North Slope, there will be oil flooding all over the permafrost, the tundra will be destroyed. They will be driving bulldozers through the tundra, and you can never put that environment back again.

It's a careful balance that Mother Nature has, and the caribou will all drown in crude oil. There won't be any wolves left, and it will just be a terrible economic or terrible environmental catastrophe. That was what they predicted in 1970.

In 1972 we started building the pipeline and building the right-of-way and drilling the wells on the North Slope of Alaska, identical in the environmental component that's there, to ANWR today. In 3 years we built the pipeline, we built the right-of-way road along the pipeline. We punched the wells in. We got the wells up and got them running. We hooked them in and began to transfer that crude oil down through that long pipeline down to Valdez and into other parts of the United States where it was refined. That got accomplished in 3 years.

And now, Mr. Speaker, the very people that sit over on this side of the aisle tonight that have blocked the drilling on the North Slope back 30-some years ago, and are blocking the drilling in ANWR today say, well, gee in 10 years, we still will have a problem with enough oil for the United States of America, and you will not solve this problem, the whole problem. You will not solve it in perpetuity so, therefore, you ought not do anything in Alaska to fix it.

What kind of a Nation would be foolish enough to set aside half of its crude oil reserves when gas is 4 bucks because of some myopic idea that you should not punch a hole down through the permafrost when you have proven 38 years ago—I should actually say 36 years ago—that we could drill wells through the permafrost, we could drill them on the North Slope of Alaska.

We could transfer that oil out of there into the terminal, start it in at Mile Post Zero in the Alaska pipeline, that 51-inch diameter line that runs from there on down to Valdez and pump all that crude oil, and we have done since 1972, 36 years.

If there was an environmental problem, I guarantee you that people on this side of the aisle lament anything that will lower the price of energy, would have told us that somebody spilled a gallon of crude oil someplace up there near the Arctic Circle. But have we heard them say anything about a single gallon? No, we have not.

I know it does happen. Occasionally, there will be a leak in the pipeline, a little rust hole, leak or something. They will go in and swab up the oil off the ice, weld the hole shut, patch the pipeline in and everything goes on.

But if there was a serious environmental problem, these would be the first people that would let us know. I am telling you, they don't have an argument. If you have one, stand up. I will recognize you. But, of course you won't, because you don't have an argument.

But you say to the American people, it's people like LOUIE GOHMERT that wants to see $4 gas—no—LOUIE wants to punch a hole down there and suck this oil up out of the ground and lower the price of energy.

I would be real proud to recognize Mr. LOUIE GOHMERT for as much time as he would consume.

Mr. GOHMERT. I thank my friend from Iowa for yielding.

Of course, Iowa is going through some tough times right now and our hearts and prayers go out to the folks there.

Energy is a huge problem around the country. My friend from Iowa was talking about the production of oil in Alaska, and it's amazing, but so many people were saying back in the days when there was talk of building a pipeline up to Prudhoe Bay, that if that pipeline is built, it will destroy completely the last 2,700 head of caribou that exist in the area, that they just would not be able to exist in that area any longer.

Well, the pipeline got built, and, as it turns out, those 2,700 head of caribou found that when the oil, warm, comes out of the ground and goes through the pipeline, the pipeline is warm.

We have subsequently found that now, when the caribou want to go on a date with each other, they will invite each other to come to the pipeline. Apparently the pipeline actually makes them a little bit amorous. Now, all these years later, we are up to 30,000 head of caribou.

Now, I grew up in Texas, and we used to hear, a few decades ago, that, my goodness, if they start building these deep-water rigs off the coast of Texas, it will destroy fishing in the Gulf of Mexico from now on. That's what we heard.

Now, if you want to go fishing, deep-water fishing in the gulf, your best bet is to go out to one of those drilling rigs, the platforms, because they have acted as an artificial reef. We have got all this additional fish and aqua particular life around those platforms. It's just further evidence that man and animal, fish, the environment, can work together to each other's good.

Now, I know the rules are you are not allowed to recognize people in the gallery, and I won't do that, but I can tell you that the students in Henderson Middle School know that people and oil and gas drilling rigs can actually survive together.

People in Nacogdoches, people like the Reynolds family, they know. You can survive in areas where there are drilling rigs. Not only that, you can proliferate and do well. So in my district there in east Texas, as someone said here yesterday from east Texas, we kept the military afloat in gasoline in World War II from east Texas, the east Texas oil and gas field.

Many don't realize the Germans potentially could have driven us to the sea if they had not run out of gasoline during the Battle of the Bulge, but they did run out. That is something that we have got to constantly keep a weather eye on, and I am proud to represent a district that understands the seriousness of having the energy we need and that $4 a gallon gasoline headed to $5 a gallon gasoline is a travesty for people.

I have got hardworking union people in east Texas. I have got hardworking folks in all kinds of jobs who are struggling to get by. This Congress, for the last 18 months, has done nothing to help produce more of our own energy.

I am so grateful to have a friend like my friend, Mr. KING, from Iowa, who understands that. I am proud to represent people like the students from Henderson Middle School who understand these concepts and understand we can work together for the greater good of mankind of the United States of America, of aquatic life, plant life, and all be better for it.

I appreciate my friend from Iowa yielding, and I appreciate the effort you are making to educate America on exactly what we can do to help ourselves if the majority party in this Congress will allow us to help ourselves.

With that, I yield back to my friend, Mr. KING.

Mr. KING of Iowa. I thank the gentleman from Texas, and I appreciate his perspective.

I will point out that there are three branches of government, there is the executive, the legislative and the judicial branch of government.

I really only know of one person in the history of this country that has felt a compulsion to legislate, found himself on the bench as a judge, and decided that the constitutionally appropriate thing to do was to walk away from that judgeship and run for the United States Congress and come here to legislate. That's Congressman LOUIE GOHMERT from east Texas.

I am proud to call him a friend and serve on the Judiciary Committee with him. I appreciate something that he brings to the table, a unique personality that's never been matched in the United States Congress and also the judgment of a judge that makes him a good listener and an analyst of the law and one who thinks deeply into the long-term ramifications of the decisions that we make. I look often to the prudence of the gentleman from Texas, and I appreciate him coming to the floor and offering his remarks for the energy situation here in the United States.

I said some year or 2 or 3 years ago that what is the solution for $2 gas? That's $3 gas. What's the solution for $3 gas? That's $4 gas.

Well, we are truly here at $4 gas, and that sounded like an outrageous kind of a number to put out back at that time. The reason I said that was as gas gets higher, we are willing to do more things to provide energy for the people in this country.

But when I sit here, and I think of the votes we have put up here on this floor, and I think of the decisions that have been made—and about 3 years ago, there was a bill on floor of the House of Representatives that said let's drill ANWR. I can remember there was a letter that was produced by Republicans that had 10 or 12 signatures on it that said we will join with all the Democrats, and we are going to block all drilling in ANWR.

We are not going to let that happen because of some idea about when the North Slope was opened up for drilling, there was some kind of an implicit promise that we wouldn't tap into the rest of the oil up there in that part of the world. That doesn't make any sense to me, I cannot rationalize that.

But I remember that letter that had 10 or 12 signatures on it, and the 10 or 12 Republicans that said ''no'' was enough to join with all the Democrats that said ''no.'' Had we done that, we would have more than a million barrels of oil a day coming down here into the United States to be poured into this marketplace, which would make a significant difference in the cost of energy in the United States of America.

□ 2245

But the 10 or 12 Republicans that were on the wrong side joined with all of the Democrats on the wrong side, and we didn't drill ANWR. And the rationale was pretty weak. I have had people say you want to tap into 2,000 acres in ANWR, what does that mean.

Well, there are 19.6 million acres in ANWR. And 2,000 acres out of that

would be the equivalent of a little postage stamp stuck in the corner of a football field. That is 2,000 acres in 19.6 million acres of ANWR.

And so if that is the part that is going to be a footprint to develop half of the oil reserves in the United States of America, and they are asking me this question, how much is an acre, Mr. KING? So I say well, it is 208 feet by 208 feet, that is 43,580 square feet. That is, let me see, oh, about a football field. So it is about 2,000 football fields on 19.6 million acres. That is the equivalent of a postage stamp in the corner of a football field. That is all it is.

On top of that, we get access to these oil fields by ice roads on top of the frozen tundra, and then sinking wells on a work-over pad by which we do directional drilling. We pull a lot of that oil out into one single collection, and collect it in the collection tubes that go into the terminal at milepost zero, Dead Horse Access. That is what it is all about.

Can you imagine, Mr. Speaker, if you flew over that at 5,000 feet, a football field, you are looking for a postage stamp that is the same color as the grass, could you see that from 5,000 feet? Could you see that postage stamp from a thousand feet or 500 feet? Could you see it if you walked around on the football field looking for that postage stamp? I will submit not.

I will submit further that I can take the most extreme environmentalist on this side of the aisle, and I could put him in a Black Hawk helicopter and fly him around the North Slope today where we have developed oil fields, and I could ask them, tell me when we are over the oil field. Tell me what you see that violates your sense of intrusion upon this pristine environment that nobody goes to see. I challenge that not one of you environmentalists could point down out of the window of that Black Hawk and say, There is an oil well, there is a oil rig, there is a oil field. Oh, it violates my sense of what Mother Nature is all about. Not one, Mr. Speaker, because when you look over the oil fields of the North Slope, there is not a single derrick down there. Not one structure sticking up in the air 230 or 240 feet that is set to drill for oil.

There is not, as I could find, not a single pump jack pumping that oil out of the ground looking like an oil field, which doesn't offend my sensibilities, by the way, but maybe offends some of you over there. And let me know why that is the case, and I will yield to you. But no, you don't see any of that. And the reason why is because the wells are underground. The wells are drilled. They don't have pump jacks sitting above the ground, they have submersible pumps way down in the casing at the level of the oil.

The collector tubes don't even show where they are, and I don't know if they lay on the ground or if they are slightly subterranean, but they collect the oil that goes into the tanks at the terminal at Dead Horse Access, milepost zero, on the Alaska pipeline. And there it gathers it together and it sends it down that 51-inch pipeline down to the Port Valdez.

Now I cannot understand why a people that is dependent upon energy, a people whose economy is run by energy, a people who sit on billions of barrels of oil, would somehow draw some kind of a moral position that even though no one goes up to the North Slope, and if they went up there they wouldn't know what they are looking at, and if they saw it they wouldn't be offended by it, and it would be environmentally friendly, all of those things, but somehow we have some kind of a Mother Nature religious aversion into tapping into American energy. Why is that, Mr. Speaker?

When the 110th Congress convened, I did not know, I really thought there was a sense of conscious and goodwill and a way that we could move forward with the American economy and the American people. I could not at that time have believed that the core of the Democrat Caucus in this Congress sincerely believed that energy costs should go up no matter what it takes, shut down the drilling in ANWR, shut down the drilling in the Outer Continental Shelf, don't let any drilling happen in the non-national park public lands in America, don't do any of that because by blocking all of that, we are blocking the delivery of energy to the economy of this dynamic, robust free country that we have. Why? What rationale, can there be.

Well, first of all they hate capitalism. They don't want to see prosperity, and they want to see energy cost more. I am convinced that this regal Pelosi Congress wants to see energy cost more.

What is it that the regal Pelosi Congress likes better than $2 gas, $3 gas. What do they like better than $3 gas, $4 gas. You've got it. You should be happier now, and I know you will happier yet when it is $5 gas. This is the drill-nothing Congress. This is the develop no energy Congress. This is a drive the energy prices up Congress. This is the Congress that is punishing the American economy. They know that an economy requires energy, and the more expensive it is the less economic activity that we will have and the more it will slow down. When it slows down, we will burn less energy. When we burn less energy, there will be less greenhouse gases that go into the atmosphere.

And then, and this requires an article of faith, the leap is if we assume less energy, there will be less greenhouse gases and then there will be less global warming.

Now there are two reasons why that is a bad idea. First of all, 95 percent of the greenhouse gases are created by nature. The other part is the 5 percent of the greenhouse gases that are created by man cannot be 100 percent controlled by man. Reasons for that are the Chinese and the Indian economies are growing. They are going to burn more coal and release more carbon dioxide into the atmosphere and they are going to create more greenhouse gases, and they don't care. They don't care because their people are hungry and they need economic development. They are not dying because the planet is 1 degree too hot, they are dying because the planet is short of calories and protein for them that keeps them alive, and it is short of health care. So they know what their priorities are.

Here we are running this myopic agenda that we are going to make energy more expensive and we are going to see $5 gasoline and $6 gas, and people will park their cars and grandmothers in Iowa are going to ride their bicycles 10 miles to town through a blizzard. I mean, they are not going to do that. We know they are not. But the people in San Francisco and New York and Boston don't know that. But I'm here to tell you all, that's the case. They are not going to park their cars and ride their bicycles to town in January in Iowa. It is not going to save the planet. It will keep grandmother home. She will not be living this life to the fullest that she could. Millions of Americans will not be living this life to the fullest that they could.

And when you bring your myopic, Goddess of Gaia faith-based approach, and I mean this from a nature environmentalist extremist perspective to this economy, you drive up the cost of energy and you slow down the activity of our economy and impoverish the people of America and you think you are going to save the planet and it is all worth it.

Here is what it is. It is not worth it in the first place. And the second place is you are not going to save the planet. And you are not going to do that because the science doesn't support you in that. And if it did support you in the idea that if we shut down America's emissions of greenhouse gases, we don't affect the Indian and the Chinese and the other growing economies' emissions of greenhouse gases, and so we are here in the United States shouting out into a thunderstorm trying to solve a problem.

It won't work, it can't work, it is not rational. There is no scientific base that upholds it. And on top of that, there is not the sociology that says human nature will support the kind of approach that you bring to this. Drive up the cost of energy and slow the emissions of greenhouse gases, and if you do that, the planet will what, is it going to cool? No, it isn't going to cool. It might not increase in its temperature quite so much, but we can't prove it and we don't have a model that says so. In fact, our models say we can only affect 5 percent of the greenhouse gases if all humanity joins together, and we are a small percentage of the emissions of the entire planet. And even if we controlled them all, the Indians and Chinese are going to increase their emissions of CO_2 and greenhouse gases.

So why go through this exercise to unilaterally disarm the economy of the United States so we can't compete around the globe economically with free trade, militarily, culturally, and politically. What is it about America that you don't like over on this side of the aisle? Why is it the blame-America-first crowd is carrying the agenda in this United States Congress?

Why is it that the constituents of Iowa and Nebraska and Kansas and all of the way out to the left coast and all of the way to the right coast, why are they paying $4 for gas with this driven-up price of energy, and why have you blocked the drilling in our non-national park public lands, and why have you blocked the drilling on the Outer Continental Shelf where we know there are 406 trillion cubic feet of natural gas out there, coupled with the oil that naturally goes with it that we can't tap into to drive down the cost of fertilizer, to drive down the cost of energy, to lower the cost of BTUs, to add to the overall supply of energy in the United States of America? Why can't we do that?

It is because you have a religious belief and it is kind of like the laws of your nature and the laws of your God say that we should cut down on greenhouse gases because of this belief that, and say religious belief, and I have strong religious beliefs. But sometimes that religious belief is defined as something that you say you believe in that you have no scientific basis for.

If you believe in this global warming God, and you cannot stand up and defend a scientific basis for a belief in a global warming God, then it is a religious belief. It is a religious belief that is unfounded. It is one that is unfounded on science and one that can't be proven.

We have watched this planet. Yes, it is a little warmer than it was 20 years ago. But if you look at the data, it might be cooler than it was 2 years ago. We had a long winter, we had a late spring. Most of my constituents thought global warming would be a good thing.

And by the way, the beginnings of this global warming debate began here in Washington in August years ago when not many of the office buildings and the ones they had the hearings in were not air conditioned and we had a Ph.D. come out here from Iowa who testified that global warming was an impending disaster, and the Members of Congress were sitting in a hearing room with temperatures approaching 100 degrees and humidity approaching 100 degrees, and as the sweat dripped off them, it was not hard to convince them global warming was a problem. We have one of those scientists who advocated it was an impending ice age in 1970.

He cited his scientific ability to predict to us that we should figure out a way to gird our loins and get ready for the next ice age. That was 1970. So some of us girded our loins, and some of us just went to work, and we went on and realized that God runs this planet, not man. In his time he will let us know and we will do what we need to adapt. And in 1970 the impending ice age didn't come. The idea that it was going to be here went.

And so here we are in 2008. And guess what, Mr. Speaker, that scientist that was a part of the Time magazine prediction that we had an impending ice age is today a scientist that says you can't avoid it, we have an impending global warming period of time, and it is going to happen and here is what you need to do, shut down your economy and greenhouse gas emissions, don't produce energy, and somehow or another we will help avoid, dodge this bullet which is the idea that the Earth could be a couple of degrees warmer. Some of the ice could melt and the sea level could go up a couple of a tenths of a foot or so.

Mr. Speaker, when I asked the USGS people what is sea level, well, they have an elevation that they pegged by satellite, but they couldn't really peg sea level because it goes up and down. It is awful hard to catch. The tides go in and out. Wind stacks water. And if you go to New Orleans, and I asked them what is going up and what is going down here, and what is settling and what is swelling up, they don't know. They don't know what the elevations are in New Orleans, Mr. Speaker, and yet we have scientists telling us that sea level is going to rise by a certain amount and that is going to start to swamp the coast land areas, but we don't know what sea level is.

So we do have an energy situation in America, and the energy situation is this: $4 gas; $4 gas. And the people in my district are buying gas. And they are paying the price, and they are paying 18.4 cents a gallon Federal, and they are paying more than that for State gas tax. They look and they expect that all of that money is going to go to road construction and road maintenance to make sure that they have a good transportation route. That's why they pay that gas tax.

So you are at 42-point-something cents a gallon in my State, but I can tell you for sure 18.4 cents of that is Federal gas tax dollars, my constituents believe, Mr. Speaker, that we are converting all of those dollars in that gas tax into road construction and road maintenance, making sure that they have a good transportation route.

□ 2300

Users fees, drive on the road, pay the tax. All right. We're good with that. We're user people, and we like user fees, and we know it takes money to run the government. There's nothing more appropriate than a user fee, a per gallon gas tax.

The problem, Mr. Speaker, is that most of the money that my constituents, and, in fact, all constituents in America, the Americans that buy the gas and pay the gas tax, most of the money that they spend does not go towards road construction or road maintenance. No, Mr. Speaker, it gets diverted off on these other things, like, for example, 3 percent of that 18.4 cents goes to trails, to build bike trails. So apparently we don't have bicycles riding down the highway.

Now I kind of like it that the bikes are out there riding doing their thing. But I'm not so sure that's that a good idea to tax the people that drive cars so the folks that ride bikes have a place to ride them.

Second thing is, it takes 28 percent of that 18.4 cents of gas tax, 28 percent to meet the environmental and the archaeological requirements in order to build new roads and maintain the ones we have: 28 percent.

And, Mr. Speaker, it takes another 17 percent to subsidize the mass transit in the United States. And so, right there, Mr. Speaker, is the answer to the question that I've asked many times, and that is, how is it that the constituents of Speaker PELOSI, of the chairman of the Ways and Means Committee, CHARLIE RANGEL, of the chairman of the Finance Committee, Mr. BARNEY FRANK, how is it that their constituents let them off the hook? Aren't they angry that they're driving up the cost of gas? Don't they get mad when they have to pay $4 for gas?

How is it that somebody in San Francisco or New York or Boston or Washington, DC, for that matter, can have the patience to spend $4 for gas and not hold their Congressman or their Congresswoman accountable if they're the ones that are pushing up the price?

Well, now, here's a piece of the answer, Mr. Speaker, and that's this. Of the 18.4 cents of Federal gas tax dollars, 17 percent of that goes into mass transit funding. Seventeen percent. That means that if you pull into the gas station in Iowa, and you squeeze the nozzle and you pump a gallon of gas into your car, and that's all you can afford, you only have 4 bucks. You're going to pay 18.4 cents in tax for Federal, 20 some percent State. Of the 18.4 cents in gas tax that you pay, 17 percent of that money goes to fund the mass transit.

So, if you're riding the cable car in San Francisco, you get a cheap ticket because it's funded by the folks in my district and across America that are buying gas.

And if you jump on the El in Chicago you get a cheap ticket because it's funded by the folks in my district and across America that are buying gas.

If you jump on the subway in CHARLIE RANGEL's district in New York and you ride it, you get a cheap ticket because that's subsidized by the people all across America that are buying gas.

And if you go into BARNEY FRANK's district and you jump on, I don't know what they call it, the subway, the Big Dig, the major multibillion-dollar boondoggle and you buy a ticket to ride along on that thing, you get a cheap ticket because it's subsidized by

the folks all across America that are paying 4 bucks for gas.

And, Mr. Speaker, if you go out here outside this Capitol building and you walk a little block over and a block down and you get into the Metro on South Capitol, and you ride over to Falls Church, Virginia, that's going to cost you about a buck and a quarter, and that buck and a quarter is a cheap ticket that's subsidized by all the folks across America that are paying 4 bucks for gas.

The constituents of those Members of Congress that are driving up the cost of energy, the regal Speaker PELOSI, the Chairman of the Ways and Means Committee, Mr. RANGEL, the Chairman of the Finance Committee, Mr. FRANK, all of them, their constituents are riding to work, going into town, riding around on mass transit that is 17 percent of the Federal gas tax dollar, that's subsidized by the people that are buying gas.

Why aren't they angry? They don't care, Mr. Speaker. They don't care because they got a buck and a quarter from South Capitol to Falls Church. They've got a cheap ticket, a cheap ticket that's subsidized by the people that are paying for expensive gas. And that's why they're not feeling the pressure.

But I can tell you, even though my constituents are utterly polite and respectful about all this, I can feel the pressure because I'm one of them. It cost me $41.42 to fill up my tank the other day at $3.85 a gallon.

So here, Mr. Speaker, is the solution. This, Mr. Speaker, is the energy pie chart. Now, this might seem like it's very simple, and actually it is, although, to approach this concept seems to be a little complicated.

Energy production in the United States of America, for 2007, well, I'll take the position, Mr. Speaker, that it's about all the energy. It's all interrelated, whether it's nuclear or hydroelectric, geothermal, biomass, motor gasoline, diesel, other petroleum, natural gas, coal, whatever it might be, if all of the energy in the United States is interrelated, and if you raise the cost of one form of energy, it's going to affect the cost of the other kinds of energy. And consequently, and correspondingly, if you drive the price down of one kind of energy, you'll lower the price of all kinds of energy because it's all interrelated.

So I've taken the trouble to build this chart. And I can't tell you how difficult it actually was. It should have been a simple no-brainer. It's not. But here's the energy pie chart. We produced 72.1 quadrillion Btus of energy in the United States last year. That's 72 followed by, I think, 15 zeros. Three, six, 9, 12, 15. 72 quadrillion Btus. It's more important, I think, to think of it in terms of the proportionality of it.

This is all the energy that we produced in America. Now, the percentages are on here. 27 percent was natural gas, 32½ percent was coal, nuclear was almost 12 percent, hydroelectric 3.4, other versions, geothermal, wind, solar, fuel ethanol is a little smaller, a lot smaller than you would think. It's three-quarters of a percent of the overall production in America. Biodiesel, one one-hundredth of a percent. Biomass, 4 percent. That could be the people burning wood and the methane, et cetera, that comes out of there. Gas was only 8.29 percent of our overall production.

The list goes on. You can see it here, Mr. Speaker. Now, that's energy production.

What I've done is, Mr. Speaker, taken this pie chart of the energy pie, I'll call it, and I cut this out so that I could put it on top of the energy production, or the energy consumption in America, so you can see how this works in just a moment.

All right. This, Mr. Speaker, is the energy consumption chart in America. And the outside circle, and I'll kind of line them up here a little bit; the outside circle is the energy that we consumed. Actually, I think I might be able to do it this way.

This is all, Mr. Speaker, the energy that we consumed in America last year. Energy consumption, United States, 2007, 101.4 quadrillion Btus. Number down here, 101, comma and the equivalent of 15 zeros out.

Now, we're dealing with 72 quadrillion there, 101 there. So let's just think, Mr. Speaker, in terms of we produced 72 percent of the energy that we consumed in 2007. And this is a picture of the consumption, this round spot here is a picture of the production. This circle is smaller than this circle. That's kind of like Energy 101, probably the first time that that idea has arrived on the floor the Congress, Mr. Speaker.

And so you look at the percentages of the overall consumption, and you see natural gas is 23 percent, and we produce 27½ percent of all the natural gas that we consume, but it's 23 percent of the overall Btu picture here.

Coal, 22 percent, nuclear, 8.29 percent, hydroelectric, 2.4, smaller pieces of energy here, including ethanol, biodiesel, wind, .31 percent. Not very much. We're working on this.

By the way, I do represent the number 1 renewable energy producing congressional district in America, and so we're not without knowledge on this subject matter.

Gas, 17.44 percent of the overall Btu consumption in America. And here in the red we have the diesel fuel and heating oil at 8.84 percent, kerosene jet fuel here, 3.3 percent and other kinds of petroleum, asphalt and that kind of thing, almost 10 percent.

So, what do we need to do, Mr. Speaker?

Well, here's a way to approach this thing from my view. The small circle is energy production. The big circle is energy consumption. And so you don't have to be a Harvard M.B.A. or, let me say, a rocket surgeon, to be able to calculate this, Mr. Speaker. The inside circle, which is energy production, needs to grow to the size of the outside circle, which is energy consumption.

Yes, we could maybe add another piece to this energy production pie called energy conservation that will help us grow the size of this inner circle to get it to be the size of the outer circle. But however we do this, we're producing about a little more than 72 percent of the energy that we're consuming. And so we can stand here on the floor of Congress, until all Hades freezes over and talk about this piece of energy and that piece of energy, and somebody's wrong because they want to drill ANWR and somebody else is wrong because they don't want to drill the Outer Continental Shelf; somebody else is wrong because they think ethanol is a good idea, or biodiesel's a good idea, or they could even make the ridiculous argument that somebody's wrong because they think that we ought to dramatically expand our nuclear.

And, Mr. Speaker, we should dramatically expand our nuclear production of electricity. That is the single most effective thing we can do, cut down on the emissions of greenhouse gases, and replace the consumption of other energies and allow those other energies to be used for other purposes. We can produce a lot of energy with nuclear.

But in the end, it's this. I'll go right around the circle. Natural gas, drill the Outer Continental Shelf, drill the non national park public lands, open up the natural gas production in America, the place where we have enough natural gas to heat every home in America for the next 150 years. Get the slice of the pie in production as big as the slice of the pie in consumption on natural gas.

We go over here to coal. Why in the world can't we produce and burn more coal to add to the overall size of the energy pie? Yes, we can. And we should do that, and we should do that until it's no longer cost effective as competing against these other signs, other components of energy.

Nuclear. I talked about the nuclear. Here's the overall percentage of our energy production in nuclear, which happens to be 11.66 percent. But it needs to be a bigger piece of our energy consumption, and we can broaden that out.

You can see how these pieces of the pie come out to the edge of the circle and they get wider. We do that with ethanol, we do it with biodiesel, we do it with wind, we do it with biomass.

We can produce more gasoline, Mr. Speaker, and we can produce more diesel fuel and more jet fuel and we can produce more natural gas. There is no component in this energy pie that we cannot produce more of. And if we grow the size of the energy production pie to meet or exceed the size of the energy consumption pie, we have then solved the problem of energy dependence on Middle Eastern oil, on foreign energy.

Mr. Speaker, we can do this. We should do this. We must do this. And any idea that says that we should strike off of our list of options any component, and you will hear almost every source of energy vetoed and opposed by Members of the other side of the aisle. Some will stand up and say, no more nuclear. We will not do any more nuclear plants.

Some will say, can't drill in ANWR because 36, 38 years ago, somebody said, well, we're not going to ever drill ANWR. That's our deal.

And somebody else will say we can't drill the Outer Continental Shelf because people sit on the beach in Florida will figure out that there must be a drill rig out there 199 miles away.

Mr. Speaker, I will tell you, I talked to three children in Lineville today. They're down on the border with Missouri and Iowa.

□ 2315

And if they stand with their back to Missouri and they look north, it's 200 miles to the Minnesota border. And for them to say, I can't have a drill rig up there on the Minnesota line because it offends my idea of sightseeing with my back to Missouri 200 miles from there is as ridiculous as the people on the beach in Florida saying you can't have a drill rig 200 miles offshore.

No, Mr. Speaker. There is a reason, and more like an excuse. And my father taught me a little bit about that. He said there's a difference between reasons and excuses. There are all kinds of excuses for not developing energy. I can't find a single reason, Mr. Speaker.

Unless you like $4 gas, unless you like $5 gas, and unless you like expensive energy, expensive energy shuts down our economy. You shut down our economy, it uses less energy; if it uses less energy, it emits less greenhouse gas; if you emits less greenhouse gas, somehow or another in this fantasyland world where you're out there in Pa-la-la-losi land, you're going to save the planet if you shut down the economy is the only rationale that's there. It's weak and it's unfounded, Mr. Speaker; and we've got to open this energy for the American people.

And with that, I thank you for your indulgence.

I yield back the balance of my time.

A NEW ENERGY POLICY FOR THE COUNTRY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, the Chair recognizes the gentleman from Minnesota (Mr. ELLISON) until midnight.

Mr. ELLISON. Mr. Speaker, tonight the freshmen, the Democrats of the Freshman Caucus are going to take the rest of this hour to talk about our economy. And it's an excellent way to move forward, Mr. Speaker, because the prior speaker had some interesting things for us to chew on, and we will help the American people to see that under Republican control, the economy has not fared well, that they're not good at running the economy, and the proof is out there for everybody.

We'll be able to show how, when Democrats are in charge, that we do have job growth, we do have strong economy, we do have an economy where we are reducing poverty. We have an economy where all Americans are doing better than they were doing before.

I think it is obvious to everyone if you reflect only a few years ago in the late 1990s—I think it was a different President in office than the one we have now—that the economy was much better than it is today and that it is these policies that we've seen over the last 8 years where it was a Republican House, a Republican President, that have really led us to the difficult situation that American consumers and workers are seeing today.

So we have a different vision. We have a vision that includes everybody. We have a vision that says that workers should have the right to organize. We have a vision that says we should have a fair trade policy. We have a vision that says that we need investment in our public infrastructure. We have a vision that says that we need universal health care coverage for all people. We have a vision for an economy, Mr. Speaker, that says that everybody counts and everybody matters.

And, you know, I really couldn't be happier tonight because I'm joined by my good friend from Colorado, ED PERLMUTTER, not only a very excellent legislator but a really nice guy.

ED, how you doing?

Mr. PERLMUTTER. Good evening. It's good to be here with my friend from Minnesota, and we just were listening to the gentleman from Iowa, and he was talking about what's the Democrat's plan.

Well, what is the Democrat's plan for energy? Well, it's just obvious what the Republican's plan has been with two oil men in the White House. You can see exactly what has happened to the price of oil under the Bush administration. From $25 a barrel to $134.35.

So when he is making comments or generally people are saying what is going on here, we can see with two oil men in the White House what the energy plan has been for this country, and that's higher and higher and higher gas prices.

Now, what we've got to do is we've got to take ourselves off of oil to a greater extent than we are right now. We have to relieve ourselves of this addiction. And in the short run, we're going to feel some pain, but in the long run, the liberation from being addicted to one commodity the way we are, which is oil, which is really having a ripple effect throughout the economy, will be fantastic.

And so what we are doing as Democrats is to provide other ways to save energy. A gallon saved is a gallon earned. A kilowatt saved is a kilowatt earned. And so what we want to do first is make sure that we're efficient in how we use our energy so that there is a lower demand and we aren't so hooked on petroleum and petroleum by-products.

Second, we've got to find other commodities that compete with petroleum, whether it is cellulosic ethanol or better ways to make electricity through renewable energy sources. As Democrats, those are the kinds of things we're doing. It's time for us to get to the future and not continue to be hooked on oil like we have been for the last 30, 40, 50 years.

Mr. ELLISON. Will the gentleman yield?

Mr. PERLMUTTER. I certainly will yield to my friend from Minnesota.

Mr. ELLISON. Now, let me just ask you this question sir. You have studied this issue. I consider you one of the most learned persons on this issue in the Congress, and I just want to know, isn't this proposal of just drilling in the Continental Shelf, drilling in ANWR, isn't this kind of like trying to cure a disease by simply treating the symptoms of the disease? For example, if I were to have cancer, you could try to find a cure for my cancer, or you could simply try to alleviate the symptoms of the suffering that I am enduring but not really get to the root of the matter.

Is this kind of like—does that analogy work when it comes to just drilling for more oil and continuing to spoil our natural wilderness areas and to risk oil spills? Isn't that sort of an analogous situation?

Mr. PERLMUTTER. Well, if the gentleman will yield.

Mr. ELLISON. Yes, sir.

Mr. PERLMUTTER. It clearly is.

This is the time for us to get healthy, and we can get healthy in many, many different ways. And it is going to be across the spectrum, whether it is making our buildings more efficient, our homes more efficient when it comes to energy consumption, our cars more efficient, come up with different fuels, different ways to power this country, we can do those things; and it's just so obvious because it's good for national security, it's good for climate, and it is good for jobs.

But let us go back to this thing about they want to drill in ANWR, they want to drill offshore, they want to drill a million places.

Well, we know that right now, and I'll put up a chart, that right now oil companies are not drilling 30.6 million acres that they have offshore and 30.5 million acres that they have on shore.

Mr. ELLISON. Well, then, why are they crying about wanting to drill in ANWR and wanting to drill off the Continental Shelf when they have all of these places they can drill now? I mean, I know that there's got to be a million Americans watching this broadcast who want to know that question.

Mr. PERLMUTTER. I think the question is to try to distract from the real answer which is the plan, the energy plan has been to raise gas prices, and the energy plan has not worked. It's hurt Americans. And we have to come up with other ways so that we aren't dependent upon one commodity like that because we're dealing with eight or so countries in OPEC and five, or about five big oil companies. Very few countries and very few companies. And we need to have other ways to power this Nation, and we can do it.

I mean, we have the ability to come up with better and more efficient cars. We have the ability to come up with more efficient homes and not in expensive ways. We're talking about changing out windows, putting in more insulation. There are opportunities to add solar or wind so that we have renewable energy sources, and these are thousands and thousands and thousands of jobs; and certainly in the construction industry, those jobs are needed today. So it is a win-win situation if we're just going to have to do these things.

But even in the short run, we know that oil companies have plenty of places to drill that they aren't drilling today. So it's a phony argument.

Mr. ELLISON. Well, you know, the gentleman from Colorado makes an excellent point, Mr. PERLMUTTER. And what you're describing is a slice of a Democratic vision for our country for a fair economy and a cleaner economy.

I think it's important when you mention construction jobs and retrofits and things like that, what you're talking about is the green economy, an economy that can include everybody, people who can do relatively menial jobs and also the innovators. Up and down the educational scale. But it's going to take training, it's going to take opportunity, and it is going to take courage.

You know, when Jonas Salk, who cured—came up with the polio vaccine, when he was—he could have spent his time making better braces for kids who had polio, right? But what did he do?

What did he do, Mr. PERLMUTTER?

Mr. PERLMUTTER. He came up with a vaccine so that they didn't have the disease in the first place.

Mr. ELLISON. So what we need is a vision for a green economy for now and in the future where we can increase the fuel efficiency of vehicles, where we can invest in transportation and transit, where we can move people and not just cars, where we can take some of our old windy buildings where right out of the roof the heat's just going out, retrofit them for some green roofs.

Are these the kinds of things that you have in mind, Mr. PERLMUTTER?

Mr. PERLMUTTER. And, Mr. ELLISON, you are right on the mark. This is about changing the direction of this Nation and not doing things the same old way that now is forcing us to see $4-a-gallon-priced gasoline. This is about changing the direction of this Nation, moving us into this century where we have many other ways to power this Nation.

Now we just, all of us as a country, as Americans, we have to step forward and do this and knowing in the short run that we're facing $4-a-gallon gasoline. Now, we're going to take a look, as Members of Congress, why we've seen this dramatic spike to $4, whether—hopefully there's not been manipulation, there's not been speculation that's been improper.

But even so, we need to come up with other ways to power this country, and we can do that whether it is through the research being conducted at the National Renewable Energy Lab in Colorado, whether it is the new designs that we're seeing for cars across the globe. There are many, many ways that we can improve our energy situation, and most of them start with really pretty low-hanging fruit; and that's just being more efficient.

Mr. ELLISON. Conservation.

Mr. PERLMUTTER. Conservation but efficiency.

We can, through just engineering, basic engineering, architecture, design work, be more efficient in how we power this country and how much energy we use and consume. And we don't want to be putting a lot of carbon, continue to be putting carbon into the atmosphere. We don't want to continue to be so beholden on oil countries and oil companies.

So we are, as the Democratic Congress, moving us to a new energy future. We are changing the direction of this Nation. We're not going to follow the energy plan of two oil men in the White House. That's just not where we're going to go any more.

Mr. ELLISON. Well, you know, Mr. PERLMUTTER, when you talk about these energy issues, it makes me think that this is where the country, I think, really wants to go. I mean, in these last several months we've heard a lot about change. It seems Americans want change. We don't want to be stuck in oil handcuffs. We want to go towards an energy future that includes everybody and that where we need to invest in our innovation, we need to invest in our brain power, you know, where we can have a into new opportunity in our country to make sure that we're not polluting the air, warming up the globe.

And again, as our friends on the other side of the aisle talk about, well, why don't we just drill off the Continental Shelf off Florida, they kind of imply it's just a matter of sunbathers not wanting to see an unsightly rig out there. Of course it is ugly to see that. But that does minimize the real concerns we're talking about; isn't that right, Mr. PERLMUTTER?

Mr. PERLMUTTER. I think it minimizes it. I think there are plenty of opportunities to drill.

You know, having said we're going to change direction, we're not going to go cold turkey from oil and gas. It will play a role in our energy spectrum for a long time to come. But we certainly can reduce our demand.

There are certainly places to drill now that aren't being drilled by the big oil companies, and there are other ways that we can wean ourselves from the dependence on foreign oil.

□ 2330

We just have to do that. We can't ignore this any longer, and this particular White House and the Republican Congress before us would just want to drill and drill and stay hooked on one commodity. It is never smart in business to only have one supplier.

Mr. ELLISON. Don't the businesspeople say you've got to diversify?

Mr. PERLMUTTER. You have to diversify, yes.

Mr. ELLISON. I'm all for saying let's not build more leg braces; let's find some vaccines.

Mr. PERLMUTTER. And I'm going to not add to that because that is a very good analogy.

Mr. ELLISON. As we talked about the gas prices and things like this, we'll be talking more about that as we get closer to the end of the hour. But I also want to bring some other things into the conversation which I think are very important.

One of those things is that today the House tried to increase the unemployment insurance, and we tried to put it on the suspension calendar and pass it that way. Unfortunately, we did not meet the marker we were looking for. We needed three more votes to get there on suspension calendar, and we are not going to quit. As you know, the Democrats have a lot of fortitude, and we don't quit, and we are persistent and dogged in our efforts to stand up for the American people.

But the Senate recently did pass a 13-week extension of the unemployment insurance as part of a supplemental appropriation, and I think that it is really indicative of the situation people are finding themselves in.

As we're talking about $4 a gallon gas, we also have to take into consideration, Mr. Speaker, that we've seen 30 years of stagnant wages, except for that period in the late 1990s when we had a Democratic President. We have seen 30 years of stagnant wages except for that 1990s blip, and now that paycheck is being asked to do more, being asked to take on more child care, more health care, more fuel prices, more in terms of food prices.

Americans are in a difficult situation, and I dare say that now we have about 8.5 million unemployed people

who need help, and I think that it is a little unfortunate we were not able to pass that mark today with that unemployment insurance, but I'm sure that we're going to keep on trying until we get it.

I just wonder how the people in Colorado are faring. Are they unemployed, having a tough time there, and basically, as we see ourselves having creeping expenses for our food, fuel and things like that?

Mr. PERLMUTTER. In Colorado, we've had kind of a slow economy for several years now. We've faced a lot of foreclosures in the Denver metro area and throughout the State. We keep feeling like we're going to come out of this slump and then kind of get bumped back in. I believe in Colorado we're going to come out of the slump before much of the Nation just because we went into it before much of the Nation.

But even so, with the oil prices the way they are, with the way the economy has been managed by this administration, the people in Colorado need a safety net which is what unemployment insurance is. These are hard-working people who, for one reason or another, may have lost a job. They're looking for work. They want work. They want to get back in employment, and they need to do that. People in Colorado are workers. They like to be employed. They like to earn an income. They like to provide for themselves, and given the slow economy that we've had in Colorado, which I think and I hope is ready to turn, people do need that extra safety net.

Mr. ELLISON. Well, you know, all of us are looking for better days. You know, I can tell you that my constituents in Minnesota let me know that we've been hit with the foreclosure crisis as well as stagnant wages, and I'm sad to report to you that the Nation's job market showed clear signs of recessionary conditions, as the jobless rate leapt up a half a percent in May alone from 5 percent to 5.5 percent. That's a lot of people, and that's according to our Bureau of Labor Statistics. And this monthly increase was the largest since the mid-1980s. It's been a while, pushing unemployment to the highest rate since 2004.

I don't like to rattle the sabers in terms of the partisan divide, but I'm one, speaking only for myself, who's prepared to say that, you know, the Democrats have a better vision for how to run the economy, vision in terms of the energy future, vision in terms of trying to get some unemployment insurance extended so that people can have a little relief as they try to find that next hard-to-find job.

But I think it's important that we see this thing in a broader context.

Mr. PERLMUTTER. Well, and in a broader context, I want to go back to our prior conversation on the green jobs, the green collar jobs.

One of the things that we see in Colorado, and I think this can be nationwide, is that there are thousands and thousands and thousands upon thousands of jobs in the green industry, in the energy industry with renewables and with energy efficiency in housing. There are thousands of jobs, and they are jobs here in America.

Mr. ELLISON. Right.

Mr. PERLMUTTER. Not overseas, but they're here in America.

Mr. ELLISON. I've got to ask you a question. If you are training somebody to retrofit a downtown office building in, say, Denver or Minneapolis, and they're going to retrofit that building to be green and efficient, can you offshore that job?

Mr. PERLMUTTER. Your question answers itself. Of course not. When somebody comes in to change the windows in my house, they're doing it at my house in Golden, Colorado. These are good construction jobs. They're design jobs. There are some manufacturing jobs attached to it.

The new direction for energy also is a place where there are thousands of jobs which will help us stem this unemployment, but for those people who can't find those jobs right now, we need to have a safety net for them.

Mr. ELLISON. We need a safety net. We need to have a caring Nation, and Americans are a caring people and a compassionate people, but we also are a working people and we want to work, and we also need a vision for our future because if you're unemployed right now, this might not be a bad time to think about getting some extra education, as long as you can get some unemployment insurance, and if you get that education, maybe you want to think about a green job for a green energy future.

You know, I want to add, too, while we're on the subject of jobs, the payroll contracted for the fifth month in a row, down 49,000 with most of the net job losses occurring in the construction industry, factories, offices, and retailers. Since the total payroll peaked last December, they've been down by around 324,000 jobs since the government sector tends to be less cyclically affected by downturns.

And looking at just the private sector, job loss can provide a more accurate gauge of the lagging economy's impact on job growth. Private sector employment has fallen over the past 6 months by over 400,000 jobs. I'm not happy to report that to you, Mr. Speaker, but it is the situation that people are facing, and I think it's important that this Congress be willing to respond to the needs of the people, which is why we needed three more votes in order to get that extension of the unemployment insurance passed as we tried to do today.

I think we're going to hit that mark. We're certainly not going to quit. I certainly believe that there are a lot of people out there who really want this policy. They certainly can get on the phone, get on the e-mail, and let folks who represent them know how they feel. But this unemployment extension is a big deal, but I think it's important as we push to extend unemployment insurance benefits that we tell folks that while they know they're dealing with putting the food on the table tomorrow and paying the rent tomorrow and paying the mortgage tomorrow, we want them to look to a better future, and that involves the green job economy that you've so amply described.

I also want to just say, too, as we talk about the economy and the job situation that, you know, we've got to have a real clear understanding about those indicators that tell us which direction the economy is going in. And I'm looking for a time when we can actually set policies in place that really will give Americans the kind of vision that they need, as we talked about just a little while ago.

Mr. PERLMUTTER. If you would yield, I think one of the places where, again, going back to your education and a vision for this country that looks beyond just tomorrow but to next year and 10 years down is the GI Bill that we would like to see passed that the President has threatened to veto.

Mr. ELLISON. Wait a minute, wait a minute, wait a minute. This President, who shakes his finger about supporting the troops, would never, never veto the GI Bill. Certainly you jest.

Mr. PERLMUTTER. I'm sorry to say that he's considering that, and what I find so hard to believe is that the best investment this country ever made was in the GI Bill after World War II. And now we have had our men and women in Afghanistan and in Iraq for more than 5 years, which is longer than we were in World War II, and to provide them with education and educational opportunities simply will be a fantastic investment for this country.

The wealth that was created, the happiness that was created because people could live full lives and educated lives after World War II, those are the kinds of things that we want for America. And my Dad, when we're talking about this, and you can see him well up with pride about the GI Bill and how so many men came back from World War II and then were successful after seeing the horrors of war, but came back and were able to provide for their families in ways that nobody anticipated. He describes that as the greatest investment this country has ever made, and he kids around by then saying, ''And a distant second was the Louisiana Purchase.''

So this GI Bill that we're proposing now for the 21st century will be a fantastic investment for our men and women who have served us. I believe we owe them a responsibility to provide for education, and we just need to go forward with this. And the White House has objected to this. Senator MCCAIN has objected to this, as I understand it. And it just doesn't make sense.

Mr. ELLISON. Well, you know, Mr. Speaker, these are important facts you bring up. I kind of think of that period

after World War II, up until about 1973, as the almost, almost golden age of America. I say ''almost'' because it was marked by Jim Crow and other things like that, very important, serious issues. And we've come a long way. Our country's come a long way.

But you cannot ignore the fact that after World War II, you had the GI Bill. You had FHA. We had already established Social Security to make sure that no seniors had to live out their retirement in an undignified way. And we also had tax rates for the very wealthy that were much, much higher than they are now, and we also had a higher rate of unionization.

I know some folks don't understand how important that is, but the fact is, in 1957, 33 percent of all workers were in a union. Another 33 percent were paid like they were, and folks were living relatively well. We all look back at those old TV shows and kind of chuckle now at how corny they were, but they actually were doing pretty well economically in the 1950s.

And the fact is that some of these kind of policies are things we need today, but we have the advantage today to have greater equality which is so great, you know. It's a great honor of America that we have overcome some of those things of the past, those lack of equality issues. But as we've gotten greater social equality, we've lost in the area of income and economic equality, and we've got to revitalize our economy to make sure that everybody can share in it. And I think that green jobs are the way, but a compassionate response to people who are unemployed now is also part of the picture as well.

And you mentioned your dad. My dad was born in 1928, went to World War II, to the Pacific at a very young age, about 17 years old, but he did go. He was a military person and served in the Pacific, was in Hawaii and was a beneficiary of the GI Bill and was able to go to college, Wayne State University in Detroit, on that program. And it made him into a man who could put five boys through college, me and my brothers, and you know, it's an amazing thing.

You know, I am proud of my brothers. They're all doing well. They're all doing great. And the fact is, none of us would be doing this well if our dad had not been the beneficiary of an enlightened, compassionate, common-sense program like the GI Bill, and I'm glad that we're able to pass it through this House. And I pray that the President sees the light and passes and signs that bill.

□ 2345

Mr. PERLMUTTER. Mr. ELLISON, while we're on the subject of our service men and women, I think one of the things where there really was a change in the direction of this Nation in the past year was the fact that the Democratic House and the Democratic Senate, the Congress, sent to the President and he signed—and I want to applaud him for doing that—the greatest increase in veterans' benefits in the 77-year history of the Veterans Administration. And again, when we send men and women into harm's way, when we ask them to protect us, serve us, we have a moral contract, a moral responsibility to provide them with as normal a life as possible and to provide the benefits that are promised when they go in.

Mr. ELLISON. Well, you know, soldiers are people, too. They want a future. They want an education. They want something to pass onto their children. They want to live a quality lifestyle. They want to own their home.

Mr. PERLMUTTER. And I feel that we've made great strides in living up to our end of the bargain. Now, it has to have execution, but I know in Colorado, for instance, in terms of veterans' claims, there was this tremendous backlog. Because of what we did last year, we've added 65 people to the benefits section so that claims can be processed in a reasonable and timely fashion so that the benefits are received by our service men and women in a reasonable and timely fashion. So there has been actual progress on the ground.

Mr. ELLISON. There has been actual progress on the ground in Colorado. I'm happy to report that in Minneapolis we have a wonderful VA hospital there, and we've seen things getting better all the time. But I want to let the veterans know that, as we talk tonight about the economy, we've talked about gas prices, we've talked about unemployment insurance, looking out for our veterans, making sure our veterans have economic opportunity, educational opportunity, health care opportunity is part of the whole dialogue. This is a working class prosperity issue, veterans' benefits. GI Bill benefits is a factor when it comes to trying to make sure that the American middle class, American working class has a real chance at doing well in this economy. So I want to thank you for bringing that out.

And I just want to say, you know, that it's important to understand veterans as an important component in our economy because when you just separate the soldier from the economy, you forget that the soldier is coming back. And they should have a good way to go when they get back.

You know, I also just wanted to mention, as we start walking into our final 15 minutes tonight, that we just had a Memorial Day. And on that day, I am proud to tell you that a number of our veterans are well aware of some of these programs; a number of them are well aware of the work that Congress is trying to do, not always with a cooperative White House, but on some things we have found cooperation, and we're thankful for that.

And I just want to mention to you as well that it's really tough on our veterans to have to deal with foreclosure. I've had a few vets in my district, while they were away, they had only their spouse to try to keep up the mortgage, and they've fallen behind. And I bring that up only because I think that it's important, as we talk about this, that we do mention that a part of what this Democratic Congress and the ''difference makers,'' this freshman class, has been a part of is trying to close the gap when it comes to the foreclosure crisis.

You know, I don't have to tell you, Mr. PERLMUTTER, that we're dealing with about 2,800 foreclosures a day. We're dealing with about 20,000 a week. We're dealing with a very serious problem. And I just want to point out that this foreclosure crisis is something that there have been bills introduced that try to forestall foreclosure for a veteran, for a soldier who's overseas, but it's something that really is affecting our entire economy.

We've passed bills through the House recently that will allow FHA to be put in a position to buy some of these mortgages and restructure them going forward. I think it's important that we point this out because the Congress has been responsive. You and I are both on the Financial Services Committee, and so we both know that we've been working on this housing issue quite a bit. And also, last December, I believe, we also passed a bill through Congress, an anti-predatory lending bill that I think should pay some good dividends if we could get that enacted into law.

But this foreclosure crisis is hitting our veterans and it's hitting all of our people. And maybe you would like to comment on that.

Mr. PERLMUTTER. Well, we've taken steps to stem foreclosures by using the FHA guarantee as a way to slow things. And the way it works is that a bank that has a loan to somebody can write the loan down to whatever the market value is. Then the FHA will guarantee 90 percent of this lower amount for the borrower so long as the borrower can pay that 90 percent back. Now they have to go through a credit check, and they've got to be able to pay the lower amount.

So the Federal Government is coming in to stop a foreclosure which, if it takes place, could result in a vacant home that then ends up decaying, and it starts the decay in a neighborhood. So it assists the neighborhood. It allows the bank to become liquid. And it gives the borrower a chance to make the payments at this lower amount.

Now, if the borrower were to sell in, I believe, within 5 years, the Federal Government would receive a portion of anything above the written down purchase price. But the bottom line is, in a very prudent and fiscally responsible manner, FHA is being used to guarantee lower loans, reduced loans so that we can limit the numbers of foreclosures in our neighborhoods and maintain the strength of our neighborhoods.

Mr. ELLISON. Well, you know, I'm glad you mentioned that it's not just the individual who is getting their

mortgage restructured with the FHA assistance who will benefit, actually, it's the neighborhood. Foreclosures really don't hit individuals alone, they hit neighborhoods. Because if you end up with a foreclosed home and an abandoned house, it's an attractive nuisance for people in the neighborhood who have bad intent. We know the price of copper. These houses are being stripped of their copper wiring. And oftentimes the copper strippers are not very careful about how they get it out. They've been known to nick and cut and damage gas lines and cause fires and explosions, not to mention other damage.

And so when you have a concentration of foreclosed and abandoned buildings in a neighborhood, it really does put downward pressure on the homes of everybody in the neighborhood, even the people who have been fortunate enough to pay every single mortgage payment on time every time. And so it really is something to help everybody, not just the individuals who are being directly assisted.

And of course, as you also know, when a house is abandoned, the city cannot receive property taxes on that house anymore. And so really what it's doing is coming up with a practical solution which will allow the bank to keep getting some of that money back, maybe not the originally intended amount, but a portion; of course half a loaf is better than none often. And so it's a practical solution to a serious problem. And it's just one more example of how Democrats and how freshman Democrats like you and I are part of solutions to try to improve our Nation.

And we're trying to bring benefits not only to our citizens, but also, as you mentioned before, our veterans, trying to make sure that our vets and all kinds of people who are going through this foreclosure crisis are able to keep their homes, neighborhoods are able to be stable, cities are able to receive property tax, city police departments aren't having to run out to properties and spend resources kicking people out of abandoned houses, or fire departments putting out fires. It really is a responsible way to sort of operate and try to improve the situation here.

Well, Mr. PERLMUTTER, it looks like we've got about 5 minutes left. Any parting shots?

Mr. PERLMUTTER. Well, I'd like to go back to the gas prices.

You know, I think that the gas prices show the lack of an energy plan by the prior Republican Congress, by this White House, except to the degree that it has caused an increase in oil prices.

You know, we're in Iraq in a substantial way; and a lot of it, in my opinion, has to do with oil. Now, the average price per gallon of fuel paid by U.S. military units in Iraq is at least $3.23. The price per gallon of gasoline for Iraqi residents is $1.36. Why the difference there? Oil revenues for the Iraqi Government is expected to be $70 billion, which should be paid back to this country when we are running a deficit. We're spending $2.5 to $3 billion a week to be in Iraq. And that obviously has had an effect on our economy over the course of these 5 years that we've been in Iraq.

We've got to change the direction of this Nation, Mr. ELLISON. We're trying to do that every day. We need to change the direction when it comes to energy. We've got to change the direction when it comes to Iraq. We've been changing the direction when it comes to our veterans and living up to our contracts and responsibilities in terms of their benefits.

We're making a difference. We have a long way to go to really change the direction of this Nation. This country is in need of big change in a lot of ways. And I'm glad that I've been elected to the Congress by the people of the suburbs of Denver to try and institute some of that change.

And so with that, I would yield back to you, sir.

Mr. ELLISON. Well, Mr. PERLMUTTER, I want to be a witness to what you just said. You have made a great difference. You, together with our freshman class—which I'm also a member of—have been here trying to improve the lives of Americans. And what we've been offering, yes, vision on energy policy, yes, vision on dealing with unemployment insurance and the jobs and the economy, yes, vision on veterans. But what we're really offering is a bigger vision of America, not just a litany of bills, but a bigger vision of our country, a bigger vision, an America that is fairer, that's more prosperous, that's more innovative, that takes care of its own. This is the America that we all know we can have because people like your dad and mine fought for an American that could be that way. And we believe that it is our generation's responsibility to make a better America for our children and our parents and everyone.

So it's been great hanging out with you, Mr. PERLMUTTER. Have a great night.

Mr. PERLMUTTER. Good night.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. FLAKE (at the request of Mr. BOEHNER) for today and the balance of the week on account of attending a funeral.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Ms. KAPTUR) to revise and extend their remarks and include extraneous material:)

Mr. LANGEVIN, for 5 minutes, today.

Ms. WOOLSEY, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Mr. GEORGE MILLER of California, for 5 minutes, today.

Mr. YARMUTH, for 5 minutes, today.

(The following Members (at the request of Mr. BURTON of Indiana) to revise and extend their remarks and include extraneous material:)

Mr. HUNTER, for 5 minutes, today.

Mr. POE, for 5 minutes, June 18.

Mr. JONES of North Carolina, for 5 minutes, June 18.

Mr. BROUN of Georgia, for 5 minutes, today.

Mr. WESTMORELAND, for 5 minutes, today.

Mr. CONAWAY, for 5 minutes, today.

ADJOURNMENT

Mr. ELLISON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 11 o'clock and 57 minutes p.m.), the House adjourned until tomorrow, Thursday, June 12, 2008, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

7085. A letter from the Congressional Review Coordinator, Department of Agriculture, transmitting the Department's final rule—Temporary Importation of Horses; Noncompetitive Entertainment Horses From Countries Affected With Contagious Equine Metritis [Docket No. APHIS–2006–0164] (RIN: 0579–AC35) received June 5, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7086. A letter from the Congressional Review Coordinator, Department of Agriculture, transmitting the Department's final rule—Mexican Fruit Fly; Designation of Portion of Willacy County, TX, as a Quarantined Area [Docket No. APHIS–2008–0057] received June 5, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7087. A letter from the Congressional Review Coordinator, Department of Agriculture, transmitting the Department's final rule—Amendments to Treatments for Plant Pests [Docket No. APHIS–2006–0091] received May 29, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7088. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule—Livestock Mandatory Reporting; Reestablishment and Revision of the Reporting Regulation for Swine, Cattle, Lamb, and Boxed Beef [Docket No. AMS–LS–07–0106] (RIN: 0581–AC67) received May 28, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7089. A letter from the Congressional Review Coordinator, Department of Agriculture, transmitting the Department's final rule—Exotic Newcastle Disease; Quarantine Restrictions [Docket No. APHIS–2006–0036] (RIN: 0579–AC42) received May 29, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7090. A letter from the Administrator, Environmental Protection Agency, transmitting the Agency's report entitled, ''Study on Increasing the Usage of Recovered Mineral

Components in Federally Funded Projects Involving Procurement of Cement or Concrete to Address the Safe, Accountable, Flexible, Efficient Transportation Aquity Act: A Legacy for Users,'' pursuant to Public Law 109–59, section 6101(a); to the Committee on Energy and Commerce.

7091. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule—Administrative Changes: NRC Region IV Address Change and Phone Number and E-mail Address Changes [NRC–2008–0270] (RIN: 3150–AI39) received May 30, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7092. A letter from the Director, U.S. Census Bureau, Department of Commerce, transmitting the Department's final rule—Foreign Trade Regulations: Mandatory Automated Export System Filing for all Shipments Requiring Shipper's Export Declaration Information [Docket Number 031009254–6014–03] (RIN: 0607–AA38) received May 29, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

7093. A letter from the Administrator, National Aeronautics and Space Administration, transmitting a copy of the Semiannual Report of the Inspector General of NASA for the period ending March 31, 2008; to the Committee on Oversight and Government Reform.

7094. A letter from the General Counsel, Office of Management and Budget, transmitting the Office's final rule—Cost Accounting Standards Board; Accounting for the Costs of Employee Stock Ownership Plans (ESOPs) Sponsored by Government Contractors—received May 27, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

7095. A letter from the Director, Office of Personnel Management, transmitting the Office's final rule—Nonforeign Area Cost-of-Living Allowance Rates; Puerto Rico and Hawaii County, HI (RIN: 3206–AL28) received May 27, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

7096. A letter from the Director, Office of Personnel Management, transmitting the Office's final rule—Compensatory Time Off for Travel; Prevailing Rate (Wage) Employees (RIN: 3206–AL52) received May 27, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

7097. A letter from the Under Secretary and Director, Department of Commerce, transmitting the Department's final rule—Rules of Practice Before the Board of Patent Appeals and Interferences in Ex Parte Appeals [Docket No. PTO–P–2007–0006] (RIN: 0651–AC12) received June 4, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

7098. A letter from the Chief, Border Security Regulations Branch, Department of Homeland Security, transmitting the Department's final rule—Changes to the Visa Waiver Program to Implement the Electronic System for Travel Authorization (ESTA) Program [USCBP–2008–0003 CBP Dec. No. 08–18] (RIN: 1651–AA72) received June 3, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

7099. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule—26 CFR 1.1445–2: Situations in which withholding is not required under section 1445(a) (Also: 897; 1445; 1.897–1; 1.897–2; 1.897–5T; 1.897–6T; 1.1445–5.) (Rev. Proc. 2008–27) received May 14, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. THOMPSON of Mississippi: Committee on Homeland Security. H.R. 2631. A bill to strengthen efforts in the Department of Homeland Security to develop nuclear forensics capabilities to permit attribution of the source of nuclear material; with amendments (Rept. 110–708 Pt. 1). Ordered to be printed.

Mr. WAXMAN: Committee on Oversight and Government Reform. H.R. 5811. A bill to amend title 44, United States Code, to require preservation of certain electronic records by Federal agencies, to require a certification and reports relating to Presidential records, and for other purposes; with an amendment (Rept. 110–709). Referred to the Committee of the Whole House on the State of the Union.

Mr. ARCURI: Committee on Rules. House Resolution 1265. Resolution providing for consideration of the bill (H.R. 5749) to provide for a program of emergency unemployment compensation (Rept. 110–710). Referred to the House Calendar.

DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XII the Committee on Foreign Affairs discharged from further consideration. H.R. 2631 referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. JONES of North Carolina (for himself, Mr. GOODE, Mr. COBLE, Ms. FOXX, Mrs. MYRICK, and Mr. HAYES):

H.R. 6233. A bill to reinstate the Interim Management Strategy governing off-road vehicle use in the Cape Hatteras National Seashore, North Carolina, pending the issuance of a final rule for off-road vehicle use by the National Park Service; to the Committee on Natural Resources, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CONAWAY:

H.R. 6234. A bill to amend title 23, United States Code, to require corrosion mitigation and prevention plans for bridges receiving Federal funding, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. BRALEY of Iowa:

H.R. 6235. A bill to require the purchase of domestically made flags of the United States of America for use by the Federal Government; to the Committee on Oversight and Government Reform.

By Mr. CHABOT (for himself, Mr. LAMBORN, Mr. JORDAN, Mr. HOBSON, and Mr. TURNER):

H.R. 6236. A bill to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to modernize the disability benefits claims processing system of the Department of Veterans Affairs to ensure the accurate, consistent, and timely delivery of compensation to veterans and their families and survivors, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. COURTNEY:

H.R. 6237. A bill to amend the Internal Revenue Code of 1986 to provide for a credit for long-term care insurance premiums and for taxpayers with long-term care needs; to the Committee on Ways and Means.

By Mr. DINGELL (for himself, Mr. BARROW, Mr. HILL, Mr. HOYER, Mr. BOUCHER, Mr. DOYLE, Mr. TOWNS, Ms. BALDWIN, Mr. STUPAK, Ms. ESHOO, Mr. WEINER, Mr. MATHESON, Ms. HOOLEY, Mr. BUTTERFIELD, Mr. ALLEN, Mr. ROSS, Mr. MELANCON, Mr. INSLEE, Mr. MARKEY, Mr. GONZALEZ, Mr. ENGEL, Mrs. CAPPS, Mr. GORDON, Ms. SOLIS, Mr. WAXMAN, Mr. RUSH, Ms. SCHAKOWSKY, Ms. DEGETTE, Ms. HARMAN, Mr. GENE GREEN of Texas, Mr. PALLONE, Mr. BARTON of Texas, Mr. UPTON, and Ms. MATSUI):

H.R. 6238. A bill to provide for the establishment of an interagency working group to conduct a study to identify the factors that affect the pricing of crude oil and refined petroleum products, and to make recommendations on appropriate coordination of oversight and regulation; to the Committee on Energy and Commerce.

By Mr. GRAVES (for himself and Mr. WALZ of Minnesota):

H.R. 6239. A bill to amend the Elementary and Secondary Education Act of 1965 to suspend temporarily the process of identifying schools and local educational agencies as in need of improvement and of imposing sanctions on such schools and local educational agencies; to the Committee on Education and Labor.

By Mr. ISRAEL:

H.R. 6240. A bill to change the date for regularly scheduled Federal elections and establish polling place hours; to the Committee on House Administration.

By Mrs. MCCARTHY of New York (for herself, Mr. PASCRELL, and Ms. CORRINE BROWN of Florida):

H.R. 6241. A bill to amend title XVIII of the Social Security Act to include vision restoration therapy devices and associated software used in the patient's home to treat impaired visual function due to acquired brain injury within the definition of durable medical equipment under the Medicare Program; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. MUSGRAVE:

H.R. 6242. A bill to amend the Internal Revenue Code of 1986 to repeal the 1993 income tax increase on Social Security benefits, and for other purposes; to the Committee on Ways and Means.

By Mr. RAMSTAD:

H.R. 6243. A bill to amend the Internal Revenue Code of 1986 to provide an exemption from the Federal motor fuels excise tax for ground emergency and non-emergency ambulance services; to the Committee on Ways and Means.

By Mr. THOMPSON of Mississippi:

H.R. 6244. A bill to amend the Homeland Security Act of 2002 to direct the Secretary of Homeland Security to issue regulations that require that any award fee under a cost-plus-award-fee contract entered into by the Department of Homeland Security shall be determined and paid based on a successful acquisition outcome that is specified in the contract, and for other purposes; to the Committee on Homeland Security.

By Mr. THOMPSON of Mississippi:

H.R. 6245. A bill to amend the Homeland Security Act of 2002 to require a direct link on the website of the Department of Homeland Security to the website of the Office of the Inspector General of the Department of Homeland Security, and for other purposes; to the Committee on Homeland Security.

By Mr. THOMPSON of Mississippi:

H.R. 6246. A bill to require the Secretary of the Department of Homeland Security to establish an international registered traveler program that incorporates available technologies to expedite and enhance the security, screening, and processing of international travelers at United States borders, including United States citizens and lawful permanent residents, who enter and exit the United States, and for other purposes; to the Committee on Homeland Security.

By Mr. THOMPSON of Mississippi:

H.R. 6247. A bill to amend the Homeland Security Act of 2002 to direct the Secretary of Homeland Security to develop and acquire new technologies to inspect and screen air cargo on passenger aircraft to ensure transportation security, and for other purposes; to the Committee on Homeland Security.

By Mr. WELCH of Vermont (for himself, Mr. ELLISON, and Mr. BRALEY of Iowa):

H.R. 6248. A bill to amend the Truth in Lending Act to prohibit unfair practices in electronic payment system networks, and for other purposes; to the Committee on Financial Services.

By Mr. WEXLER (for himself, Mr. GALLEGLY, Ms. ROS-LEHTINEN, Mr. ENGEL, Mr. CHABOT, and Mr. HASTINGS of Florida):

H. Con. Res. 371. Concurrent resolution strongly supporting an immediate and just restitution of, or compensation for, property illegally confiscated during the last century by Nazi and Communist regimes; to the Committee on Foreign Affairs.

By Mr. ISSA (for himself, Mr. TOM DAVIS of Virginia, Mr. TURNER, Mr. BURTON of Indiana, Mr. SOUDER, Mr. SHAYS, Mr. MCHUGH, Mr. CANNON, Mr. WESTMORELAND, Mr. MCHENRY, Ms. FOXX, Mr. BILBRAY, Mr. SALI, Mr. JORDAN, Mr. DREIER, Mr. HERGER, Mr. SENSENBRENNER, Mr. ROHRABACHER, Mr. SHADEGG, Mr. BILIRAKIS, Mr. EHLERS, Mr. BROWN of South Carolina, Mrs. BACHMANN, Mr. KING of Iowa, Mr. MANZULLO, Mr. LATOURETTE, Mr. FORBES, Mr. ROGERS of Alabama, Mr. MILLER of Florida, Mr. ROSKAM, Mrs. BIGGERT, Mr. BACHUS, Mr. PETERSON of Pennsylvania, Mrs. MILLER of Michigan, Mr. HASTINGS of Washington, Mr. GINGREY, Mr. PRICE of Georgia, Mr. PITTS, Mr. BOUSTANY, Mr. TIBERI, Mr. MCKEON, Mr. DANIEL E. LUNGREN of California, Mr. HENSARLING, Mr. LEWIS of California, Mr. TIM MURPHY of Pennsylvania, Mr. CANTOR, Mrs. CAPITO, Mr. WILSON of South Carolina, Mr. FRANKS of Arizona, Mr. KELLER, and Mr. SMITH of Texas):

H. Res. 1262. A resolution expressing the sense of the House of Representatives that the Secretary of Commerce should use all reasonable measures to ensure that every person is counted in the 2010 decennial census; to the Committee on Oversight and Government Reform.

By Mr. WOLF:

H. Res. 1263. A resolution directing the chief Administrative Officer and the Sergeant at Arms of the House of Representatives to take timely action to ensure that all Members, committees, and offices of the House are alerted of the dangers of electronic attacks on the computers and information systems used in carrying out their official duties and are fully briefed on how to protect themselves, their official records, and their communications from electronic security breaches.

By Mr. GINGREY (for himself, Ms. WATERS, and Mr. SENSENBRENNER):

H. Res. 1264. A resolution expressing support for the private property rights protections guaranteed by the 5th Amendment to the Constitution on the 3rd anniversary of the Supreme Court's decision on Kelo v. City of New London; to the Committee on the Judiciary.

By Mr. GALLEGLY:

H. Res. 1266. A resolution congratulating Albania and Croatia on being invited to begin accession talks with the North Atlantic Treaty Organization and expressing support for continuing to enlarge the alliance; to the Committee on Foreign Affairs.

By Mr. JONES of North Carolina (for himself, Mr. BUTTERFIELD, and Mr. HAYES):

H. Res. 1267. A resolution congratulating the Mount Olive College Trojans for winning the 2008 National Collegiate Athletic Association Division II Men's Baseball National Championship; to the Committee on Education and Labor.

By Ms. MCCOLLUM of Minnesota (for herself, Mr. TIERNEY, Mr. SHAYS, Mr. WOLF, Mr. PLATTS, Mr. FARR, Mr. JACKSON of Illinois, Mr. HONDA, Mr. LYNCH, Mr. LAHOOD, and Mr. CARSON):

H. Res. 1268. A resolution expressing the sense of the House of Representatives that United States foreign assistance is a critical instrument for achieving our national security goals and that modernizing United States foreign assistance should become a national priority; to the Committee on Foreign Affairs.

MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

301. The SPEAKER presented a memorial of the House of Representatives of the State of Illinois, relative to House Resolution No. 1062 urging the Congress of the United States and the National Guard Bureau to take all necessary steps to ensure that the Fire Department of the 183rd remains located at the Abraham Lincoln Capital Airport in Springfield, Illinois; to the Committee on Armed Services.

302. Also, a memorial of the Legislature of the State of Louisiana, relative to House Concurrent Resolution No. 123 memorializing the Congress of the United States to enact legislation limiting certain increases in health insurance premiums, deductibles, copayments, and other charges of military retirees for their military health benefits being proposed by the Department of Defense; to the Committee on Armed Services.

303. Also, a memorial of the Legislature of the State of Idaho, relative to Senate Joint Resolution No. 109 urging the Congress of the United States to strike Section 108 from the College Opportunity and Affordability Act of 2007; to the Committee on Education and Labor.

304. Also, a memorial of the Senate of the Commonwealth of Pennsylvania, relative to Senate Resolution No. 289 calling for immediate action to provide short-term and long-term financial assistance to assure the availability of student loans to students and families of the Commonwealth; to the Committee on Education and Labor.

305. Also, a memorial of the Legislature of the State of Maine, relative to House Joint Resolution No. 1686 memorializing the Congress of the United States to enact legislation to ensure health care for all; to the Committee on Energy and Commerce.

306. Also, a memorial of the General Assembly of the State of Vermont, relative to House Joint Resolution No. 66 urging the Congress of the United States to adopt H.R. 5473, ''The Strategic Petroleum Reserve Fill Suspension and Consumer Protection Act of 2008''; to the Committee on Energy and Commerce.

307. Also, a memorial of the Senate of the State of Pennsylvania, relative to Senate Resolution No. 326 urging the President of the United States and the Congress of the United States to enact legislation to provide additional funding for ALS research; to the Committee on Energy and Commerce.

308. Also, a memorial of the House of Representatives of the State of Illinois, relative to House Resolution No. 940 urging the Congress of the United States to support a ban on the sale of novelty lighters that resemble toys; to the Committee on Energy and Commerce.

309. Also, a memorial of the House of Representatives of the State of Illinois, relative to House Resolution No. 1031 urging the Congress of the United States to reauthorize the Debbie Smith DNA backlog grant program at current or increased levels; to the Committee on the Judiciary.

310. Also, a memorial of the Legislature of the State of Idaho, relative to Senate Joint Memorial No. 113 urging the Congress of the United States to require specific conditions for the continued participation in NAFTA; to the Committee on Ways and Means.

311. Also, a memorial of the Legislature of the State of Mississippi, relative to House Concurrent Resolution No. 51 requesting that the Congress of the United States extend the Gulf Opportunity (GO) Zone Act of 2005; to the Committee on Ways and Means.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 96: Ms. ZOE LOFGREN of California.

H.R. 169: Ms. LINDA T. SÁNCHEZ of California.

H.R. 241: Mr. HELLER.

H.R. 278: Mr. BROWN of South Carolina and Mr. GRIJALVA.

H.R. 303: Ms. HIRONO.

H.R. 371: Mr. RENZI.

H.R. 583: Mr. SPACE.

H.R. 736: Mr. GARY G. MILLER of California.

H.R. 760: Ms. JACKSON-LEE of Texas, Mrs. MILLER of Michigan, and Mr. HOLT.

H.R. 821: Mr. LAMPSON and Mr. WELCH of Vermont.

H.R. 1014: Mr. LINCOLN DIAZ-BALART of Florida, Mr. MARCHANT, and Mr. TAYLOR.

H.R. 1032: Ms. ZOE LOFGREN of California.

H.R. 1050: Mr. PASTOR.

H.R. 1085: Mr. SOUDER.

H.R. 1086: Mr. SOUDER.

H.R. 1110: Mr. AL GREEN of Texas.

H.R. 1178: Ms. HERSETH SANDLIN.

H.R. 1246: Ms. SPEIER.

H.R. 1275: Mr. CARSON.

H.R. 1298: Mr. CARSON.

H.R. 1646: Mr. FILNER.

H.R. 1665: Ms. ESHOO, Mr. JACKSON of Illinois, and Ms. TSONGAS.

H.R. 1667: Mr. FILNER.

H.R. 1748: Mr. HOEKSTRA.

H.R. 1881: Mr. DOOLITTLE.

H.R. 1974: Mr. HARE.

H.R. 1975: Mr. SESTAK.

H.R. 2032: Ms. KILPATRICK, Mr. WILSON of Ohio, and Mrs. LOWEY.

H.R. 2054: Mr. ELLSWORTH.

H.R. 2073: Mrs. LOWEY.

H.R. 2125: Mr. BUTTERFIELD and Mr. LAMPSON.

H.R. 2169: Mr. CLEAVER and Mr. CARSON.

H.R. 2260: Mr. SESSIONS.

H.R. 2279: Mr. LAMBORN, Mr. DENT, Mr. ROGERS of Kentucky, and Mr. UPTON.

H.R. 2303: Mr. BUYER and Ms. HIRONO.

H.R. 2371: Mr. MURPHY of Connecticut, Ms. DEGETTE, and Mr. YARMUTH.

H.R. 2493: Mr. LAMBORN and Mr. ROGERS of Kentucky.
H.R. 2578: Ms. HERSETH SANDLIN.
H.R. 2611: Mr. SHAYS.
H.R. 2677: Mr. GRIJALVA.
H.R. 2694: Mr. JACKSON of Illinois and Mr. CAPUANO.
H.R. 2792: Mr. SESTAK.
H.R. 2833: Ms. SUTTON.
H.R. 2842: Ms. SUTTON and Mr. GRIJALVA.
H.R. 2880: Mr. SENSENBRENNER and Mr. ALEXANDER.
H.R. 2976: Mr. SHADEGG.
H.R. 3008: Mr. CHILDERS.
H.R. 3036: Ms. MATSUI, Mr. HINOJOSA, Mr. YARMUTH, Ms. LINDA T. SÁNCHEZ of California, Mr. COURTNEY, Mr. BISHOP of New York, Mr. TIERNEY, Mr. ANDREWS, Mr. HOLT, and Mr. KILDEE.
H.R. 3053: Mr. GINGREY.
H.R. 3202: Mr. WELCH of Vermont.
H.R. 3234: Mr. JORDAN.
H.R. 3257: Mrs. CAPPS.
H.R. 3289: Mr. CARNEY and Mr. CAZAYOUX.
H.R. 3457: Mrs. BACHMANN.
H.R. 3654: Mr. WHITFIELD of Kentucky, Mr. HOBSON, Mrs. MUSGRAVE, Mrs. CUBIN, Mr. FRANKS of Arizona, Mrs. SCHMIDT, Mrs. CAPITO, Mr. HALL of Texas, and Mr. BONNER.
H.R. 3715: Mr. THOMPSON of Mississippi and Mr. DONNELLY.
H.R. 3769: Mr. DOGGETT.
H.R. 3990: Mr. HOLT.
H.R. 3995: Ms. JACKSON-LEE of Texas.
H.R. 4026: Mr. MEEKS of New York, Ms. WOOLSEY, and Mr. SERRANO.
H.R. 4053: Mr. CARSON.
H.R. 4107: Mr. MORAN of Kansas.
H.R. 4114: Mr. ROTHMAN.
H.R. 4138: Mr. LAMPSON.
H.R. 4189: Mr. BURGESS.
H.R. 4206: Mr. MANZULLO.
H.R. 4236: Mr. MEEK of Florida and Mr. LINCOLN DIAZ-BALART of Florida.
H.R. 4255: Mr. HAYES, Mr. BOOZMAN, and Ms. BALDWIN.
H.R. 4264: Mr. MAHONEY of Florida.
H.R. 4273: Mr. CAMP of Michigan.
H.R. 4544: Mr. FOSTER.
H.R. 4883: Ms. WATERS.
H.R. 4884: Mr. HOLT and Ms. WATERS.
H.R. 4900: Mr. MCKEON and Mrs. GILLIBRAND.
H.R. 5244: Mr. BOSWELL, Ms. LEE, Ms. KAPTUR, Mr. HIGGINS, Mr. OLVER, Mr. JONES of North Carolina, Ms. MATSUI, and Mr. PASCRELL.
H.R. 5267: Mr. TOM DAVIS of Virginia.
H.R. 5404: Mr. LAMPSON.
H.R. 5445: Mrs. BIGGERT.
H.R. 5496: Ms. SUTTON.
H.R. 5507: Ms. KILPATRICK.
H.R. 5549: Mr. BOREN.
H.R. 5564: Mr. HALL of New York.
H.R. 5632: Mr. BARROW and Mr. FILNER.
H.R. 5636: Mr. BRADY of Pennsylvania.
H.R. 5700: Mr. WEXLER.
H.R. 5731: Mr. BLUNT.
H.R. 5741: Mr. GRIJALVA.
H.R. 5785: Mr. AL GREEN of Texas.
H.R. 5793: Ms. MATSUI.
H.R. 5797: Mr. BUYER.
H.R. 5798: Mr. AL GREEN of Texas.
H.R. 5802: Ms. DEGETTE.
H.R. 5808: Mr. PAYNE.
H.R. 5809: Mr. PAYNE.
H.R. 5821: Mr. MARCHANT.
H.R. 5842: Mr. ROTHMAN.
H.R. 5874: Mr. SMITH of Washington, Mr. COHEN, Mr. COBLE, and Mr. PRICE of North Carolina.
H.R. 5892: Mr. TIM MURPHY of Pennsylvania and Mr. FOSTER.
H.R. 5898: Mr. WITTMAN of Virginia.
H.R. 5932: Mr. SCALISE.
H.R. 5935: Mr. DAVIS of Illinois.
H.R. 5942: Ms. CORRINE BROWN of Florida, Mr. FOSSELLA, Mr. SMITH of New Jersey, and Mr. EDWARDS.
H.R. 5943: Mr. WHITFIELD of Kentucky.
H.R. 5954: Mr. SIMPSON.
H.R. 5971: Mr. SMITH of Texas, Mr. WAMP, Mr. ALEXANDER, and Mr. LATOURETTE.
H.R. 5979: Mr. ROTHMAN.
H.R. 5984: Mrs. WILSON of New Mexico, Mr. SMITH of Texas, Mrs. BIGGERT, Mrs. MILLER of Michigan, Mr. DAVIS of Kentucky, Mr. CAMPBELL of California, Mr. BOEHNER, and Mr. HALL of Texas.
H.R. 6001: Mr. SALI.
H.R. 6032: Mr. WALZ of Minnesota, Mr. ROTHMAN, and Mr. PETERSON of Minnesota.
H.R. 6056: Ms. BALDWIN, Ms. JACKSON-LEE of Texas, Mr. LEWIS of Georgia, Mr. HILL, Mrs. LOWEY, Mr. WELCH of Vermont, and Mr. WALSH of New York.
H.R. 6057: Mr. PRICE of North Carolina.
H.R. 6076: Ms. WOOLSEY.
H.R. 6083: Mr. LOEBSACK and Mr. GALLEGLY.
H.R. 6085: Mr. UPTON.
H.R. 6107: Mr. MCKEON, Mr. KLINE of Minnesota, Mr. TAYLOR, Mr. REGULA, Mr. CALVERT, Mr. MICA, Mr. REYNOLDS, Mr. HUNTER, Mr. WELLER, Mrs. MILLER of Michigan, Mr. SOUDER, Mr. RYAN of Wisconsin, Mr. CRENSHAW, Mr. BARRETT of South Carolina, Mr. LAHOOD, Mr. REHBERG, Mr. TIAHRT, Mr. ALEXANDER, Mr. HAYES, Mr. CANTOR, Mr. LEWIS of California, Mr. ROHRABACHER, Mr. RENZI, Mr. TURNER, Mr. PUTNAM, Mrs. BIGGERT, Mr. PETERSON of Minnesota, Mr. KING of Iowa, and Mr. FOSSELLA.
H.R. 6108: Mr. LAMBORN, Mr. HENSARLING, and Mr. ROGERS of Kentucky.
H.R.. 6126: Mr. PASTOR.
H.R.. 6133: Mrs. BACHMANN and Mr. BARTLETT of Maryland.
H.R.. 6140: Mr. BUYER.
H.R.. 6168: Mrs. EMERSON and Mr. GRAVES.
H.R.. 6169: Mrs. EMERSON and Mr. GRAVES.
H.R.. 6179: Mr. REYNOLDS.
H.R.. 6180: Mr. HASTINGS of Florida.
H.R.. 6184: Mr. GRIJALVA.
H.R.. 6208: Mrs. EMERSON and Mr. GRAVES.
H.R.. 6210: Mr. FOSTER, Mr. SIRES, Mr. WOLF, and Ms. BERKLEY.
H.R.. 6211: Mr. BISHOP of Utah.
H.J. Res. 22: Mrs. MUSGRAVE, Mr. CANTOR, Mr. BILBRAY, Mr. PENCE, Mrs. MCMORRIS RODGERS, Mr. AKIN, Mr. CONAWAY, Mr. MARCHANT, Mr. SALI, and Mr. PITTS.
H.J. Res. 89: Mr. MARCHANT, Mr. ROGERS of Kentucky, Mr. MCHENRY, Mr. ALEXANDER, Mr. BARRETT of South Carolina, Mr. PETERSON of Minnesota, Mr. SALI, and Mr. COLE of Oklahoma.
H. Con. Res. 296: Mr. ALEXANDER, Mr. BONNER, Mr. GRIJALVA, Mr. DAVID DAVIS of Tennessee, and Mr. KIRK.
H. Con. Res. 329: Mrs. MUSGRAVE.
H. Con. Res. 341: Mr. SALI, Mr. COLE of Oklahoma, Mr. ROSKAM, Mr. ALEXANDER, and Mr. SCOTT of Georgia.
H. Con. Res. 342: Mr. PASTOR, Ms. ZOE LOFGREN of California, Mr. COOPER, Mr. ALLEN, Mr. BURTON of Indiana, and Mr. TIM MURPHY of Pennsylvania.
H. Con. Res. 350: Ms. LEE, Mr. GEORGE MILLER of California, Mr. COSTA, and Mr. SCOTT of Georgia.
H. Con. Res. 360: Mr. CARSON, Mr. BLUMENAUER, Ms. KAPTUR, and Mr. FARR.
H. Con. Res. 362: Ms. HARMAN, Mr. FORTENBERRY, Mr. WALBERG, Mr. HOEKSTRA, Mr. SMITH of Washington, Mr. ALEXANDER, and Mr. ALLEN.
H. Con. Res. 364: Mrs. MCCARTHY of New York, Mr. SCOTT of Virginia, Mr. THOMPSON of Mississippi, Mr. CLYBURN, Mr. JOHNSON of Georgia, Mr. BUTTERFIELD, Ms. RICHARDSON, Mr. CLEAVER, Mr. SCOTT of Georgia, Mr. CLAY, Ms. WATERS, Mr. CUMMINGS, and Ms. CORRINE BROWN of Florida.
H. Con. Res. 365: Mr. MOORE of Kansas, Mr. BLUMENAUER, Mr. FRANK of Massachusetts, Ms. RICHARDSON, Mr. BERRY, Mr. GORDON, Mrs. TAUSCHER, Mr. DEFAZIO, and Ms. WATERS.
H. Con. Res. 367: Mr. MCINTYRE, and Mr. GENE GREEN of Texas.
H. Res. 282: Mr. MARIO DIAZ-BALART of Florida.
H. Res. 353: Mr. MORAN of Virginia, Mr. SHULER, Mr. WEXLER, and Mr. RAMSTAD.
H. Res. 373: Mr. JACKSON of Illinois.
H. Res. 795: Ms. TSONGAS.
H. Res. 937: Mr. WHITFIELD of Kentucky, Mr. CULBERSON, Mr. TURNER, and Mr. HOBSON.
H. Res. 970: Mr. KUHL of New York.
H. Res. 985: Mr. BURTON of Indiana.
H. Res. 1012: Mr. LAHOOD.
H. Res. 1019: Ms. HIRONO and Ms. KILPATRICK.
H. Res. 1028: Mr. GRIJALVA, Ms. BALDWIN, Mr. CLAY, Ms. ZOE LOFGREN of California, and Ms. SCHAKOWSKY.
H. Res. 1127: Mr. SMITH of New Jersey.
H. Res. 1143: Mr. SPACE, Mr. REYNOLDS, Mr. LATTA, Mr. UDALL of Colorado, Mr. COSTELLO, Mr. CARSON, and Mr. BARRETT of South Carolina.
H. Res. 1179: Mrs. MYRICK, Ms. WATSON, Mr. DAVID DAVIS of Tennessee, Mr. JONES of North Carolina, and Mr. UPTON.
H. Res. 1187: Mr. BURTON of Indiana.
H. Res. 1192: Ms. MCCOLLUM of Minnesota.
H. Res. 1198: Mr. RADANOVICH.
H. Res. 1202: Mr. WALBERG and Mr. EHLERS.
H. Res. 1230: Ms. TSONGAS, Mr. SCHIFF, Ms. LINDA T. SÁNCHEZ of California, and Ms. BERKLEY.
H. Res. 1237: Mr. LAMPSON and Mr. LOEBSACK.
H. Res. 1248: Mrs. LOWEY, Ms. BORDALLO, Mr. HELLER, Mr. MATHESON, Mr. CRAMER, Mr. TANNER, Mr. BOREN, Mr. CHILDERS, Mr. CAZAYOUX, Mr. SMITH of Nebraska, Mr. CARDOZA, Mr. MOORE of Kansas, Mr. ARCURI, and Mr. BOOZMAN.
H. Res. 1249: Mr. GORDON, Mr. ELLSWORTH, Mr. FATTAH, Mr. WESTMORELAND, Mr. WEINER, Mr. KLEIN of Florida, and Mr. GENE GREEN of Texas.
H. Res. 1254: Mr. GENE GREEN of Texas, Mr. RUSH, Ms. WATSON, Mr. HINOJOSA, Mr. FATTAH, and Ms. EDDIE BERNICE JOHNSON of Texas.
H. Res. 1258: Ms. WOOLSEY and Ms. LEE.

PETITIONS, ETC.

Under clause 3 of rule XII, petitions and papers were laid on the clerk's desk and referred as follows:

255. The SPEAKER presented a petition of the North Carolina State Council of the Junior Order United American Mechanics, relative to Resolution No. 5 supporting the brave and dedicated men and women of the Armed Forces of the United States of America; to the Committee on Armed Services.

256. Also, a petition of the Town of Chatham, Massachusetts, relative to a Resolution calling for funding for a safe and rapid withdrawal of all United States troops from Iraq; to the Committee on Armed Services.

257. Also, a petition of the Town of Wellfleet, Massachusetts, relative to a Resolution calling for funding for a safe and rapid withdrawal of all United States troops from Iraq; to the Committee on Armed Services.

258. Also, a petition of the County Commission of Baldwin County, Alabama, relative to Resolution No. 2008-94 urging the Congress of the United States to affirm the selection process of the United States Air Force by moving with deliberate speed to fund and implement the KC-45 Tanker Project; to the Committee on Armed Services.

259. Also, a petition of the City Council of Atlanta, Georgia, relative to Resolution No.

08-R-0861 thanking the Congress of the United States for enacting the Energy Independence Security Act of 2007 and for the creation of the Energy Efficiency and Conservation Block Grant; to the Committee on Energy and Commerce.

260. Also, a petition of American Bar Association, relative to Resolution No. 109 urging the government of the United States to take a leadership role in addressing the issue of climate change through legal, policy, financial, and educational mechanisms; to the Committee on Energy and Commerce.

261. Also, a petition of Conservation Groups, relative to a Resolution requesting a rehearing of the Federal Energy Regulatory Commission's ''Order on Ten-Year Summary Report''; to the Committee on Energy and Commerce.

262. Also, a petition of the City Council of Atlanta, Georgia, relative to Resolution No. 08-R-0857 requesting that the Congress of the United States restore and protect funding for proven public safety programs; to the Committee on the Judiciary.

263. Also, a petition of the North Carolina State Council of the Junior Order United American Mechanics, relative to Resolution No. 6 supporting any resolution or joint resolution proposing an amendment to the Constitution of the United States establishing English as the official language of the United States; to the Committee on the Judiciary.

264. Also, a petition of the North Carolina State Council of the Junior Order United American Mechanics, relative to Resolution No. 4 demanding that the Congress of the United States find common language that will bring the immigration issues to a resolution; to the Committee on the Judiciary.

265. Also, a petition of the Village of Elida, Ohio, relative to Resolution No. 337-2008 expressing opposition to H.R. 3359, ''Mobile Workforce State Income Tax Fairness and Simplification Act of 2007''; to the Committee on the Judiciary.

266. Also, a petition of the State Bar of California, San Francisco, California, relative to a Resolution urging consideration of legislation to revise the penalty provisions in the Internal Revenue Code, as addressed by H.R. 4318; to the Committee on Ways and Means.

267. Also, a petition of the City Council of New Orleans, Louisiana, relative to Resolution No. R-07-438 supporting any and all efforts to establish the City of New Orleans as the host location for all DR-CAFTA institutional activity; to the Committee on Ways and Means.

268. Also, a petition of the Korean American Elected Officials Coalition, relative to a Resolution urging the consideration and passing of the Korea-U.S. Free Trade Agreement before the end of the 110th Congress; to the Committee on Ways and Means.

United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 110th CONGRESS, SECOND SESSION

Vol. 154 WASHINGTON, WEDNESDAY, JUNE 11, 2008 No. 96

Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable BENJAMIN L. CARDIN, a Senator from the State of Maryland.

PRAYER

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

Let us pray.

Our Father in heaven, we thank You for the beautiful differences in the human family, for its varied shapes and sizes, its features and colors, its abilities and talents. Deliver us from the forces that would destroy our unity by eliminating our diversity.

Bless the Members of this body. Help them in their debates to distinguish between substance and semantics, between rhetoric and reality. Free them from personal and partisan preoccupations that would defeat their aspirations and deprive Americans of just and equitable solutions. May our lawmakers avoid the works of darkness and put on Your armor of light.

We pray in Your holy Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable BENJAMIN L. CARDIN 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, June 11, 2008.

To the Senate:

Under the provisions of rule I, section 3, of the Standing Rules of the Senate, I hereby appoint the Honorable BENJAMIN L. CARDIN, a Senator from the State of Maryland, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mr. CARDIN 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 my remarks and those of Senator MCCONNELL, there will be a period of morning business for 1 hour, with Senators permitted to speak therein for up to 10 minutes each. The majority will control the first 30 minutes; the Republicans will control the second 30 minutes.

Following morning business, the Senate will resume consideration of the motion to proceed to S. 3044, the Consumer-First Energy Act. The first 4 hours of debate will be equally divided and controlled in 30-minute alternating blocks of time, with the majority controlling the first 30 minutes and Republicans controlling the next 30 minutes.

Upon conclusion of the controlled time, Senators will be permitted to speak for up to 10 minutes each.

As a reminder, yesterday, I filed cloture on the motion to proceed to S. 3101, the Medicare Improvements for Patients and Providers Act. That cloture vote will occur tomorrow morning.

HIGH COST OF ENERGY

Mr. REID. Mr. President, when President Bush took office, one of the airplanes flying us to the west coast, or to the Midwest, or to the southern part of the States from Washington, DC, the cost of a tank of fuel for that airplane was 15 percent of the overall cost of the airline. Today, after 7 years and 6 months of President Bush, it now costs those airline companies almost 50 percent of the total costs. So it has gone from 15 percent to almost 50 percent.

All over America, airlines are eliminating flights that are full. Why? Because those airplanes cost too much to run. Every airplane flying across America today is losing money—every commercial airline—because the cost of fuel is so high. Think about that. Eighty-five percent of the cost of an airline could be other things when President Bush took office; now it is 50 percent. Airlines are in deep trouble.

I repeat, airplanes taking off from Washington, DC, or other places in America, and are full, with every seat taken, those flights are being eliminated because that type of airplane uses too much fuel. They are doing everything they can to eliminate the need for extra fuel. They are hosing down airplanes to save a quart of fuel here and there.

Mr. President, it is a desperate situation that the American airline industry has. In addition, our airlines are having difficulty competing with the European airlines. They pay in euros; we pay in dollars. We pay approximately, let's say, $1.40 per gallon—we know that is wrong, but the mathematical calculation is the same—and Europe pays about 80 cents. We cannot compete.

Mr. President, when President Bush took office, a gallon of gasoline in a motor vehicle was less than $1.50. Now, this morning, it is announced that the average cost in America is over $4.05 a gallon. That is what has happened during the Bush administration.

The day before yesterday, I met with the National Association of Manufacturers. The biggest concern they have is the cost of energy. One relatively small American manufacturer who has been quite successful—totally American—said this year, so far he has to

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

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borrow or come up with another $6 million—he doesn't know where he is going to get it—just to take care of the problems attributed to rising energy cost.

In spite of all this, in spite of the problems we face in America today with gasoline, people are trying to take public transportation when they can, but in rural America there is very little public transportation. Vacations are being stopped. In spite of all this, yesterday, the Republicans stopped us from going forward on legislation that would ease some of the problems.

For example, in the matter we are talking about when morning business closes, we think it is time to look at the subsidies the oil companies get. During the past year, they made about $250 billion in profits—net profits. Yet we subsidize these oil companies. We believe that should be looked at closely.

We also believe we should look at a windfall profits tax. We also believe—and there is bipartisan support for this; Senator SPECTER talked about this, and Senator KOHL is our major mover on this issue on this side—OPEC scholars believe, and members of our Judiciary Committee believe they are violating the Sherman Antitrust Act. But there is a question as to whether they are subject to that. What these Senators and others want to do—and that is part of our legislation—is make them subject to the antitrust laws in this country. They make most of their money in America. Why shouldn't our laws apply? We were stopped from going forward to debate that issue.

There is a school of thought today that believes the problems with the cost of oil are based on speculation—pure speculation. If the Presiding Officer wanted to leave and buy a share of General Motors or Ford stock—and Kirk Kerkorian is buying about 1 billion dollars' worth of Ford stock today—if you want to buy stock in Ford or General Motors today, you would have to put up 50 cents, which is your margin, for every dollar you buy. But not with oil. Some margins with oil are 3 to 5 percent. There is a lot of speculation going on.

We wanted to take a look at that but, no, the Republicans said: We are not even going to let you legislate on that matter. It seems to me that is what we should do. If they don't like our proposal, let's do something they think would be appropriate. Let's legislate.

Mr. President, I think it is pretty clear we cannot produce our way out of the problems we have with energy. Take ANWR and all of the offshore, and we in America have about 3 percent of the oil in the world. So it is obvious we cannot do that. Can we do a better job in production? Of course we can. We do certain things, and we have done certain things, such as allowing more offshore drilling off the coast of Louisiana.

The answer to all of this is not drill, drill, drill. The answer is to do something to help save our world. Global warming is here because we have taken, for well more than a century, carbon out of the Earth and put it into the sky. It has caused our Earth to be sick. We have a fever. Global warming is here. So we not only have to face this issue and recognize we don't need more fossil fuel, we need alternative renewable energy. That is what we tried to move to yesterday. The Republicans would not let us.

We have entrepreneurs in America who want to invest money in renewable energy—the Sun, the wind, geothermal. They want to invest, and we want to be able to give them tax credits as incentives. But, no, not with this Republican minority, not with this Republican President. The answer is no, no, no to directly affecting energy costs and doing something to allow us to move to renewable energy.

If that weren't enough, yesterday, to show what is going on with the Republicans and to indicate to the American people why they keep losing these special elections—one in Illinois, one in Louisiana, and one in Mississippi—look what they are doing. Yesterday, the Judiciary Committee had a hearing on torture to find out why America—the United States of America—why we were torturing people who were being picked up for being suspected terrorists. All we wanted to do is hold a hearing. No. In the Senate, if you don't want a hearing to go forward, and we have been in session for more than 2 hours, you can stop it. So we had to recess the Senate to go ahead with the hearing anyway.

They do not even want us to do oversight. So we are going to come today and talk about the calamity facing America with the oil prices. The Presiding Officer and I just left a meeting of people concerned about food—food. Senator DORGAN from North Dakota indicated that the cost of fertilizer in the small, sparsely populated State of North Dakota, in 1 year, has gone from $400 million to $800 million. Those farmers are trying to figure out a way to pay for that. People all around that table were people concerned about food. The problem is energy costs.

Yet in the Senate, we are not allowed to debate that because Republicans want to maintain the status quo. The status quo will not be maintained much longer. We may have to put up with President Bush and his policies for 7 months, if he is not willing to work with us. We may have to put up with the obstructionism of the Republicans for another 7 months, but the day is going to change come November when the elections are held because we will no longer have the slim majority we have now, and we will be able to legislate for the American people.

RECOGNITION OF THE REPUBLICAN LEADER

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

INCREASED ENERGY PRODUCTION

Mr. MCCONNELL. Mr. President, yesterday, we heard, believe it or not, the Democratic nominee for President of the United States suggesting that rising gas prices aren't the problem. I will say that again. Yesterday, the Democratic nominee for President of the United States said rising gas prices are not the problem. The problem, he suggested, is that they have gone up too fast. He said he would prefer a gradual adjustment. The Democratic nominee for President said the problem is not that gas prices are too high, it is that they have gone up too fast. He would have preferred a gradual adjustment.

Now, the position outlined by the Democratic nominee should not be a surprise to most Americans, given that Washington Democrats have repeatedly refused to allow increased energy production at home even though, as we all know, increased supply leads to lower prices. It is as if they are doing everything in their power to keep gas prices from going down. In fact, the Republicans in the Senate offered a proposal a few weeks ago, which would have dealt with the inadequate amount of domestic supply, and we were blocked by the majority. They simply refused to have a debate on the possibility of opening domestic supplies.

Whether it is shutting down domestic exploration in large areas, both onshore and offshore, or instituting a moratorium on oil shale development, which this new Washington Democratic majority in Congress did, increasing the gas tax or refusing to pursue coal to liquid, Democrats long ago implemented a gradual adjustment, as the Democratic nominee for President suggested yesterday, a gradual adjustment on gas prices that is reflected today in the $4.05 Americans are paying for a gallon of gas. Kentucky families do not need a gradual adjustment to their pocketbooks. They need a solution for their pain at the pump.

We have seen a lot of recent converts over the last few months suddenly advocating for lower gas prices, but their long-time advocacy for limiting domestic supply and increasing the gas tax has brought us to where we are today. Recycling the same failed ideas from the 1970s and increasing our reliance on Middle Eastern oil only makes the problem worse. I wish to be perfectly clear, at a time of record gas prices, we do not need to tax them even higher or make American consumers be even more reliant on Middle Eastern oil.

The American people want us to address high gas prices, and we should do so the only way that will have a lasting impact: by increasing domestic supply in an environmentally responsible way and increasing American jobs in the process.

When our friends on the other side agree to do the same, we will believe they are serious about lowering gas prices. Until then, we will be left to conclude that all they support is a gradual adjustment advocated yesterday by their nominee.

What we have had is a situation where one side does not want to do anything to address the supply problem and suggest things that will only make gas prices higher. The other side has said: We are willing to do a balanced energy approach. Last year, we joined with the majority to increase the corporate average fuel economy for automobiles. That is an important step in the right direction on the conservation side. We are anxious to see us move as rapidly as possible to the kinds of automobiles that are more efficient and less reliant on gasoline.

But it is absurd, it is nonsense to suggest that you can rule out of bounds, for example, roughly 85 percent of the Outer Continental Shelf, even when we have States that want to go offshore. Take Virginia. Last year, Virginia, represented by one Democratic Senator and one Republican Senator, wanted to open their Outer Continental Shelf. The Senate would not give them permission to do it. Why in the world would we want to deny a State which is willing to explore offshore the opportunity to do it, particularly in a time when gasoline prices are so high?

We welcome this debate. It is a most important issue in the country today. Republicans are comforted by the fact that a growing number of opinion polls in the country indicate that a greater percentage of Americans get it. One of the most interesting surveys is the one by the respected independent polling organization Gallup a little over a week ago that indicated, on the issue of going into wilderness areas in a limited way and the Outer Continental Shelf where States are willing to do it, the American public now favored that 57 to 41. That is a total change from a year ago when the numbers were roughly equal.

The American people understand this is a problem we can do something about ourselves. We are the No. 3 oil producer in the world. The Saudis are No. 1. The Russians are No. 2. They do not think it makes sense for us to continue to beg foreigners, particularly those with unstable regimes, to solve this problem for us when we could take it in our own hands and, in an environmentally sensitive way, dramatically increase our production at home.

So this is a great debate about the most important issue in the country, and Republicans are certainly anxious to engage in this debate. We will be discussing this issue all day today and, in all likelihood, every day for the foreseeable future.

UNANIMOUS-CONSENT REQUEST—S. 3098

Mr. President, on another matter—and I have alerted my friend, the majority leader, because I think he may well wish to object—I wish to shortly propound a consent request. Let me say the consent request I will be asking for will basically, if agreed to, allow the callup of the bill S. 3098, which is the McConnell-Kyl-Grassley bill, which includes a 1-year AMT patch which was omitted in the House bill that the Senate did not agree to go forward with yesterday and extends the provisions that expired in 2007 for 2 years. This is a 1-year longer extension than was in the House bill we voted on yesterday.

S. 3098 does not include any tax hikes, reflecting the position of 41 Senators taken in a letter to Senator BAUCUS on April 23 of this year. However, the Republican alternative also includes the Ensign-Cantwell energy tax incentives which was approved by the Senate by a vote of 88 to 8.

In addition, S. 3098 does not contain the New York City earmark which was in the bill yesterday, the tax break for trial lawyers which was in the bill yesterday or the Davis-Bacon expansion which was in the bill yesterday. Any or all of those, of course, would draw a veto from the President and would make it impossible for us to get this extender package into law.

On balance, this is a bill that could pass the Senate and be signed by the President. I would hope we would pass it as soon as possible.

Having explained what is in the measure, I now ask unanimous consent that the pending motion be temporarily set aside and that I be recognized in order to move to proceed to S. 3098, the Alternative Minimum Tax and Extenders Tax Relief Act, and to file cloture on that motion. I further ask that if the motion to proceed to S. 3098 is adopted, no other pending business be displaced, with the vote occurring today after morning business.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. REID. I object.

The ACTING PRESIDENT pro tempore. Objection is heard.

The majority leader.

Mr. REID. Mr. President, people who are listening to and watching this discussion must go back and understand George Orwell set forth a principle in his book ''1984'' that has become known as Orwellian. What that means is what the person is saying, they mean the direct opposite.

This is so hard to respond to in a calm, deliberative manner. We want to legislate. The proposal the distinguished Republican leader suggested is an amendment we might find a way to approach, but shouldn't we get on the bill? I don't understand this. I don't understand this. They talk about the way to solve the problems of energy in America is to keep drilling, and now they are talking about drilling in wilderness areas—pristine areas in which they want to start drilling.

We have 3 percent of the oil in the world, counting everything—ANWR, all those other things. We cannot produce our way out of the problems we have. Sixty-five percent of the oil we use we import. So it seems logical to everyone the thing we should do is stop importing oil. We can produce a little more, and we should do that, but the way to get out of this problem is to move to alternative energy.

In this debate, with these gas prices as high as they have ever been in the history of America, more than $4.05 a gallon, where is George Bush, the President? Why isn't he talking about this? Why isn't he talking about this? He hasn't talked about it for the last 2 months. Where is JOHN MCCAIN? Does he favor, as obviously he does, the obstructionism of the Republicans in the Senate to allow us to go forward and debate gas prices? That is what we want to do.

I made very clear what is in our bill. There is nothing so difficult to understand. We believe the cost of oil is driven up by these margins that are out of whack. We want to legislate and say let's take a look at that. We believe the OPEC nations are being unfair to America. Shouldn't we be able to take a look at that? We believe there are windfall profits that should be directed back to the American people. We believe the subsidies to major oil companies should be taken away, and we believe we should be able to do something about alternative energy.

Each step of the way, the Republicans have blocked us from doing that. I don't understand why we can't go forward and legislate such as this body has done for more than 230 years. Senator STABENOW was here yesterday—now we put Velcro on the numbers because they change. Everything we do we have to go around the obstructions put up by the Republicans. Now the chart has 75 filibusters. We have Velcro, and we can add numbers to it. But remember, these acts of obstructionism by the Republicans are significant, and they are stopping us from doing the American people's business.

I hope we can move into a time where we can legislate. We are going to talk about gas prices today, and the American people, while we are talking about gas prices, are filling their tanks at these outrageous prices, with the Republicans not letting us move to this legislation. In the meantime, George Bush, the President, and JOHN MCCAIN, the nominee, are being silent as to what should happen.

The ACTING PRESIDENT pro tempore. The Republican leader.

Mr. MCCONNELL. Mr. President, the problem, I say to my good friend, the majority leader, is he wants to dictate the terms of the debate in the Senate, as if we were in the House. What he has done repeatedly, of course, is filed needless cloture motions and then filled the tree. All this parliamentary gobbledygook, I guess, is confusing to the American public. But the Senate has historically been a freewheeling place, where both sides had to cast difficult votes.

I remember when my party was in the majority. Senator Lott and Senator Frist used to say to all of us: The price of being in the majority is you have to cast a significant number of bad votes in order to get a bill through. My good friend, the Democratic leader, has decided he wants to protect his Members from having to cast votes they don't like. So what he does,

through a parliamentary procedure that is permissible in the Senate, is make it impossible for the minority to offer amendments that they want and, of course, the minority's reaction to that is to not let a bill without any of their imprint succeed.

With regard to the substantive issue that is before us, the Los Angeles Times, certainly not anywhere near a conservative newspaper, in criticizing both sides on the gas price issue, this morning had this to say about the proposals my good friend and most in his party are advocating—windfall profits tax and the effort to sue OPEC. This is what the L.A. Times had to say this morning:

> Exhibit A in the case against congressional Democrats as wise stewards of the energy economy is which failed to advance Tuesday after it got too few votes to head off a filibuster. It would have imposed a windfall-profits tax on oil companies and allowed the U.S. attorney general to sue OPEC on antitrust grounds, among other things.

They are describing the central provisions of the bill we decided not to go forward with yesterday. And this is what they had to say about those two proposals:

> Trying to find an economist who thinks a windfall profits tax is a good idea is like searching for a climatologist who thinks global warming is caused by trees.

This is one of the most liberal editorial pages in America. Let me say it again. This is what they said about the windfall profits tax:

> Trying to find an economist who thinks a windfall profits tax is a good idea is like searching for a climatologist who thinks global warming is caused by trees. Such a tax unfairly targets the oil industry, which is already amply taxed and whose profits aren't far out of line with other U.S. industries when considered as a percentage of sales. It also would discourage oil companies from investing in new supply, which is precisely what happened when Congress imposed a similar tax in 1980. The result might be even higher oil prices.

We have been there and we have done this. We know what happens.

> That's nothing compared with the lunacy of taking the Organization of the Petroleum Exporting Countries to court, though. That would invite retaliation by OPEC members, which could seize the assets of U.S. companies doing business overseas. More likely, there would be a subtler response, such as production slowdowns that would cause oil prices to skyrocket.

One of the most liberal editorial pages in America about what my good friend the majority leader is suggesting is somehow, some way, the solution to higher oil prices at the pump.

This is a debate we welcome. We intend to participate vigorously today. There is no way—I repeat, no way—to get a handle on this issue without taking greater advantage of the oil production we have within our shores that we can explore for and develop in environmentally sensitive ways. I think it is noteworthy, for example, that there was not a single reported example of spillage in the gulf during the Katrina hurricane. I mean, that had to be, quite possibly, the most devastating hurricane to ever hit the United States of America. I am unaware of a single reported example of any spillage in the offshore drilling that is going on in the gulf.

We know how to do this, Mr. President. We know how to exploit our resources in an environmentally sensitive way. So I welcome the debate. We are happy to be on the subject, and many of my Members, of course, will be looking forward to discussing it during the course of the day.

I yield the floor.

Mr. REID. Mr. President, first of all, my friend's statement about the L.A. Times is as Orwellian as his statement about wanting to cast votes. Understand, everybody, that he means just the opposite. They do not want to cast any votes, so that is why they are preventing us from debating this legislation. He said we are making it impossible. That is Orwellian. They are the ones stopping us from debating.

I would suggest to my friend that the L.A. Times is not some liberal newspaper. It has been purchased by one of the most conservative men in America today. He owns a chain of newspapers. He announced yesterday he is going to cut the news of the L.A. Times by 50 percent because the newspaper is going broke. So it is not a liberal editorial page.

But assuming that we understand the Orwellian-speak from the Republican side, let me read a little more from the same editorial he talked about.

> Republicans are just as short of good ideas. Their big strategy on oil is to open up the Arctic National Wildlife Refuge to drilling. A recent report by the Energy Information Agency showed that there is anywhere between 5.7 billion and 16 billion barrels of ''recoverable'' oil in the refuge. Depending on where the actual number falls in that range, it could eventually reduce the price of oil by between 41 cents and $1.44 a barrel. Given that oil is trading at about $135 a barrel, that's not much—and the price reduction wouldn't occur until 2026. In fact, it would take at least a decade to extract a drop from the refuge even if drilling were approved tomorrow. The land is more valuable as a pristine home for threatened species.

So, Mr. President, again, everything we have heard this morning, as I have indicated, everything we have heard from the minority is just the opposite factually.

Mr. McCONNELL. Mr. President, of course the editorial was critical of both sides, which illustrates the point. In order to function in the Senate, the majority leader is not going to be allowed to say: Oh, I will allow you amendments, but I get to pick them. Every time we have had a serious issue come before the Senate, the best offer we have had in recent months has been: Oh, sure, we will have amendments, but I want to see them first and there are going to be a limited number. I can't think of much major legislation that has been able to go forward that way unless it enjoys overwhelming support on both sides of the aisle—for example, the supplemental to provide funding for our troops in Iraq and Afghanistan, where we have such broad support that there is widespread cooperation going forward. Normally, the way the Senate legislates is to let the Senate legislate.

I mean, my goodness, I mentioned this last week, and I will mention it again. The last sort of major, huge piece of legislation related to the environment was the Clean Air Act Amendments of 1990. We had 180 amendments in the Senate, and it was a 5-week debate. It was a big, major, significant proposal in which both sides participated. It was a time in which Senator Mitchell was the Democratic leader and there was a Republican named Bush in the White House. That is the way we used to do business around here on major environmental legislation.

And I would say to my good friend that I understand the demands he has within his conference to protect his members from bad votes and the great desire to try to shut down the minority, but it just doesn't work that way in the Senate. And I think we ought to, on these big issues where there is a broad difference of opinion, go to these bills in a freewheeling and open way and explain to Members on both sides—I will explain to mine and he can explain to his—that the price for moving legislation in the Senate is that once in a while you have to cast a vote on something you wish you didn't. That is the price for doing major important legislation. I wish we could get back to that. It is obviously not going to happen today.

I yield the floor.

Mr. REID. Mr. President, remember the Orwellian-speak from the other side. Everything that my friend has said, just the opposite is factual. We would love to take votes. They won't let us take votes. As with global warming, we offered two amendments, three amendments, six amendments, germane, relevant. We tried every possible procedure, and they said: No, you can't do that.

Mr. President, that is how we feel about this legislation. We believe and we have acknowledged that our legislation is not perfect, but it is good legislation. If we could get to it, we believe it would allow for debate on how to lower gas prices in the short term and, with the alternative renewable energy, that it would allow us to look down the road and do something that is very significant for the long term. But they won't let us legislate on anything. For them to come and say: We don't want to take tough votes, well, we will take tough votes, easy votes, medium votes, anything. They won't let us. That is why we have 75 filibusters, and the number keeps going up.

RESERVATION OF LEADER TIME

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

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to a period of morning business for up to 1 hour, with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the majority controlling the first half and the Republicans controlling the final half.

The ACTING PRESIDENT pro tempore. The Senator from Washington.

AWARDING OF DEFENSE CONTRACTS

Mrs. MURRAY. Mr. President, last week the Defense Secretary took historic action by forcing out both the Air Force Secretary, Michael Wynne, and its Chief of Staff, Michael Moseley. It was the first time ever that a Defense Secretary has simultaneously dismissed a service secretary and a service chief, and he did so after finding systemic problems in the Air Force that led him to have a serious lack of confidence in their leadership and oversight.

I have come to the floor today because Secretary Gates's move raises red flags about many of the Air Force's recent actions, including the decision to award a $35 billion contract to build the next generation of aerial refueling tankers to the European company Airbus instead of Boeing. This is one of the largest contracts in history, and it is critically important. Our tankers refuel planes and aircraft from every single branch of our military. As long as we control the technology to build them, we control our skies and we control our own security. So I was astounded when the Air Force announced in February that it would award this contract to Airbus, and here is why.

Airbus and its parent company, European Aeronautic Defense and Space, or EADS, have made no secret of their desire to dismantle the U.S. aerospace industry, and we have seen time and again that Europe is willing to try anything in order to do that. EADS is so flooded with subsidies from the European Union that we, the United States, have accused the EU of illegal business practices before the World Trade Organization. EADS has lied repeatedly about its contribution to the U.S. economy, and EADS has given us more than one reason to question how hard it will work to protect our security interests.

Given this history, I have asked repeatedly over the last 3 months that Air Force leaders explain how they came to their decision. After all, the Air Force is well aware of these concerns, and I believe the American taxpayers deserve answers. But I have been stonewalled again and again. As the Pentagon moves to restore its leadership in the Air Force, I hope we will finally get some answers.

Let me begin today by talking about the unfair trade practices that led the United States to challenge Europe at the World Trade Organization.

Back in 1970, several European governments created Airbus to challenge our country's aerospace dominance. But unlike Boeing, which is a private business operating in a free-market system, Airbus followed the corporate welfare model. Europe views Airbus as a jobs program, and it is willing to provide subsidies no matter what, even if they lose money and even if their products fail. That means Airbus can grow without having to assume the same kind of risk American companies do.

The U.S. Trade Representative is so concerned that this has created an uneven playing field that we have demanded that Europe stop the subsidies and play by the rules. As I said earlier, because of Europe's illegal tactics, our Government now has a WTO case pending against the EU. So I think it would make absolutely no sense that we would on the one hand haul Airbus before an international dispute settlement organization while on the other hand award it one of the largest defense contracts in history, a contract that will make it a major U.S. defense supplier for decades and further erode the American aerospace industry. It is as if you caught a thief in the act of stealing your car, but instead of turning him in, you hand him the keys and you give him your wallet too.

It is not just a matter of one government branch contradicting another. It was that illegal system that allowed Airbus to develop the A330. Airbus's tanker received millions of dollars in launch aid, which significantly reduced its production costs. Europe is now unfairly using that break to get into our defense industry. The result could be significant permanent harm to our aerospace industry.

Boeing spent decades developing the technology and training the workforce to supply our military tankers. Boeing has made American refueling tankers now for more than 50 years. Our workers have made them with pride because they know they help to fortify our military strength. But with this Air Force decision, we are letting all of that slip away. Once our workers move on to something else, we just can't recreate this industry overnight. So I think we, as a Congress and as a nation, need to think long and hard about whether that is the best decision for our national security.

But it isn't just Europe's record of subsidizing EADS that I am concerned about. EADS and Airbus also have a long history of creating slick marketing campaigns that distort their contribution to our economy. So I want to turn to that next because I fear EADS is being less than honest about its plans to create jobs with this tanker contract.

Five years ago, when Airbus was first working to unravel Boeing's tanker contract, Airbus and EADS hired a small army of PR specialists to assert to us that their business was good for America.

As you can imagine, I was skeptical so I asked the Commerce Department to investigate their claims, and guess what they found. They found that Airbus's numbers were hugely inflated. Airbus claimed it had created 100,000 American jobs, but after looking into it the Commerce Department found the real number was 500. Airbus said it contracted with 800 U.S. firms. The Commerce Department found it was 250.

Then Airbus did something funny—it decreased the number of contracts it said it made from 800 down to 300, and then it increased the alleged value of those contracts from $5 billion to $6 billion a year.

As I said at the time, you cannot trust Airbus's funny numbers. The same is true today. When you scrutinize the facts, Airbus's numbers do not hold up. This time, Airbus says it will finish these tankers here in the United States at a factory in Alabama. But there is no plant in Alabama. It has not been built and there are no workers yet hired.

Economists are now saying we are actually going to lose jobs if Airbus supplies our tankers. A study last week by the nonpartisan Economic Policy Institute shows that Boeing would create at least twice as many American jobs as Airbus. In other words, we stand to lose as many as 14,000 jobs here in the United States with this Air Force contract to Airbus. I cannot think of a worse time for our Nation to have this decision. Last month our country saw the biggest increase in unemployment in more than two decades, and that was on top of the mortgage and credit crisis and the skyrocketing gas prices we have been hearing about this morning.

The Air Force said it did not have to consider jobs when it considered Airbus's bid, so it has not even tried to justify that decision. But I believe that as Members of Congress who represent the American people, we have a responsibility to look long and hard at whether this contract is in the best interests of America, its workers, and its economy—especially at a time when our families are struggling to get by.

Finally, I have some very serious concerns about giving a company owned by foreign governments control over our military technology. Airbus and EADS have given us plenty of reason to worry about how hard they might work to protect our security interests. Let me give a couple of examples. In 2005, EADS was caught trying to sell military helicopters to Iran. Despite our concern about Iran's support of terrorists in Iraq and despite their efforts to develop nuclear weapons, they were caught trying to sell military helicopters to Iran. In 2006, EADS tried to sell C–295 and CN–235 transport and patrol planes to Venezuela. That is a circumvention of United States law.

As with the other questions I have raised today, I have repeatedly asked the Air Force whether we, the United States, can trust a foreign company to

keep our military's best interests in mind, particularly one that has a history of trying to sell weapons of military technology to unfriendly countries.

Mr. President, I ask for 2 additional minutes.

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

Mrs. MURRAY. Mr. President, I have not received answers to those questions either. This is a critically important matter. What happens if France or Russia—which, by the way, is pushing to increase its stake in EADS—want to slow down our military capacity because they do not like our policies? Do we want another country to have that kind of control for decades to come—especially given the concerns the Defense Secretary has now raised about decisionmaking and leadership at the Air Force? I think we have to push for an explanation before we move forward on this contract.

I have detailed this morning three very serious concerns about Airbus and EADS. The facts are clear. When it comes to international trade, EADS doesn't play fair. It has repeatedly lied about its impact on our economy and it has more than once given us reason to worry about how hard it will work to protect our security interests.

The bidding process for the tanker contract was so flawed that Boeing filed its first ever protest of a defense contract decision with the GAO, and we are waiting for that decision. But we need to remember the GAO can only look at whether the Air Force followed the procurement laws and regulations. It cannot answer whether the Air Force should have awarded that contract in the first place. We, Congress, have to ask those questions.

I have raised those questions in hearings, in letters to Pentagon officials, and in face-to-face meetings, yet no one at the Air Force or the Pentagon or the White House has begun to justify why we should award a $35 billion contract to supply the linchpin of our military strength to a company that another branch of our Government has accused of illegal business practices, one that distorts its records, and does not have our national security interests at heart.

As I said at the beginning of my remarks, the Defense Secretary has raised serious questions about the leadership and oversight at the Air Force. Given those concerns, we here in the Senate and the Congress must examine this contract carefully, demand the Air Force explain its decision, and consider whether it is in our Nation's best interests to move forward on this contract. We owe it to our taxpayers. We owe it to our servicemembers. I hope with new leadership and oversight at Air Force, we will get those answers.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Arkansas is recognized.

GAS PRICES

Mr. PRYOR. Mr. President, I wish to follow up on something the two leaders were talking about a few minutes ago, and that is gas prices are a very serious issue in this country, certainly in my State. Everywhere I go in Arkansas, people ask me about it. I encourage all of our colleagues, Democrats and Republicans, House and Senate, let's all work together and try to do something. Certainly it is going to take a Herculean effort to get President Bush to change his policy on gas prices, but I hope we could all work together, find some consensus, and move forward on some meaningful legislation to try to bring relief to people today on gas prices.

HONORING COACH JOHN McDONNELL

Mr. PRYOR. Mr. President, I come to the floor today to talk about a great Arkansan, a fellow—I am holding his picture up here—whom most Americans do not recognize. Pretty much everybody in Arkansas knows him. He is a household name in our State.

It is with great pleasure I rise today to honor the career of a great Arkansan, a track and field icon, known not just in Arkansas but around the world. Following the NCAA Outdoor Track and Field Championships this week, Coach John McDonnell will retire after 36 years at The University of Arkansas.

Walking past the trophy cases lining Bud Walton Arena at the University of Arkansas, you will note the Razorback track team has been a winner over and over again under the leadership of Coach John McDonnell. He has accumulated more National Championships than any other coach in the history of college athletics. But his commitment to track and the UofA goes beyond the finish line. His athletes will tell you that Coach McDonnell motivated them and set high standards on and off the track. He taught them about integrity, character and teamwork—traits they continue to apply in their career and lives today.

Dr. B. Alan Sugg, president of the University of Arkansas system, said it best when he described Coach McDonnell as ''a world-class coach because he is a world-class leader.''

He started his track career at Southwestern Louisiana, now Louisiana-Lafayette, where he was a six-time All-American in cross country and track. He also was the 1966–67 AAU 3,000–meter champion, and he won the mile at the 1966 British Selection Games.

He began helping other athletes achieve their own success as a coach for 2 years at New Providence, NJ and at Lafayette, LA before embarking on a dedicated and determined career coaching the Razorbacks. He accepted the job at Arkansas over a similar offer from Oklahoma, he says, because the terrain of northwest Arkansas reminded him of his home in Ireland.

I am going to hold up a sign here. When you drive into Fayetteville, you see this sign. It says, ''Welcome to Fayetteville, Track Capital of the World; 42 NCAA Track and Field Championships.'' You will notice this ''42'' is like a little flip chart because we won so many times, I think after maybe 25 or so, the highway department said we can't keep replacing this sign every time he wins a title, so now all they do is change that number out. Let me tell you, it changes frequently.

His record of wins as a coach is remarkable. He has won 42 NCAA National Championships since 1984: 11 in cross country, 19 indoor track championships, and 12 outdoor track championships. This includes 12 consecutive NCAA indoor track championships from 1984–1995. During this streak he won the triple crown five times including three in a row from 1991–1994.

He has been relentless in his pursuit of conference championships as well, winning 84 conference championships since 1974 including 38 in the old Southwest Conference and 46 in the Southeastern Conference. Did I mention 20 conference triple crowns since 1982, including 8 straight between 1987–1995?

Alberto Salazar, a Nike executive and world-class marathoner said ''John McDonnell has been the most successful and the best coach in the United States from the 1980s on.'' He goes on to say, ''his teams have continued to get better and better . . . he has set the standard for all other coaches to follow.''

While being a winning coach he also focused on development of his student-athletes, coaching 185 track All-Americans who combined have earned 652 All-America honors. He has coached 23 Olympians, spanning three decades and six different Olympic Games. Mike Conley won a gold medal in Barcelona and a silver medal in Los Angeles, Matt Hemingway earned silver in Athens, and Calvin Davis a bronze in Atlanta.

Seven-time NCAA champion and Olympian Alistair Cragg said:

> I am his creation . . . I came in here out of shape and had quit running. He's got that hand on your shoulder that you know you can't mess up, but if you do that you're not going to mess up on your own. You can go into any race or competition with a lot of confidence. When he says you're ready, you're ready. It's a reassurance.

Moreover, Coach McDonnell produced 55 individual national champions. His athletes hold 22 records, including Daniel Lincoln who holds the Outdoor American record for the 3,000M Steeplechase and Tyson Gay who holds the 200M record at the Outdoor World Championships.

Coach McDonnell will continue to inspire student-athletes and coaches alike. A physical legacy has been established by the new state of the art ''John McDonnell Field''—a new 10,000 seat outdoor venue which opened in 2006 at the University of Arkansas. Accompanying that is the Randal Tyson

Track Center, a world-class indoor facility that opened in 2001.

''John built this program,'' says Mike Conley, a five-time NCAA champion at Arkansas and the 1992 gold medal winner in the Olympic triple jump.

When he recruited me and the others who eventually won the school's first national Triple Crown, there weren't any facilities to speak of. We came because we believed in him and what he thought he could do at Arkansas. The facilities came later because of his success.

With much humility and a sense of humor, Coach McDonnell has been named National Coach of the Year 12 times in indoor track, 11 times in outdoor track and 7 times in cross country.

That is a total of 30 National Coach of the Year honors. I do not want to forget about the 50 times he has been named Conference Coach of the Year, and the 62 times he was awarded Region Coach. The most recent award was winning the 2008 SEC Coach of the Year for outdoor track.

It goes without saying Coach McDonnell has been inducted into the U.S. Track & Field and Cross Country Coaches Hall of Fame, the University of Arkansas Sports Hall of Honor, the Arkansas Sports Hall of Fame, the University of Southwestern Louisiana Sports Hall of Fame, and the Mayo Hall of Fame.

Coaches and teachers live within our hearts and our minds for years. We remember their drills, their training and their sayings and only later realize the full impact they have had on our lives. Coach McDonnell is one of those coaches.

I ask my colleagues to join me today in thanking and recognizing Coach John McDonnell on his outstanding career and his positive influence for so many Razorback athletes.

I yield the floor.

The PRESIDING OFFICER (Mr. NELSON of Nebraska). The Senator from Montana.

MEDICARE IMPROVEMENTS FOR PATIENTS AND PROVIDERS ACT

Mr. BAUCUS. Mr. President, today I rise to urge passage of S. 3101, the Medicare Improvements for Patients and Providers Act.

This is the right bill for America's seniors and the health care providers who treat them. It is a balanced bill, and it enjoys strong bipartisan support.

It hasn't been easy to get to this point. I have engaged in earnest negotiations with Senator GRASSLEY, Minority Leader MCCONNELL, and the administration to reach a compromise on this bill.

After several weeks of talks, it became clear that we would not be able to reach agreement on a bill that is fair to both rural and urban areas, and that balances the need to help America's seniors with the need to address the pending payment cut for Medicare providers.

So I have worked with Democrats and willing Republicans to craft this legislation, the right legislation, and I urge all Senators to enthusiastically support it.

There is urgency in this call for support. We must act now to block the cuts that Medicare's doctors will face on July 1.

This legislation gives doctors a decent, measured increase in reimbursement that doesn't explode costs or excessively raise premiums.

It includes provisions to improve the quality of care that is provided and, as is so urgently needed, increases access to primary care.

It will also save lives and reduce costs by requiring doctors to use e-prescribing by 2011 whenever they give Medicare patients prescriptions.

But the legislation goes further. It also takes care of America's seniors.

First, it expands access to preventive services. Preventive care can identify health problems before they become health catastrophes.

To help beneficiaries identify medical conditions and risk factors early, this bill allows new preventive services to be added to the program, so long as they are recommended by the U.S. Preventive Services Task Force and are approved through regular regulatory channels.

Second, the bill finally gets rid of the discriminatory copayment rates for seniors with mental illnesses.

Many older Americans experience depression and other mental health problems, but Medicare currently requires a much higher copayment for mental health services.

That copayment is 50 percent, compared to the 20 percent required for physical health care services.

This legislation lowers copayments for seniors' mental health services until they match other copays, making sure that seniors can afford the screening and treatment they need.

The bill also expands the drug benefit's coverage to include benzodiazepines and barbiturates used for epilepsy and mental health treatment.

Third, for low-income seniors this act expands programs that help with their out-of-pocket costs. Medicare pays many health costs for seniors, but some low-income beneficiaries need extra help to afford even basic care.

And although subsidies are available through the Medicare Savings Programs, or MSPs, beneficiaries must prove their assets are low enough to qualify.

The assets test for these programs has not been raised since 1989—even though the cost of living, and certainly the cost of medical care, have increased astronomically since then.

The bill takes an important step to improve access for these beneficiaries by increasing the level of savings that MSP applicants may have and still qualify for help.

We also discount the value of life insurance policies and financial help from churches or family members from counting against a senior's eligibility for assistance.

Fourth, this bill protects seniors from unscrupulous marketing practices by private health plans.

Countless reports have surfaced about aggressive, fraudulent and even abusive sales and marketing practices used by Medicare Advantage plans, the private plan option in Medicare.

This legislation builds on the CMS-proposed rule to ban abusive marketing of Medicare Advantage and other plans once and for all. Marketing abuses are extensive. This legislation stops that.

The Medicare Improvements for Patients and Providers Act takes important steps to shore up our health care system in rural areas.

It ensures that hospitals in these areas get the resources they need to keep their doors open, and expands access to tele-health services.

It also includes important relief for ambulance providers and physicians serving rural areas.

Pharmacy payments are another area where the legislation makes important improvements.

Pharmacies are an integral part of the health care infrastructure in America.

Prescription drugs play a huge role in medical treatment, and many people see their pharmacists more regularly than their physicians.

Pharmacists are also vital to the ongoing success of the Part D prescription drug benefit.

Changes in this bill, including fairer and more timely payments to those who dispense drugs to our nation's senior citizens, can make the benefit work better for pharmacists, and thereby for seniors.

Furthermore, this act would save valuable Medicare dollars by providing one, fully bundled payment for all end-stage renal disease-related services.

This will improve the quality of care these vulnerable beneficiaries receive by balancing incentives and instituting a rigorous quality improvement program.

And, for the first time, dialysis facilities will receive a permanent, market-based update to their payments each year, to make sure that Medicare payments keep up with their costs.

One of the questions I am asked most about is how this bill would address Medicare Advantage payments.

Federal spending for private Medicare Advantage, MA, benefit plans, including health maintenance organizations, preferred provider organizations, and private fee-for-service plans, has grown rapidly since Congress increased payments for MA in the Medicare Modernization Act of 2003.

CBO tells us that the Federal Government will pay these private plans $74 billion in 2008, at a rate 13 percent higher than traditional Medicare fee-for-service providers receive.

In sum, every Medicare beneficiary in the country, regardless of whether they are enrolled in an MA plan or remain in traditional fee for service, will pay $2 extra per month to subsidize these extra payment rates.

Private fee-for-service plans, in particular, get a special deal that costs taxpayers and beneficiaries alike.

The law doesn't require these plans to sign contracts with hospitals or doctors, rather, providers are ''deemed'' part of the network. And plans can pay these providers 100 percent of traditional fee-for-service rates even as they receive 117 percent of that rate in reimbursement from Medicare.

They are also exempt from reporting quality measures that all other plans must report. In other words, they have a good deal. Too good of a deal.

Another, and just as obvious, example of how Medicare pays these plans too much is the double payment for indirect medical education, IME. So-called IME payments are intended to defray the higher patient care costs at facilities with graduate medical education programs.

But these payments are made twice: once to the facility itself, and again to Medicare Advantage plans, with no requirement that plans pass the IME funding along to teaching hospitals.

This bill will save taxpayers $13 billion over 5 years by requiring private-fee-for-service plans to form provider networks and eliminating the double payment for IME to MA plans.

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

Mr. BAUCUS. I ask unanimous consent to speak for an additional 3 minutes.

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

Mr. BAUCUS. It will also require private fee-for-service plans to report on quality measures like other plans are required to do.

Some in the Senate, and many in the Bush administration, oppose any reforms to private fee-for-service plans.

They oppose protecting beneficiaries from private plans' unscrupulous marketing practices.

Just as regretfully, they oppose expanding access that poor seniors have to assistance with their out-of-pocket costs, and to evidence-based preventive services.

So now we in the Congress have a choice. We can protect private health insurance plans. We can leave low-income beneficiaries behind.

We can neglect our obligations to ensure that the Medicare program works for all seniors or we can do the right thing.

We can pass meaningful, bipartisan Medicare legislation that, yes, blocks the cuts to physician payments, which is absolutely crucial, but which does so much more, that brings much-needed relief to rural areas, improves quality, and cuts costs in the appropriate places.

That is what we ought to do. That is what America's seniors deserve.

I urge my colleagues to support passage of this balanced legislation.

Mr. BAUCUS. I yield back the remainder of my time.

The PRESIDING OFFICER (Mr. NELSON of Nebraska). The Senator from Missouri is recognized.

ENERGY

Mr. BOND. Mr. President, as I have said before on this floor, I think it is time for us to get real about energy. It is time for us to get real about lowering gas prices.

The American people, as we all know if we have listened to our folks when we go back home, are suffering from record-high prices of gasoline.

Now, in response to the record pain at the pump, the American people deserve something more than legislative gimmicks that raise taxes, increase litigation or provide political favors. It is a startling place many of our Democratic friends now find themselves in. They seem to believe that for every problem there is a tax increase that can help.

If there is someone you do not like or want to take a shot at, raise their taxes. You have a problem that needs fixing, raise the taxes. We saw that with the climate debate last week. To address the issue of climate change, the bill proposed, and the amendment we did not adopt last week proposed, to raise energy prices $6.7 trillion to lower energy demand and pay for new Government programs and spending.

With record-high prices for gasoline, climate sponsors wanted to raise gas prices a further 53 cents by 2030 and $1.40 by 2050. This week brought a new attempt to raise taxes. Well, last week some quibbled about whether the $6.7 trillion in higher energy prices was a hidden tax or a hidden fee. It did not make much difference to the people who would pay it. There was no hiding from the fact that a tax increase is what the Democrats proposed this week.

This week they proposed raising taxes on the exploration and development of new oil supplies. You know, folks back home cannot believe that. Those looking for new sources of oil for the American people would pay higher taxes to find and deliver that oil to us. I have a hard time believing that too.

But we folks from Missouri do not take words at their face value. We call ourselves the Show-Me State for a reason. You need to show us how raising taxes would help this situation. For me, personally, I have not ever seen a time when raising taxes on something lowered its price or produced more of it.

I think our minority leader pointed out the Los Angeles Times said raising taxes to deal with the oil supply was similar to a climatologist saying trees caused global warming.

Well, it is economics 101, folks. Raise taxes, you get less of it. You increase exploration and development and you get more of it and you lower the price. In this case we actually have the experience about what President Carter did. In the mid-1970s, he pushed through higher taxes on domestic oil production.

What a disaster that was. Oil companies reduced their U.S. domestic operations and went overseas. The result was a greater U.S. dependance on oil from the Middle East, which continues today. Why our friends on the other side of the aisle would want to return us to the days of Jimmy Carter, I do not understand.

It may feel good to some people to propose hurting American consumers by putting a tax on the oil industry or on the executives, it may sound good, but it winds up hurting the American people. The Democrat bill failed to get support. It contained other provisions that would hurt consumers as well.

One section would allow the Department of Justice to sue, to sue those countries for their membership and participation in OPEC. Now, that is a feel-good provision as long as you do not think about what would happen. How can anyone doubt that an OPEC country facing the prospects of U.S. lawsuits—if we could have jurisdiction over them, and I question that—would stop selling oil to the United States and take their oil someplace else, such as China.

Again, the Democrat bill would hurt suffering Americans by driving oil supplies away from the United States for fear of litigation.

Speaking of litigation, we sure didn't hear much from supporters of the bill about the $1.6 billion in tax breaks for trial lawyers hidden in the legislation to extend renewable energy tax credits. Section 311 would allow trial lawyers working on contingency $1.6 billion in tax breaks. Apparently, the suffering of trial lawyers is more important to some in the Democratic Party than the suffering of the American people paying record prices at the pump. The tax breaks for trial lawyers is one section before the tax provisions before film and television producers. Section 312 modifies tax deductions for domestic film and television production. It gives special tax treatment for U.S. actors, directors, and producers.

Obviously, I support tax breaks for U.S. workers. But why does the Democratic Party think tax breaks for American actors are more important than price relief for moms and dads suffering record gas prices?

Why does the party on the other side think tax breaks for Hollywood film producers are more important than price relief for American truckers suffering record diesel prices?

At the same time the Democratic bill is giving tax breaks to trial lawyers in Hollywood, they are blocking the American people getting new oil supplies they need to bring gas prices down. I am a cosponsor of a bill entitled ''The American Energy Production Act of 2008.'' If enacted, this legislation

would produce up to 24 billion barrels of oil from U.S. domestic sources. The bill would allow environmentally friendly access to roughly 10 billion barrels of recoverable oil in northern Alaska.

I challenge anyone who opposes opening access to Alaskan oil to read the bill and see all of the environmental requirements it contains. I challenge them, if they haven't done so, to go to the North Slope of the Bering Sea and see the drilling going on at Prudhoe Bay 45 miles to the west of ANWR. They have been drilling there. They drill in an environmentally friendly way. They have to put the roads in in midwinter, when it is 200 degrees below zero. They are rock roads. They don't disturb the environment. As a matter of fact, the caribou love them. The caribou herds are flourishing. The wolves are great. The flowers are just as good as they are elsewhere. The mosquitos are just as big as they are in the lower part of Alaska. That drilling is being done without environmental damage.

About 30 miles to the east Canada is drilling. Several hundred miles to the west Russia is drilling. They are producing significant amounts of oil. Oil drilling in Alaska or exploration in the deep sea or recovering oil from shale would take advantage of the latest, most modern, environmentally friendly drilling and development technology. Today we have modern oil rigs that can drill down and then virtually sideways far beneath sensitive surface areas needing protection. Oil rigs at sea are now so safe they can withstand hurricanes without spilling a drop of oil.

There are thousands of oil rigs off the coast of Louisiana. Did anyone hear a report about an oil spill after Hurricane Katrina? No. Because it didn't happen.

This is the kind of environmentally protective technology we would use to open oil reserves in the seabed off America's coasts. Experts know of at least 14 billion barrels of oil off our Atlantic and Pacific coasts so far out to sea they couldn't be seen from shore. There may be many more. There are much higher estimates. This number is probably an understatement because they have not even mapped many of these areas and explored for oil reserves. We also have a massive supply of oil in oil shale in the mountains of Colorado, Utah, and Wyoming. The shale is so thick with oil one can smell and feel it in the rocks. With oil at $10 a barrel, it was too cheap to make oil shale affordable in the 1970s and 1980s, but prices at even half of today's level would be enough to unlock U.S. oil reserves in shale: roughly 2 trillion, it is estimated, barrels of oil, and that is seven times the reserves of Saudi Arabia.

Why should we be begging OPEC or Saudi Arabia for more oil when we have seven times the oil Saudi Arabia has in that one area alone?

Opponents say no. They give us the NIMBY treatment—not in my backyard. Unfortunately, they don't limit themselves to blocking action in their backyards. They limit everybody else's backyard as well.

We had a classic vote in the Appropriations Committee in May—unfortunately, a straight party-line vote—whether to lift the moratorium and allow the preparation for environmentally friendly exploration and development of shale oil. Fifteen of my Democratic colleagues voted no; 14 Republican Senators, including me, voted for opening it. We failed. In Alaska, the people fully support opening northern Alaska to further environmentally safe oil extraction. It is the elected representatives of other States far below to the east of Alaska who want to thwart the will of the people of Alaska.

The people of Virginia fully support opening oil reserves in the deep ocean off their shores, but elected officials from California and other States from the West want to thwart Virginia's desire. The people of Utah support opening the oil reserves under their mountains, but it is the interest groups in Washington, DC, and other States that are thwarting the people of Utah.

The people of my State don't understand why we are blocking access to U.S. oil reserves. They don't understand why we are withholding new supplies needed to get prices down. They don't understand why we are denying ourselves the relief we need and deserve.

In my State we mine lead. Lead has environmental problems. We have to deal with the environmental problems, and we do. There is only one simple reason we mine for lead. We have 90 percent of the lead in the United States, and it is needed for technology. But at the same time on energy, we in Missouri are working hard to develop new, clean sources of fuel and ways to reduce energy demand.

Kansas City, MO, is a national leader in hybrid cars and the advanced vehicle batteries they need. We have a Ford plant where Missouri autoworkers assemble the Escape hybrid SUV. We also have a GM plant where they assemble hybrid SUVs and sedans. In the Kansas City area, we have an advanced battery manufacturer producing the next generation lithium-ion batteries. They use a polymer technology to improve performance and safety. Our military is taking advantage of this technology now, and someday it will go into our automobiles. Trying to stay one step ahead, we are also working on the next generation of hybrid cars. Right after these remarks, I intend to go outside to the area we call the swamp, just northeast of the Capitol, to see a plug-in hybrid Ford Escape brought to town for the Department of Energy.

Plug-in technology would allow us to begin to travel the first 40 miles of every trip on electricity, without burning a drop of gas. Many families and commuters in the city could go the entire week back and forth to work burning no gasoline. Rural folks and farmers could drive their trucks with plug-in hybrid technology into town and around the farm. Then, when they need to haul a load great distances, the traditional engine would automatically kick in.

I introduced an amendment to the climate bill last week which would have helped workers, the environment, and costs for Americans by starting the U.S. domestic manufacturing supply base for hybrid batteries for automobiles. Hybrid cars are more expensive than traditional cars because their hybrid batteries are made in low quantities in Japan, Korea, and China. Not surprisingly, those firms favor their Japanese and Korean auto manufacturers, and whatever is left comes to U.S. carmakers. The answer to this problem is mass U.S. production that will produce hybrid batteries in high volumes and cause prices to fall, putting thousands of U.S. workers in good manufacturing jobs in Missouri and across the Nation. It would be a win/win situation—good for the environment, reducing oil demand; good for consumers who need cheaper cars that burn less gas; and good for workers needing good-paying jobs at home.

I introduced an amendment that would have provided Federal funds. Unfortunately, that amendment, like others, was blocked from consideration by climate bill sponsors. I will continue to fight for a commonsense proposal, and that is what we need. We need to get past gimmicks, charges, and countercharges, taxes, ranting and railing and lawsuits. The American people need fundamental relief for a fundamental problem: prices are high. There is too much demand, not enough supply. It is economics 101, as I said. We need a comprehensive solution that provides the American people with more supply and less demand and also with more environmentally clean solutions.

Last year we addressed demand through higher, newer, aggressive but achievable CAFE auto efficiency standards. Yet, as we have seen, demand strategies have not stopped the record increase in prices. We need to address supply—billions and billions of barrels of oil on our land, under our land, off our shores, in our mountains. That is what the American people need—not gimmicks, not increases in taxes, not more litigation, not tax breaks for trial lawyers or Hollywood.

I urge my colleagues, it is time. Let's get real about our energy strategy so we can provide Americans the real relief they deserve and we ought to be providing.

I yield the floor.

The PRESIDING OFFICER. The Senator from Georgia.

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

The PRESIDING OFFICER. There is 14 minutes 21 seconds.

Mr. CHAMBLISS. Mr. President, I ask unanimous consent that Senator

BROWNBACK follow my time with 5 minutes.

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

Mr. CHAMBLISS. Mr. President, I rise to discuss the most important issue on the minds of my constituents in Georgia and, I know, folks all over the country; that is, skyrocketing gas prices. I hear from hundreds of Georgians every day who are struggling to fill their gas tanks to get to work or to take their kids to school or to run their necessary errands. They want to know what Congress is doing about these out-of-control gas prices.

Nobody disputes the fact that the United States is dependent on foreign sources of oil, and nobody disputes that this problem has been in the making for any number of years. We currently import more than 60 percent of our oil and, over the past 30 years, we have reduced our domestic exploration options and left our refining capacity stagnant. But we can do something to provide relief to American families who are really feeling the pain at the pump. If we can do something about it, the obvious question is, Why aren't we?

Let's look, first, at what the Democratic response has been to high gas prices. Yesterday, we voted on a so-called energy bill proposed by the majority. The two highlights of this bill to address skyrocketing gas prices are, first, sue OPEC. The Democrats want to sue the individuals we are doing business with as a means of lowering gas prices. This is hard to understand. Second, the Democrats propose to put a windfall profits tax on big oil companies that are certainly achieving big profits in today's market in the petroleum industry.

I had a group of businessmen from Georgia in my office yesterday. They were small businesspeople, but they were all from the same industry.

I said: OK, let me ask you this. If the Federal Government walked into your office and said, we are going to put a windfall profits tax on you; we are simply going to raise your taxes by an extraordinary amount, what would be your reaction?

They said: It is pretty simple. We would do two things. First, we would try to reduce our profits below a point where we would not be subject to a windfall profits tax, and that means we would decrease production. The second thing we would do is, if we had a tax that we had to live with, we would pass it on to our customers.

Again, to think that a windfall profits tax on oil companies is going to decrease the price of gasoline is somewhat foolish.

What has been the Republican response? Where should we go? There are very clearly four separate issues that need to be addressed with respect to the issue of skyrocketing gas prices. The first one has just been alluded to by Senator BOND from Missouri; that is, we simply need to take advantage of additional resources we have inside the United States. We, as Republicans, have sought to do that.

On May 13, less than a month ago, Senator DOMENICI and Senator MCCONNELL proposed an amendment to expand exploration in the ANWR region of Alaska and to authorize drilling in offshore coastal waters currently subject to a Federal moratorium—in other words, deep-sea exploration. This amendment was defeated. Mr. President, 43 Republicans voted for the amendment; 48 Democrats voted against the amendment.

So once again, as is known throughout the country, Republicans are consistently advocating—and have for all of the 14 years I have been privileged to serve in the Congress—exploration for more domestic oil in this country to alleviate our problem, while the Democrats continue to oppose measures to explore domestically.

Now, of the four things we need to do, certainly exploration for more oil is one of those. We do have a lot of capacity in this country that has simply gone unexplored over the years. There is deep-sea exploration available to us. There is oil in the ANWR region of Alaska, which we have consistently sought to explore, as well as now we know that in the Rocky Mountains of our great country, we have a greater resource of oil than exists in Saudi Arabia. It is simply imperative that we explore more from a domestic standpoint.

Secondly, supply and demand dictates the price of everything in our economy. We simply have to implore our oil companies to provide more gasoline to Americans. We are seeing today more people driving to the gas pump than ever before in the history of our country simply because of the increase in the population. Our economy has done pretty well in the last several years. People are traveling more than ever before. We must have the capability to provide the kind of supply that is demanded by Americans.

Thirdly, we have to continue down the road of researching and developing more alternative fuels. Historically in this country, we have shied away from that. We have seen the development of ethanol primarily in one region of our country, the Midwest. But when you get to the Northeast or the Southeast or even, for the most part, the far West, you simply do not see a supply of ethanol. It is concentrated in one part of our country. But that is changing. It is changing now, and we are seeing more production facilities built in all parts of the country.

But there is an unintended consequence that nobody thought about. We have 101 ethanol-producing facilities online in this country today. We have another 100 ethanol manufacturing facilities that are scheduled to come online in this country in the next 14 to 18 months. All but two of those facilities are producing ethanol from corn. The unintended consequence we have seen due to the high demand of corn for energy production is an increase in food prices. Corn, wheat, soybeans, peanuts, or other commodities have simply increased in price because of the demand for corn; therefore, farmers are planting more corn and less of the other commodities. That is the unintended consequence.

I am very proud of the fact that in the farm bill we just passed we addressed the issue, that we ought not to incentivize the production of additional ethanol from corn. But what we have done in that farm bill is to provide funding for research—grant money as well as loan money—as well as funding for the construction of additional ethanol and biodiesel facilities to be resourced not with corn but with cellulosic-based products.

The Presiding Officer comes from a part of the country where corn can be grown in great quantities and great quality, I might say. But in the southeastern part of the United States, because of our hot weather and our soil is not as rich and our rainfall is not as consistent as the midwest part of the country, we cannot grow corn the way it can be grown in the Midwest.

But there is one thing we can grow like nobody else; that is, a pine tree. What we are seeing in Georgia today is the construction of an ethanol-producing facility that is going to be resourced with pine trees. It is one of two facilities that are under construction in the country today where cellulosic products are, in fact, going to be used. So I am very proud of the fact that in that farm bill we have sought to incentivize additional production of ethanol from cellulosic-based products.

The fourth thing we have to do—Americans have been very spoiled. We are used to getting in our car and going where we want to go when we want to go, and when the time comes when we have finished our business and want to move on, we are used to getting in our vehicle and moving on, by ourselves for the most part. That simply has to change. We have to implement conservation practices from a personal household standpoint like we never imagined we would have to do in this country.

From a political, legislative policymaking standpoint, we have put some measures in place that are going to dictate to the automobile manufacturing industry that they have to develop automobiles that get higher miles per gallon. That is good. But we also have to implement some personal measures to make sure we truly do have conservation practices in place.

I had a constituent say to me just the other day: SAXBY, I don't understand this issue of why we are not exploring for more oil domestically when everywhere I go, people tell me, why aren't we exploring for more oil that we know we have in America? He said: What you ought to do is call for a national referendum on this, and let's see what the American people, by and large, think of this issue.

It is difficult, frankly, to do that, although I think it is a very good idea. I would like to know what the masses in other parts of the country think. I certainly know what they think in my part of the world. But there is one thing very similar that I think should be considered.

I note that just yesterday, the American Solutions for Winning the Future announced that over half a million Americans have signed a petition online urging Congress to immediately start exploring for oil domestically to lower gasoline prices. Now, here is the way the petition reads:

> We, therefore, the undersigned citizens of the United States, petition the U.S. Congress to act immediately to lower gasoline prices (and diesel and other fuel prices) by authorizing the exploration of proven energy reserves to reduce our dependence on foreign energy sources from unstable countries.

According to American Solutions' resource data, 81 percent of the American people support the United States using more of its own domestic energy resources to combat the rising cost of energy. I cannot say that I am surprised by that statistic, but I think it further underscores how Senator DOMENICI's bill is a commonsense plan for lowering gas prices for Americans, and doing it now.

Another commonsense solution Republicans have offered, which I have supported, was proposed by Senator MCCAIN. This would provide an immediate Federal gas tax holiday. What does this mean to our American consumers? Well, here we are going into the summer when travel certainly increases. If this bill passed, as soon as tomorrow, if it got to the President's desk and he signed it, each and every American could be paying 18.4 cents per gallon less for gasoline and 24.4 cents per gallon less for diesel fuel.

The Democrats promised leading up to the November 2006 elections that if you send the majority of Democrats to Congress, we are going to address this issue of gasoline prices, we are going to get prices under control. Well, at the time Senator REID became majority leader, at the time Congresswoman PELOSI became the Speaker of the House, the price of a gallon of gasoline in this country was $2.33. Today, average prices have increased by $1.71 cents per gallon over that last year and a half.

We all know summertime is the time when families take an annual vacation. Americans generally drive more during this time of the year. Giving a temporary gas tax holiday until Labor Day is a pure short-term policy and will benefit Americans only in the short term, but I think it is another way we can provide immediate relief to American families.

This is an issue that ought not to be partisan in nature. It is an issue all Americans are feeling every single day. It is an issue we as policymakers should address. It is an issue that cries out for strong leadership in Washington today. We need to see that leadership come forth out of this body. We need to see the American people given some relief and given a long-term solution to this issue of gas prices; otherwise, the next generation is going to be looking at much higher energy costs than what we are looking at today.

With that, Mr. President, I yield back.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. BROWNBACK. Mr. President, how much time is remaining on the Republican side?

The PRESIDING OFFICER. Five minutes.

Mr. BROWNBACK. Mr. President, I appreciate my colleagues' comments, from both Missouri and Georgia, and I agree on the energy issues. I have been traveling across all of Kansas, going to all 105 counties. I have been in nearly 70 so far, and the dominant issue by far is the price of energy. People want to get these prices down.

The key to supply and demand is to get more supply as fast as we can. Work on demand as far as being conservation-minded but not to increase taxes. Increasing taxes—things such as a windfall profits tax—does not get you another drop of fuel. It only raises the price. I do not know of anything we have increased taxes on where you end up getting it for less price. It just does not work that way.

So I support my colleagues' statements on that, and I hope the American people are looking at that issue and seeing that here is a way of increasing production but not raising taxes. What the Republicans have put forward is an increase-energy-production bill, and what the Democrats have put forward is an increase-energy-tax bill. I hope people can decide which of these will likely get them lower prices. It is production, it is not increasing taxes.

AIR FORCE TANKER CONTRACT

Mr. BROWNBACK. Mr. President, I also wish to inform and talk briefly to my colleagues about a major GAO study that is going to be out next week. It is about the bidding for the tankers for the U.S. Air Force.

The GAO will announce the results of its review of the Air Force tanker contract next week. The GAO does not have authority to sustain or overturn the Air Force contract by itself. The GAO only reviews if and when the Air Force followed its own rules. Congress has the final say on this issue because only Congress can consider all of the relevant issues. Still, it is a major report that is going to be coming out on this issue.

I have been very disappointed in the Air Force granting this tanker award to primarily a foreign builder, primarily to Airbus and EADS, which will build the biggest part of this tanker plane. I am disappointed for three major reasons:

One is that I think the merits themselves of the contracting process were not followed by the Air Force.

Second is the heavy subsidization by European governments of Airbus's plane. The base plane has had heavy subsidies of which the U.S. Government, by another arm—the U.S. Trade Representative's Office—is suing the European governments and Airbus and EADS, its parent corporation, for this. We are likely to see that case report out soon.

Third, I think all the contractors should be subjected to the same rules, including things such as the Foreign Corrupt Practices Act, which U.S. companies are subject to, and I believe all foreign competitors and bidders should be as well.

First, regarding the GAO, we need to look inside the process the Air Force used to award the contract. At the base of this, what is very puzzling to me is why the Air Force put so much stock in getting a bigger Airbus plane in this bidding process when they had been happy and desirous of the size of the plane Boeing had put forward. If they wanted a bigger plane, they should have put that forward in the bidding process.

Plus, I put this forward: At a time when airlines are looking at the cost of running their airplanes and fuel costs, why is it that the Air Force would look at a bigger plane instead of a smaller plane that is more fuel efficient? That is what all the airlines are looking at. Why would we not look at the same thing? Plus, in looking at the bigger plane, I do not believe a realistic assessment of the military construction needs at the bases throughout the United States and the landing needs throughout the world has been looked at because you are going to have to increase landing space, you are going to have to increase hangar space for the larger airplane Airbus is putting forward. That is in the GAO report.

On the foreign trade subsidies, the Air Force says it cannot consider foreign subsidies when it looks at the cost of contract proposals. As a result, the GAO will not review that issue either. But the United States is currently suing the European Union for subsidizing the same company to which the Air Force has awarded this new tanker contract. We expect that ruling on this WTO case very soon. We anticipate getting somewhere—if we win this case—a $4.5 billion judgment against Airbus and EADS for this same frame they are now being rewarded by the Air Force for with a $35 billion contract. So they subsidized the civilian aircraft, militarized it, and put it into the military building field. We sued them on this for an illegal international subsidy. We are giving them a contract here for $35 billion on the same subsidized plane. Only Congress can decide this issue, but I submit this is not the way we want to encourage other governments around the world to operate.

Then a final issue is on foreign corrupt practices. The Air Force considers

each bidder's ability to execute a major contract, but it cannot evaluate the business practices used by each company, and neither can the GAO. But all U.S.-based companies are subject to the Foreign Corrupt Practices Act. I submit we must require that same sort of performance. If a company is going to bid on a major U.S. military contract, they should be subjected to the same rules. I think this would be something that EADS, the parent corporation of Airbus, would be willing to be subjected to. We should require that they and other foreign companies compete for Defense contracts and hold themselves to the same standards we require of U.S. companies under this Foreign Corrupt Practices Act. Again, the Air Force has not considered this piece in their overall analysis.

The bottom line is I think this is a highly flawed contract on the basis of the military not following its own design requests of its smaller plane; second, the United States awarding a contract on a subsidized plane that was illegally subsidized; and third, that these companies are operating under different rules. A foreign company operated under a more favorable set of rules. I think the Congress should look at all of these issues and say this is not the way we want to go on these tankers. We want to build them in the United States. We want these jobs in the United States. We want the workers to be in the United States. We want the military industrial complex to be U.S. based and not foreign based.

As a gentleman said to me some time ago: There are two things we shouldn't be dependent upon another country's government for, and that is for your defense and for your food. Here we are being subject to a foreign government's building of a major piece of our military complex. The tankers are something that extend the ability for us to be able to fly missions. They are critical to our air campaigns. We are going to be dependent upon primarily a foreign producer to be able to build these planes. I think that has untold problems—potential problems—for us down the road and it would be something it seems to me this Congress should take a very aggressive look at and say no, we don't want to go that route. The GAO report will come out next week. It is going to be a key issue in this overall decisionmaking process.

Mr. President, I thank you and my colleagues for the time.

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

The PRESIDING OFFICER (Mr. SALAZAR). The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is now closed.

CONSUMER-FIRST ENERGY ACT OF 2008—MOTION TO PROCEED

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the motion to proceed to S. 3044, which the clerk will report.

The legislative clerk read as follows:

Motion to proceed to S. 3044, a bill to provide energy price relief and hold oil companies and other entities accountable for their actions with regard to high energy prices, and for other purposes.

The PRESIDING OFFICER. The Senator from Maryland is recognized.

Mr. CARDIN. Mr. President, I take this time on behalf of Marylanders who are worried. They are worried because of the high cost of energy. They are worried about the cost of filling the tanks in their cars with gasoline. They want us to do something about it. They are looking to us. They recall just 7 years ago, when President Bush took office, and the price of gasoline at the pump was less than $1.50 a gallon. Today, it is over $4 a gallon. It is having a direct impact on people in my State and around the Nation being able to afford to operate their automobiles.

I can tell you businesses in Maryland—and I am sure my colleagues have similar stories around the Nation—particularly small businesses that rely upon their car or truck for transportation, don't have the ability to afford the increased cost of energy. They are on the brink of going out of business because of the rising energy cost. They want us to do something about it.

I am particularly disappointed and frustrated that the Republicans decided twice this week to deny us an opportunity to do what we should be doing—legislating on this very important issue.

The Consumer-First Energy Act of 2008 would have made a major difference in the cost of energy in the United States. I am proud to be a cosponsor of that legislation. Yet the Republicans used a procedural roadblock—a filibuster—to prevent us from taking up that legislation, debating it, acting on amendments, and doing what we should be doing. The Republicans said the status quo is acceptable. Well, the status quo is not acceptable.

What would this legislation do? First, it would say taxpayers don't need to subsidize the oil companies. The oil companies are making record profits. In 2002, their profits were $29 billion. Last year, that grew to $124 billion. They don't need public subsidies. Taxpayers should not be subsidizing them. By the way, they are not investing their profits back into this country. They are not looking at ways to make this Nation more energy secure, nor are they investing in renewable energy sources. The President said, on April 14, 2005, that if oil reaches $55 a barrel, there is no need for the Government to subsidize further efforts on behalf of the oil industry. The price now is $140 a barrel. So the subsidies were provided. That $17 billion should be reinvested in America, rather than subsidizing oil companies for even greater profits. Let's use that for making this Nation energy secure, and let's use it for renewable energy sources.

That is exactly what this legislation would do.

There has been a lot of talk about a windfall profits tax. I happen to believe the oil industry is entitled to a profit—just not an obscene profit, taking advantage of the world circumstances in oil. With the windfall profit provision of this legislation, it would tell the oil companies to invest a little bit of that money here in America, in renewable energy sources. That is what it does. It is a clear message about the security of America.

This legislation would take on the speculators. A large part of the cost is not that we are using more oil because, actually, we are using less oil today because of the high cost. We have speculators, who are people buying oil futures and driving up the cost of oil, and we are paying more at the pump. This legislation says those types of speculators should be regulated. There should be margin requirements that make sense, and they should not speculate without sound investment principles. That is what this legislation does.

This legislation expresses our concerns that the OPEC countries that are sending oil into America and depend upon U.S. consumers should be subject to our antitrust laws. This legislation would help in the short term, help bring down the cost of gasoline in the short term, but it would also provide us some long-term strategies for energy security.

What did the Republican leadership do? They said, no, let's not talk about it. The status quo is acceptable.

Well, it is not acceptable. Then, on H.R. 6049, the Republican leadership again exercised the filibuster procedural roadblock, and we could not take up that legislation, which would provide $18 billion for tax incentives for renewable energy sources so we can energize the American marketplace to develop our wind, solar and geothermal and we can develop the answers to our energy problems in America by energizing innovative individuals and companies in using our market forces to solve the problems here in America.

The legislation also provided for more energy-efficient buildings, which makes sense, and extended the expiring tax provisions, including research and development, which would also help us in dealing with the problems of our country, and extending the alternative minimum tax relief, which is so important. The Republicans said, no, with procedural roadblocks.

The American people want us to act. I have heard my Republican colleagues say we can produce enough oil to solve this problem. Let me give you the numbers and facts. I hope the public will make its own judgment. America, unfortunately, doesn't have a large reserve of oil. We have 3 percent of the world's reserve, including that in ANWR. If we allowed production in that environmentally sensitive area, ANWR, at full production we would produce about six-tenths of 1 percent of the oil in the world. Does anyone think the OPEC nations would not just reduce their supply to us by that amount, meaning there would be no impact whatsoever as a result of the production of that small amount of oil?

As the majority leader pointed out, when I had the opportunity to sit in the chair earlier today, we have sources of oil, and we are utilizing those sources. We are exploring where we can fulfill the energy needs for our own country. But the truth is, we consume 25 percent of the world's oil and only have 3 percent of the reserves. We cannot produce enough oil to deal with our needs.

We need to develop alterative energy sources. I will give you one other statistic. If we would have passed the CAFE standards 10 years ago, we would be saving more oil than three times the amount that is currently in reserve in ANWR. So we need to become energy secure, and we need to do it for several reasons. We need to do it because of our security, because of our economy, and because of our environment.

If we develop alternative fuel, if we do better in conservation, and if we invest in more efficient transportation, we cannot only become independent of the OPEC countries and the hold they have on us in determining how much oil they will make available to us, but we also can be friendlier to our environment. We can deal with the serious environmental issue we have and America can restore international leadership.

What do the Republicans say? We cannot even talk about these issues with a bill, with amendments before us, because they use procedural roadblocks to prevent us from taking up this issue. Well, we should be taking up these bills.

Marylanders want us to act and vote and make the tough decisions. They want us to do that. They want us to develop an energy policy that will wean us off oil, that makes us energy secure, that allows us to control the economic cost of energy, that puts America in the forefront of the international community on global warming to deal with pollution and to deal with the risks that are involved.

But what Americans want us to do today is to move forward on the legislation that is before us, the Consumer-First Energy Act that could and would have an impact on the price of gasoline in the short term so those Marylanders with whom I have talked, who have told me that they literally cannot afford to operate their cars and are in danger of losing their businesses, that we are taking every reasonable step here to deal with their concerns and to help them. That would be the responsible action for us to take.

I urge my colleagues to put aside this partisan differing and let's act in the best interest of the people of this Nation.

Mr. President, 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. CRAIG. 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 Senator from Oklahoma.

Mr. INHOFE. Mr. President, I ask unanimous consent that the majority reserve the remainder of their time and that I be recognized out of order for 10 minutes.

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

Mr. INHOFE. Mr. President, I wanted to come and talk about the Democratic bill called the Consumer-First Energy Act. We go through the same things over and over. We have an energy bill that has no energy in it. I said this on the floor last December. We keep talking about energy, and every time we try to expand energy, try to expand the supply, it dies right down party lines.

The Consumer-First Energy Act does nothing to increase access to America's extensive oil and gas reserves. It does nothing to promote nuclear energy. It does nothing to increase our refining capacity, something I have been trying to do for a long period of time. It does nothing for electricity generation or transmission and does nothing for the utilization of clean coal technology.

Instead this act increases taxes on America's oil and gas producers, which means we are going to be paying more at the pump—we know that—and increases Government bureaucracy.

A cornerstone of the bill establishes criminal penalties of up to $5 million and 5 years in prison if a fuel supplier sells his product at an ''unconscionably excessive price.'' But the agency responsible for its enforcement, the Federal Trade Commission, says this legislation is unnecessary and even counterproductive. FTC Commissioner William Kovacic told Congress recently:

> My intuition is that it would create hesitation in the response to shortages and that that might tend to exacerbate rather than mitigate shortages.

In addition to the FTC's opposition, price-gouging investigations are nothing new. They have been occurring for decades, with each reaching the same conclusion.

The Investors Business Daily last month had an editorial:

> Senators also want to impose steep penalties on ''price gouging''—despite the fact that some 17 separate studies have found it doesn't exist. The plan amounts to little more than an attempt to impose price controls—a socialist tool dressed up in a populist garb. Democrats hailed their new measure as an attack on ''the root causes of high gas prices.'' That's one of the more laughable comments to emerge from the Senate in some time.

Recently, in the aftermath of Hurricanes Katrina and Rita, the FTC issued another report after an extensive investigation into price gouging. Once again, it is the same conclusion. The FTC found:

> No evidence to suggest that refiners manipulated prices through any means . . .
>
> No evidence to suggest that oil companies reduced inventory to increase or manipulate prices or exacerbate the effects of a price . . .

Additionally, Bill Richardson, former Secretary of Energy for the Clinton administration, when asked last year in a Democratic Presidential debate if oil companies are price gouging the American consumer, bluntly answered:

> No, they're not.

Price-gouging legislation is a solution in search of a problem. Also, it is more of class warfare. If they want to blame somebody, they want to blame oil companies, the people who are actually plowing back more than 100 percent of profits into exploration at the present time. Federal law already bars companies from colluding to fix prices, and the Federal Government currently has all the legal tools necessary to address price gouging.

According to the Congressional Research Service, ''at least 30 states . . . have laws that prohibit gouging, excessive price increases, or unconscionable pricing. Other states may also exercise authority under general deceptive trade practice laws depending on the nature of the state law and the specific circumstances in which price increases occur.''

So knowing what we do about price gouging, this provision is repetitive, unnecessary, and potentially counterproductive. This could have the effect of increasing the price at the pump.

The other major component of the Democrats' Energy bill reinstates the windfall profits tax. Democrats want to impose a windfall profits tax despite the fact that we had this same tax almost 30 years ago and the results were predictable and harmful. Again, it is more class warfare.

In 1980, under President Jimmy Carter, Congress imposed an excise levy on domestic oil production called a crude oil windfall profits tax. According to a 1990 report by the nonpartisan Congressional Research Service, the results of the Carter windfall profits tax were very counterproductive. Quoting from that report:

> The windfall profits tax reduced domestic oil production between 3 and 6 percent, and increased oil imports from between 8 and 16 percent . . . This made the United States more dependent upon imported oil.

This is what happened last time. We are supposed to learn from our experiences.

Looking back to 1980, we now know what a windfall profits tax will do. It will decrease domestic production and increase America's oil imports—the exact opposite of what we need to do.

Additionally, a 1984 General Accounting Office report called the windfall profits tax ''perhaps the largest and most complex tax ever levied on a U.S. industry.''

In May, Investors Business Daily editorialized in response to this new tax proposal:

> As any student who has taken Econ 101 at the local junior college can tell you, higher taxes don't encourage production; they discourage it. But Senate Democrats apparently played hooky the day the taxes were discussed.

American oil and gas companies reinvest their profits into exploration, production, and other energy. This is how we can get on the road to expanding our production in America. America's major oil companies already pay the second highest corporate tax rate in the industrialized world. An additional $17 billion in tax increases will only further harm the international competitiveness of U.S.-based oil companies.

Using the Energy Information Administration's numbers, oil and gas industry profits can be calculated to roughly account for about 8 percent of the price of a gallon of gas. So for a $4 gallon of gasoline, oil and gas companies profit approximately 32 cents.

It is then arguable that if oil company profits were slashed in half, as has been proposed, it would only reduce the cost of a gallon of gas by 16 cents. And people are led to believe it will be $2 or $3. It is not true.

It is arguable that if oil company profits were slashed in half, that would be approximately 16 cents a gallon.

Mr. President, $17 billion in tax hikes will also ship American oil and gas jobs overseas. If indirect and other employment resulting from the direct activities and the earnings of these direct oil and gas employees is included, the total U.S. employment resulting from oil and gas activity is almost 8 million.

For American jobs, for the international competitiveness of American companies, and for the consumers at the pump, Congress has to reject these Democratic attempts to increase taxes and implement backdoor price controls.

What should we be doing? Oil and gas exploration and production is currently prohibited in 85 percent of America's offshore waters. We talked about the huge reserves, but it is prohibited. We are willing to do it, but it is prohibited in 85 percent of the waters.

Other nations don't do this. Canada allows offshore drilling in the Pacific, the Atlantic, and the Great Lakes. Additionally, Cuba is looking to expand drilling which could occur 45 miles from the shores of Florida, and that is with technology that is much less environmentally sound. So we would have the effect of increasing any adverse effect that would come from that type of activity.

Exploration and production activities are currently prohibited in the Pacific and Atlantic regions of the Outer Continental Shelf which hold an estimated 14 billion barrels of oil and 55 trillion cubic feet of gas. This is equivalent to more than 25 years worth of imports from Saudi Arabia. Looking to Alaska, ANWR is estimated to contain 10 billion barrels of oil, about 15 years worth of imports from Saudi Arabia. If President Clinton had not vetoed the bill back in 1995, we passed a bill that was in concert with what they want in Alaska and that is to be able to explore that very small area up there—if that had not happened, we would be in a position today, we would have 1 million additional barrels a day coming from ANWR. We know what that would do to reduce the price of gas at the pump.

The Heritage Foundation describes ANWR's 19 million acres as the same size as South Carolina:

> Of that area, President Bush proposes opening about 1.5 million acres to exploration (roughly 6 percent of ANWR). Of those 1.5 million acres, only 2,000—an area the size of Washington's Dulles International Airport—would be devoted to drilling.

The PRESIDING OFFICER. The Senator has used 10 minutes.

Mr. INHOFE. I believe what we need to do is understand that supply and demand still works. We have to increase the supply domestically, and we can do it by passing the Consumer-First Energy Act that has been proposed by Senator DOMENICI, myself, and others. The price at the pump would directly respond on notice of that type of legislation passing.

I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

Ms. KLOBUCHAR. Mr. President, I ask unanimous consent that the blocks of time be extended for another hour, with the majority controlling the first half hour of the extension.

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

Ms. KLOBUCHAR. Mr. President, I just got back from my home State of Minnesota. Let me tell you, the price of gas is not just one of the issues people are talking about, it is the issue they are talking about.

In this last week, as we all know, gas prices have risen above $4 a gallon as the national average, and many of the people in the country cannot afford it. If you drive past a Costco store—I am a Costco member—you will see in the Twin Cities cars lining the block trying to get in to save a few pennies, to save a few nickles, to save some money. Those gas lines remind me of the OPEC oil embargo we have not seen since the 1970s. If you talk to people in the rural parts of our State, you will be shocked at their out-of-pocket expenses. They have a longer way to drive to work. With gas at $4 a gallon, some people are spending $20 a day to get to work in the morning and to get home at night.

Mr. President, as you know from your home State of Colorado, in some areas, there is not going to be a lot of mass transit. In some areas, they have to drive longer to get to work. Families cannot afford these prices. A few weeks ago, we saw stories in the paper saying that consumers were not changing their driving patterns, that they were comfortable with their commuting habits, and they were willing to pay a few dollars extra each week. Well, $4 gas has changed all that. One in twelve Americans now have found a new way to go to work because they can't afford week after week of these gas prices. And we need more mass transit. I support that. That is a good thing. But we know for many Americans who have less income and are dealing with the problem of increased health care costs and who are dealing with the issue of an increase in the cost of food, and now these gas prices up to 4 bucks a gallon, when they have less disposable income, less money in their pocket, it is hard to afford things.

We simply cannot continue business as usual. When we have people going to a gas station and can only afford to fill half their tank with gas, we can't afford to keep going. That is why I am so shocked when I have seen what the other side has done. Time and time again, the same old argument. Well, I think these same old ideas are running on empty, just as the people in this country are running on empty.

The other side has blocked consideration of some new ideas and a new way to go forward with energy, both for short-term and long-term relief for the people of this country. I say this to my colleagues who voted against that bill and voted against allowing us to debate and allowing us to move forward with a new energy future: They are running on empty, and the American people know it.

Remember back when President Bush was asked about $4-a-gallon gas on February 28? The President said:

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

Well, for the people in my State, $4-a-gallon gasoline isn't interesting, it is a budget buster. The fact is, this administration has failed to provide Americans with a meaningful energy policy that would provide relief from high gas and energy prices. They have been running on empty. This is why I am so frustrated that our colleagues blocked consideration of this important bill.

We are not proposing anything radical. We are simply asking that the Government enforce the laws on the books and make the marketplace work like it is supposed to.

As the Presiding Officer does, I come from a prosecutor's background, and I know we can have all the laws on the books we want, but if we don't enforce them, we are not going to get the relief we need. We are not going to help victims—or in this case consumers—if there are no cops on the beat and no

one is enforcing the laws or drawing the line.

As part of this important bill, the other side blocked us from even considering, from even debating having Federal regulators provided the tools to do their job, to crack down on speculation in the futures market and on speculators who trade in offshore exchanges just in order to avoid regulation. We want the Attorney General to have the authority to prosecute collusion by foreign governments.

We heard a witness in recent months come before multiple committees in Congress, the CEO of an oil company, and say: You know what. A barrel of oil shouldn't cost over $100. A barrel of oil should cost somewhere between $55 and $60. That is the true cost. We heard a witness in recent months describe our energy markets as a giant gambling hall without rules, as a superhighway without a traffic cop.

That is what we are dealing with. So we need a cop on the beat. The Consumer-First Energy Act gives us that cop on the beat. It addresses the problem of market speculation by stopping traders from routing transactions through offshore markets in order to get around the limits on speculation put in place by U.S. regulators. Why would they go to these offshore markets? We know why they are going there. They want to avoid any regulation in this country.

In fact, you don't even have to go offshore to find unregulated energy trading. The Commodity Futures Trading Commission is allowing the Dubai Mercantile Exchange in New York and the Ice Electronic Exchange in Atlanta to trade in U.S. oil futures without Federal oversight. I can't tell my constituents to rest easy because the Dubai Financial Services Authority is looking out for their interest.

We need to take action not only by regulating these offshore markets but also by making sure what is going on in this country is right. Now, we closed the Enron loophole, or we tried to do that with the farm bill, Mr. President, but there is clearly a lot more that needs to be done. There is a lot of speculation that is offshore and out of reach of our negotiations and our regulators. This bill will make those foreign trades in American oil and gasoline futures subject to reporting requirements so we can have a paper trail and keep track of what is going on.

The bill would also require the Commodity Futures Trading Commission to increase the margin requirement for oil trades. The margin requirement is currently set by exchanges themselves, kind of like the fox guarding the henhouse, and they have set the requirement so low—5 to 7 percent—that speculators can buy enormous amounts of oil with only a small amount of cash, and this has caused a tremendous amount of volatility in the price of oil and gas.

Remember what the CEO of the oil company said: Oh, no, no, no, this shouldn't be. Oil shouldn't be priced at over $100 a barrel. It should be $55. Well, where is all this money going? It is going to build five-star hotels in the middle of the desert somewhere. We have been investing in the sultans of Saudi Arabia instead of the farmers and workers in this country where we should be developing a long-term energy policy.

A final area where we can take immediate action is in our dealings with the OPEC nations. OPEC is a cartel of oil-producing countries that meet and decide how much oil to produce and thereby control prices. They make no pretense of having a free market system. They do not obey the laws of supply and demand. They gather together and they set production, which determines prices. As a former prosecutor, I call that kind of behavior collusion, and it is illegal in this country. But the members of OPEC are foreign governments, and so far they have gotten away with it.

As oil exporting nations, the members of OPEC could provide us with some relief. They have the spare capacity to increase their production of oil and ease the pain being felt by the people in this country. But OPEC recently met and decided not to increase production, at least until the fall, after the summer driving season when prices always rise. Not only that, Saudi Arabia has actually decreased production since 2005.

Think about it. Our country spends $600,000 every minute on imported oil. That is money leaving the pockets of American consumers, American drivers, going into the coffers of foreign countries. By refusing to step up production, OPEC nations are saying: We don't think prices are high enough yet. Let's let them go higher. Well, I think they are.

This bill that was blocked by the other side was going to put a stop to some of this OPEC price setting by allowing the Attorney General to bring enforcement action against foreign governments that are engaging in collusion and hold them to the same standards of fair dealing we already have in place in this country.

So those are some short-term ideas, in addition to the ones we were able to pass, which was to temporarily halt putting oil into the Strategic Petroleum Reserve when the prices are high. We got that done. But there are other things even more important. To do something about what is called the gambling hall when it comes to oil speculation, to do something about price gouging, to do something about the OPEC nations—these are short-term things that are doable and that the people in my State, who are lining up in those Costco lines, want to see. But, once again, we were blocked by the other side.

Our people are running on empty. They are tired of this, and the other side is running on empty when it comes to ideas. We need a bold new future, a long-term solution. American consumers also expect that their corporations should invest sensibly for the long-term interests of our country and our economy. That is what works. That is how business works.

But here is what is going on. This Congress, in the past few years—before I got here—gave a bunch of giveaways to the oil companies. I don't know, $17 billion, something like that. So we, the people, have a say in what these oil companies do when we are giving them a bunch of tax giveaways.

The Consumer-First Energy Act imposes a windfall profits tax on oil companies. It doesn't just say, no; every oil company gets a windfall profits tax. We could say that given that the big oil companies raked in $36 billion in just the first 3 months of this year. But it says, if they invest in renewables and do what they are supposed to do given they have gotten these subsidies—that they invest in their refining capacity and do things like that—then they would not have this windfall profits tax. But if they don't and they are taking the taxpayers' money and they are raking in the bucks and the prices are getting jacked up, then they are going to get a windfall profits tax.

Why should these big companies be getting $36 billion in the first 3 months, making no progress in terms of a long-term energy policy, and then the consumers are paying over $4 a gallon at the tank? It makes no sense. The oil companies' profits since this administration took office are over $600 billion and counting.

Now, you can make the argument for high profits if this money was being used to develop alternative resources, but it is not. Time and time again we keep going backwards, not forward.

So this provision says if they take their profits they get from American families and businesses and reinvest them in the country's energy future, that is fine. If they don't, we are going to take a portion of their money and invest it in the farmers and the workers of the Midwest instead of the oil cartels of the Mideast.

We know what we need for a long-term energy policy. We need investment in hybrid electric cars. We are not that far away. In 2 years, the Chevy Volt is going to give us 30 to 40 miles by plugging it in and then it converts over to fuels. We have great advancements in biofuels, something the Presiding Officer and I have worked on very hard, going to cellulosic ethanol but going beyond even corn-based ethanol so that we look at getting energy from switchgrass and prairie grass and algae and all kinds of biomass and residue from logging. These are all in our future. But we have to actually put those incentives in place so the investment follows.

We have tried. We have done some things, but we need a bold energy direction in this country, and that is what this bill was about that the other side blocked. They are running on

empty with ideas, and the American consumers are running on empty with their tanks. When American families are facing the kind of economic squeeze they are facing today, they expect action from their Government. They expect that their Government will protect their interests to make sure the markets are fair and honest and transparent. They expect their government is going to watch out for them, not for the oil companies.

We have proposed legislation that would do these things. It would give the Government the tools to protect consumers in the short term, and it would begin to set our country on a smart, sustainable course for the long term toward energy independence. You can put your head in the sand and pretend it is not happening, or you can look for a new future. Does that involve, as our friends on the other side have been saying, increased production in our country? Of course it does. We live in Minnesota, next to North Dakota, where we are seeing the discovery of more oil. That is a piece of this; that is a piece of it. But the other piece is looking to the future with renewables and biofuels and new kinds of technologies. And if we keep going the old way, giving that $17 billion to the oil companies and not investing in a new future, we are going to end up even worse than we are now, and that is running on empty.

It shouldn't take $4-a-gallon gasoline to bring us to the brink of action on sensible market reforms and a smart long-term energy policy, but that is where we are. That is where we are. It is time to act. I implore my colleagues on the other side not to filibuster this bill. We must move ahead and we must do something for the American people.

Mr. President, I yield the floor, and I yield back the remainder of the majority's time in this half hour as well.

The PRESIDING OFFICER. The Senator from Florida.

Mr. MARTINEZ. Mr. President, I want to speak on this issue, the energy problem we find ourselves in, and I want to begin by a moment of reflection upon the problems described by my dear colleague from Minnesota.

The fact is, the more we can find a way to work together and the less we make clever rhetorical points about whether one party is on full or another is on empty, or anything else, the quicker we will get to a solution. The fact is, we are not going to find solution to the energy problem in America by doing it as Democrats or Republicans. We are going to find it by working together as Americans.

We all know when the minority is not permitted the opportunity to impact a bill by amendments there is not a real debate taking place and, therefore, our ideas, the ideas of 49 Members of this Senate, are not worth considering. We all know that is not the way the Senate legislates. That is not the way to do things when you are serious about an outcome and not just looking to make political points.

We are, for sure, in the midst of an energy crisis like nothing we have seen in recent times. A gallon of gas is more than $4 a gallon, with diesel more than $5, and natural gas prices continue to rise. These high prices are putting an unexpected and heavy burden on millions of American families. As I talk with Floridians, it is clear that people are feeling the pain and families are hurting. The rising costs are digging into the family budget.

In addition to high energy costs, we are also in the midst of increasing food costs and putting an even greater strain on families who are growing increasingly anxious. They want and deserve solutions. They don't want and don't deserve partisan bickering.

There are a number of factors impacting the price of gas—including the influence of speculators and the weak dollar.

We are seeing a large and increasing demand for fuel while supplies remain stagnant.

Since the automobile was invented, it took the United States until the early 1980s to reach 100 million cars. In China, the same thing happened in less than 15 years. According to the International Energy Agency, Chinese oil imports are expected to rise 80 percent in the next 4 years.

And by the way, we know the Chinese are looking for ways to increase their own oil production—but despite what is cited as fact here on the Senate floor on frequent occasions, China is not drilling off the coast of Cuba. I have taken the time to research this issue because of my own interest in this area of the world.

According to the Congressional Research Service, China only owns one plot where they could explore. It is this little green spot. Whether it is under production or not is not clear, but it is not offshore—it is on the island itself. According to University of Miami Center for Hemispheric Policy fellow Jorge Pinon, there is no drilling taking place offshore in Cuba by the Chinese or any other country.

Reports to the contrary are false; they are rumor; they are akin to urban legends. China is not drilling for oil 60 miles from the Florida Keys. There is one oil company—Spanish Respol RTF—that has purchased one lease off of Cuba's shore and there is no current drilling or even plans to drill in the forseeable future. There is the possibility that the Canadians may have something happening there, but I am not aware of that either.

So any talk of using some fabricated China/Cuba connection as an argument to change U.S. policy has no merit.

To address the supply side of the equation, one solution I have always favored involves using our existing natural resources to increase domestic production.

Congress has made some progress in this area in recent years, but more needs to be done.

Offshore drilling is one area where we have made progress. In 2006, I helped to negotiate the opening of more than 8 million acres in the Gulf of Mexico as a result of negotiations and conversations on a bipartisan basis here in the Senate.

The area is estimated to contain up to 5.8 trillion cubic feet of natural gas and 1.25 billion barrels of oil. That is a tremendous amount of resources in areas open to drilling right this minute, all as a result of an agreement Senator NELSON and I made, protecting Florida's beaches yet understanding the need to open up this area of the Gulf.

While 8 million acres have been opened in the Gulf, to date no exploration has taken place. I know they are still in the process of leasing, but to date we have had no product out of that area. It makes sense to me that we would go here first, well away from Florida's beaches, before this area, where we also have a military mission area to protect.

I hope that before we talk about opening areas closer to our beaches, that we will first attempt to get to the one billion barrels of oil already available in the Gulf.

Another promising domestic resource is in ANWR in Alaska.

Five different times during my Senate career, I have voted to open this remote area for oil exploration. It is environmentally safe, the people of Alaska favor it, and our country needs it.

I will continue to support efforts to obtain resources from the area.

The size of the land we are talking about for exploration is merely 2,000 acres within 19.6 million acres of wilderness—that is the virtual equivalent of a quarter on a football field.

Estimates indicate this area in Alaska contains approximately 10.4 billion barrels, meaning we could have another one million barrels of oil coming into the U.S. supply every day for decades.

I will continue to support increasing the U.S. domestic production as long as it is supported by those most directly impacted by it.

Along with working to increase the U.S. oil exploration efforts, there is also a tremendous need to build more oil refineries.

Part of the reason why our oil supplies are stretched thin is because despite the rise in demand for gasoline, a new fuel refinery has not been built in three decades.

Once crude oil is shipped from overseas, it still has to be refined.

With so few oil refineries in this country and the demand so high, this results in a bottleneck and further contributes to the domestic demand that is outstripping supply.

We can do a great deal more in the short term to alleviate the burden high gas prices are having on America's families.

An integral part of any energy plan moving forward has to focus a heavy emphasis on conservation. We are not going to drill our way to energy independence.

We have to have a comprehensive approach: more exploration, more conservation, renewables, biofuels, and new technologies.

We are paying high prices at the pump for that demand, and it is also something we are paying for environmentally. I think there is huge promise in answering some of our energy demands and contributing to a cleaner environment by investing in alternative fuels.

Most people are familiar with ethanol—but I think that is just the first step. Florida's research universities have been working on cellulosic ethanol, which is a second generation biofuel.

This process generates fuel from orange peels, grass clippings, corn stalks—not the corn but the waste after the corn is gone. Any sort of organic material that has carbon in it can be turned into fuel.

One thing should be clear—it is that the tension on the world's oil market is not going to lessen anytime soon and the need to lessen the U.S. dependence on foreign oil could not be any greater.

Frankly, this Congress has been absent on the matter. The fact is, although we talk about President Bush and what he has and has not done, we have an obligation to act as well. The fact is, when the Democrats took over the Congress the price of oil was $2 a gallon; today it is over $4 and going up. We have to put down the partisan rhetoric. We have to come back to the fact that we must come together, work together, Republicans and Democrats, to do what serious legislating usually can accomplish when people of good faith come together to get something done.

I invite my dear friend and colleague, the Presiding Officer today, to find ways we might work together so we can help American families. I know there are many things on which we can agree. We ought to try to diminish the points of disagreement and find the common ground and move forward to a better energy future for our country so we might leave the kind of legacy for our children that I know is the reason we came here to the Senate in the first place.

I yield the floor.

The PRESIDING OFFICER. The Senator from Idaho is recognized.

Mr. CRAIG. Mr. President, I join with my colleague from Florida to talk about an issue that is probably on the minds of nearly every American today, especially if they just pulled their big SUV away from a gas pump and they fed their credit card into that gas pump and it registered $100. That is the reality the American consumer is being subjected to today in an unprecedented way. So my advice to the Senate today goes back to an old country song that was popular a few years ago, by a female country artist, called ''A Little Less Talk And A Lot More Action.''

That is exactly what ought to be going on in the halls of Congress today: a heck of a lot less talk and a lot more action. What ought that action be for the American consumer who today is paying more money than ever in the history of our country for energy? In the short term, the ''more action and less talk'' ought to be production, producing oil out of our known oil reserves in this country. That is not the answer for the future. That is the answer for tomorrow, next year, and 8 or 10 years into the future. I call it a bridge solution to the reality of a new generation of energy that is the cellulosics, that is electric, that is the hybrid. But we are always going to need oil or hydrocarbons in our economy to produce the kind of transportation fuels for the big trucks and many of our rail engines and all of those kinds of heavy transportation needs. That is not in part what the consumer is paying for today. The consumer is paying $4-plus at the pump today, depending on where you live, because this Congress over the last 20 years has had an attitude that is quite simple: Put that in wilderness, protect it, deny it, we can conserve our way out of it. The Clean Air Act says it is too expensive to retrofit refineries so we take one, two, three refineries offline. We have taken many of them offline because they simply couldn't comply with the Clean Air Act and they were too expensive to retrofit and our overall capacity to refine, with our overall capacity to explore and develop, went hand and hand down while the American consumer was consuming more.

What does that ''a little less talk and a lot more action'' mean? It ought to mean this: It ought to mean going where you know you can get it, going where you know you can drill. Where might that be? Here is that reality that American consumers ought to know about, and then I hope they will pick up the phone and call their Senator or e-mail their Senator and say: Why did you do this? Why over the last 30 years did you deny us access to these areas where we have known oil reserves?

In a modern world, for me to quote 20-year-old statistics doesn't make a lot of sense. But for 20 years we have said: No, we are not even going to use new seismographic measuring efforts to determine where the other oil is. We are going to take the old information, 20-year-old information in the red zone represents this.

American consumer, listen, because you ought to be on the phone today, calling your Senator and saying: A little less talk and here is the action. Start drilling. Open these areas. Get the bid process going.

What can it yield? The U.S. Geological Survey says that in these red zones we have a known resource of 29 to 30 billion barrels of oil. In the undiscovered areas where we believe it is, there is 85 billion, or about 115 billion. You do the math.

If we could produce a few more million barrels a day, what would the market do? What would the speculators do? They would run for cover. We would take $30 or $40 a barrel right off the top of the market that is a speculative price today that is betting that America will not do this because they are betting Congress is going to be doing a lot more talk and no action.

If we act, if we do what we ought to do, if we go where we know we should go, where the oil is today, and we find that there are 120, 130, 150 billion barrels of oil, down comes the market.

If the market comes down for America, the market comes down for the world. That is the price in the market, because we are talking about market trends that are world trends—not only us. If you think we are having a bad time here and we are paying $4, what is a European paying? They measure by liters, but they are usually, probably at $9 or $10 now. So they are as angry as consumers as we are as consumers about the reality of the market in which we all live.

I am talking crude oil. I am not talking natural gas. In these areas we believe there could be as much as 633 trillion cubic feet of gas. For the chemical industry of our country, for the world as we know it, that is hugely important. For all of the costs of the goods and services we are buying at the market shelf today that are going up in price, they are reflecting their need to have the ingredients that flow from oil or that flow from gas. Whether it is the transportation that gets them to the shelf or whether it is the ingredients of the product that is on the shelf, this is a world today that is dominated by what we call hydrocarbons—oil and oil derivatives, and gas. We are all going to be paying a great deal more.

The thing that is most visible is the pump, that $4 or $4.20 or $4.50. The Senator from Alaska told me this morning that in areas of rural Alaska where they barge the gas up and offload it during the summer for the locals to use, it is well over $5 a gallon.

And it is going to that consumer at well beyond their inability to pay. They are growing frightened; they are relating to that Senator fear that they can no longer live their lives the way they would like to live them because they simply have to deny themselves access to gas, access to oil.

Well, that is the reality of where we live and what we have done to ourselves. It all started in this Congress 20 years ago in the name of the environment. We began to deny, deny, deny, and deny. Consumers are saying something much different today than they did then. Because they recognize that in a state of denial there is a price to be paid. They are now paying that price.

So what happened and what is happening? Well, on May 19, a Gallup Poll came out. They asked Americans: Shouldn't we allow drilling in the U.S. coastal waters and up here in the ANWR area, the Alaskan National Wildlife Refuge?

A few years ago, a majority of Americans said: Oh, no, no, no. Let us protect those areas. Today, well, this was even before $4 gas, this was May 19, not this week, and 57 percent of Americans said: Drill it.

There is a new Rasmussen Poll out today which is even higher than that. Americans are saying: Drill it. Go where the oil is. Explore it. Develop it. Bring it online. Do it in an environmentally sound way.

And our technology today can take us there. We do not risk the environment when we do this. Anybody who stands on the floor of the Senate today and says: Oh, save the environment, is in a 20-year-old environmental time warp. And it is quite obvious why. They haven't seen the technology. They do not know what we now can do; that we have learned from the 1960s spill in Santa Barbara. Have you heard some Senators quote the facts about Katrina? Over a thousand wells were knocked offline, drilling rigs knocked off point. Not a drop of oil spilled. Why? Technology.

So America, awaken. Pick up the phone. Call your Senator and say: Get with it. A lot more action and a lot less talk. Because right now we are talking. We are jawboning, we are politicking, and the consumer is having their budgets burnt up by the reality of the marketplace that this Congress helped set decades ago.

Hear me. A lot less talk, Senate, and a lot more action. Let's go to work. Let's drill our reserves. Let's produce them in an environmentally sound way and let's give this consumer and our economy and the world a better place to go.

I yield the floor.

The PRESIDING OFFICER (Mr. MENENDEZ). The Senator from Colorado.

Mr. SALAZAR. Mr. President, I rise today to talk about the pain that $4-a-gallon gas is inflicting across the country. For the last 8 years, our energy policy has been stuck in the past. Today, we suffer from that neglect. Our national security is compromised by our alarming overdependence on foreign oil. Our economy is held hostage to other countries that control the oil reserves.

Every day—every day—most Americans, most of the 300 million Americans are feeling the real pain of high gas prices and diesel prices resulting from these failed policies.

Americans know the past all too well. Since 2001, the price of oil has risen more than 400 percent. The cost of a gallon of gas from Colorado is up almost 300 percent. Oh, yes, we all remember those dear old days in 2001, when in Colorado we were paying $1.08 a gallon in the beginning of the Bush administration. Yet today we are at $4 a gallon in Colorado.

U.S. expenditures during that same time period on foreign oil that we are importing into our country have more than tripled; a family's transportation costs have more than doubled. Projections show gas may reach $5 a gallon this summer.

But the numbers do not even begin to tell the real story of how our dependence on foreign oil is hurting the American people. They do not tell the story of the farmer in Kit Carson County, on the Eastern Plains of Colorado, who is worried, worried that he will not be able to afford the diesel needed to harvest the wheat at the end of the summer.

They do not tell the story of the trucker in Elizabeth, CO, whose weekly income has fallen $700 in this economy and can barely afford to fill his truck because fuel costs are higher than they have ever been.

They do not tell the story of how fuel prices have pushed several airlines into bankruptcy and led United Airlines to cut over 1,000 jobs in recent days.

In rural communities, in particular, gas prices are taking a huge bite out of the family budget. This map shows the average proportion of a family's income that is going for filling the tanks in counties across the country.

You can see which parts of the country are the hardest hit. Those are the rural counties, where upward of 16 percent of the entire budget is going for gasoline. So you see in the broad swath of what is rural America, this yellow area. Down here is my San Luis Valley, where 16 percent of the family budget essentially is going to fill the tanks of gasoline for those families.

Across the country we are paying almost $5 billion more every day for oil than we did 5 years ago. These moneys are going to the Middle East, to Russia, and to Venezuela. They are not moneys that are staying in America to make us strong. Revenues for oil-producing states and oil companies, primarily oil companies controlled by foreign governments, will reach $2 trillion this year, $2 trillion.

So while American farmers and ranchers are facing $10,000-a-month fuel bills, Saudi Arabia is using its oil riches to build four new cities in the desert; the Sudanese are building new skyscrapers and five-star luxury hotels; and Russia, Russia is using its oil windfall to increase its Federal budget tenfold.

Over the last 8 years, we have not only become more dependent on foreign oil, today we import an increasing amount of oil from those foreign countries. Thanks to the failed energy policies of the past, we are at the mercy of OPEC and the oil-producing nations of the world.

We need to move forward with a new ethic and new imperative of energy independence. We must succeed in a sustained policy that is not a stop-and-start policy on energy independence but one that will succeed in addressing the cause that I believe most of the Members of this Senate believe in; that is, to end our addiction on the importation of foreign oil.

How are we going to do this? First, we must continue to develop our domestic oil and gas resources. You heard my friends on the other side of the aisle say we are not doing enough, that we have not drilled enough in the United States of America. Yet when you look at the 2005 Energy Policy Act which I helped craft, along with Senator DOMENICI and Senator BINGAMAN, that legislation took sensible steps, in my view, to stimulate new exploration and energy development and opened the door to a whole host of items on a portfolio toward energy independence.

In 2006, we worked together, again, Democrats and Republicans, to open an additional 8 million acres in the Gulf of Mexico for energy development. Those areas contained 5.8 trillion cubic feet of natural gas and 1.26 billion barrels of recoverable oil. We were then asking that we produce more oil from our own resources in America.

Colorado is a proud contributor to our Nation's energy supply, and we are working to do more. So it is false when people say we are not doing things in America to produce for our energy supply. We have more than 34,000 active gas wells in my State right now. We have almost 5 million acres of land under lease. We are producing 1.2 trillion cubic feet of natural gas each year, up sixfold from 14 years ago.

Over the coming years, we will contribute even more to our Nation's energy supply. The BLM estimates that over the next 20 years we could have 17,000 more gas wells in 3 of our western counties alone.

Let me say, are we against energy development in America? You tell me that the construction, the drilling of 17,000 wells in 3 of my counties in the State of Colorado is not contributing to the American supply of oil and natural gas that we need in America? We are doing a lot already here.

But for those on the other side who accuse us of doing nothing, they are wrong. I have also introduced legislation to open additional areas in the State to oil and gas development, including the Roan Plateau in western Colorado. But we want to do it the right way.

Let's not kid ourselves. Expanding domestic oil and gas production will not lower gas prices or kick our addiction to foreign oil. Americans consume 25 percent of the world's produced oil, but we hold less than 1.7 percent of the world's proven oil reserves.

This chart shows us a little slice of the pie that is 1.7 percent. One of my colleagues earlier said it is 3 percent of the world reserves. These are the figures from the Central Intelligence Agency. The CIA tells us we control 1.7 percent of the global proven reserves of oil. Yet we are consuming 25 percent of those reserves.

So what my colleagues on the other side are saying is that we are going to take this little slice of the pie and somehow magically address the huge oil security problems we are facing today. That is not accurate. We need to be honest with ourselves and the American people about our energy future.

We simply cannot drill our way to energy independence.

If we threw open the doors of America's most treasured landscapes to drilling, it would still just be a drop in the bucket. According to the Energy Information Administration, drilling the Arctic Wildlife Refuge would, at peak production, which would be somewhere between 2018 and 2030, reduce the cost of gasoline by less than 4 cents per gallon.

We need to be honest with ourselves and the American people about our energy future. We simply cannot drill our way to energy independence.

Some dream that oil shale will save the day.

Oil shale deposits in Colorado, Wyoming, and Utah amount to somewhere between 500 billion and 1.1 trillion barrels of oil. That is more than double the proven reserves of oil in Saudi Arabia.

The trouble is, the oil is locked up in rock and, even after $10 billion of research and development, nobody has figured out an economical way to get it out.

If the technology were ripe, companies like Shell would already be developing oil shale today on their own lands. Shell and other companies already own nearly 200,000 acres of prime oil shale reserves in Utah and Colorado. Nobody, not the Federal Government, not the Congress, not the State, is stopping them from developing these tracts. But they are not ready, and that's what they have all told us in testimony. They are still struggling to overcome technological and economic barriers.

We can help companies such as Shell overcome these barriers through research and development incentives like the ones I helped put in the 2005 Energy Policy Act, but even under the most optimistic estimates, the technology won't be ready for commercialization until 2015.

So let's be honest about oil shale. Let's not pretend there is a magic wand that we can wave that will unlock the mystery of oil shale. Let's be honest about our energy future. Let's be honest with the American people.

Responsibly expanding our domestic production is only one part of the solution. As I have said repeatedly over the last 4 years, we also need to be improving our energy efficiency, investing in technologies, and developing our clean energy economy. We have taken several steps in the right direction.

At the end of 2007, Congress passed legislation to increase fuel efficiency standards in cars and light trucks by over 40 percent by 2020. This will save over 1.1 million barrels of oil a day.

The bill we passed, the Energy Independence and Security Act of 2007, also helps spur the rapid development and deployment of advanced biofuels, such as cellulosic ethanol. The bill quintupled the existing renewable fuels standard to 36 billion gallons by 2022, 21 billion of which must be from advanced biofuels, such as cellulosic ethanol. That is more than enough to offset our oil imports from Saudi Arabia, Iraq, and Libya combined.

I was also proud of the work we did in the farm bill to spur cellulosic biofuel production, which has the potential to dramatically reduce carbon pollution. The farm bill includes a provision I sponsored that provides a $1.01 per gallon tax credit for the production of cellulosic biofuels. It is the first incentive for cellulosic biofuels of its kind.

Why is this so important? Because cellulosic biofuels have the potential to displace 3 billion barrels of oil annually, equivalent to 60 percent of our country's yearly consumption of oil in the transportation sector, without affecting our need for food, feed or fiber, 3 billion barrels of oil a year.

Dramatically increasing our biofuels production can and will help us get control of gas prices and reduce our dependence on foreign oil.

In fact, if it weren't for current ethanol production, gas prices would be even higher than they are today.

Merrill Lynch estimates that gas prices would be 15 percent higher if it weren't for our ethanol production. Do not make biofuels the scapegoat.

In addition, studies are showing that, as a result of our renewable fuels standard enacted in 2005, U.S. oil imports recently declined for the first time in a quarter century.

Unfortunately, there are some who just cannot accept the fact that biofuels can and should be a larger part of our energy future. They're finding any excuse to advocate yesterday's energy policies and step back into the past.

These renewable energy opponents claim, for one, that biofuels production, in particular corn ethanol production, is to blame for high food prices.

This is absurd. There are three factors that are driving food prices up, and ethanol production is not one of them.

First, food prices are rising because global demand for grains, particularly from China and India, is rising.

Second, the global food supply is down because of drought conditions in several areas of critical agricultural production. Still, U.S. producers are doing everything they can to boost supplies. Not counting corn used for ethanol production, we produced 17 percent more corn food product and exported 23 percent more food product overall in 2007 than in 2006.

Third, rising oil prices are making it more expensive to produce food. Petroleum costs are embedded in every part of the global food supply chain. Recent studies by USDA reveal that for every dollar we spend on food, only 20 cents is the cost of the food product itself. The other 80 cents or so are the costs of labor, energy, transportation, and other factors.

The best economic minds agree that ethanol production is having little, if any, effect on food prices. Ed Lazear, chairman of the President's Council of Economic Advisors, recently reported that ethanol production accounts for less than 3 percent of the increase in global food prices.

Those who claim that biofuels production is driving up food costs are flat-out wrong.

Let's not forget where today's high gas prices are hurting most, it is in America's rural communities. Farmers, ranchers, small business owners, families in small towns, they know the true cost of our addiction to foreign oil. They feel it every day.

They also know that the solution is not far away. They know that the solution lies in our farms and fields, in the promise of cellulosic ethanol and in the ingenuity of the American worker.

Our rural communities know we can grow our way to energy independence if we continue to pass and implement policies that stimulate our clean energy economy.

So let's not let them down. Let's not turn the clock back to the failed energy policies of the last 8 years. Let's not pretend that the 1.7 percent of the world's oil reserves that we possess will meet our energy needs. Let's be honest with the American people. Let's build our clean energy economy. Let's pass the tax extenders that Senator BAUCUS, I, and others have developed that will stimulate renewable energy development. Let's give these growing industries the tax certainty that they and their investors need to move forward with projects that are creating good-paying jobs across the country. Let's get after the speculation in the oil market. And let's get to work on breaking our addiction to foreign oil.

I will conclude by making a few additional comments. We have heard from the other side of the aisle that oil shale somehow is magically going to develop as part of the solution for our energy independence and deal with gas prices today. The truth of the matter is, we supported the oil shale provisions in 2005 and have been moving forward in the development of oil shale in Colorado in a responsible way.

Yet we know that even after the investment of billions of dollars, the technology is some 6 to 7, maybe 8 years away before it can be even commercially developed, if it is proven it can be done. Yet there is this accusation that is coming from the other side of the aisle that somehow the development of oil shale is going to deal with the immediate crisis we face today. That is simply a false charge. We need to move forward and attempt to look at the development of oil shale in an environmentally responsible way.

Another point, before I conclude, is we need to continue to grow our way to energy independence. I am a proud sponsor, with Senator GRASSLEY, of the 25-by-25 resolution. I think America's farmers and ranchers can help us move forward so we can produce 25 percent of our energy from renewable energy.

I am hopeful this energy crisis does not create an opportunity for us to take a step back on the investments we are making in biofuels. Biofuels are a significant way in which we will move forward to energy independence.

I believe strongly there are parts of our energy agenda that Republicans and Democrats can come together on, but I am hopeful the stalling tactics that keep us from moving forward to crafting an energy bill will end so we can deliver on solutions to the American people.

I yield the floor.

The PRESIDING OFFICER. The Senator from Montana.

Mr. TESTER. Mr. President, I thank the Senator from Colorado for his solid, pertinent remarks about the energy situation we face and solutions for the crisis.

The energy crisis we face today is putting a squeeze on our working families. This morning, AAA announced another new record high on the national average for the price of a gallon of gas at $4.05 a gallon. Diesel hit a new record of $4.79 a gallon. The price of oil is at $134 a barrel. Yesterday in the Senate, Republicans blocked some solid measures by which we can lower the cost of energy which would directly impact working families, small businesses, agriculture, and the trucking industry.

Today, I rise to urge my Republican colleagues to allow us to pass legislation that will make a difference to free America from this grip of foreign oil. Although my Democratic colleagues have produced commonsense legislation to deal with this energy crisis, the folks on the other side of the aisle continue to block any reasonable attempt to take effective action. We have sound policy proposals on the table, and it is time for the other side to help lead or follow or get out of the way.

My Montana neighbors are hurting from the high cost of energy. Our manufacturers are at the risk of shutting down because of high energy costs. Truckers struggle to make ends meet, facing the high prices of diesel fuel. Family farmers are suffering from record-high diesel, high fertilizer, and other input costs. This energy crisis is real. We feel it every day. We have been feeling this effect for many months. The phone in my Senate office is ringing off the hook with folks asking for relief. Unfortunately, Republicans yesterday voted to deny any of that relief. They continue to block action even on the commonsense plan of my colleague from Montana, Senator BAUCUS, to extend tax incentives for promising alternative energy.

The facts are clear. We cannot drill our way out of this energy crisis. Drilling is a part of the mix of solutions we need, but we must find innovative and creative solutions to the challenges of this 21st century. Investing in renewable energy at home is the only way we can get on a path toward energy independence.

In short, we must pass the tax bill by Senators BAUCUS and GRASSLEY to support energy innovations such as wind, solar, and biofuels. The bill extends the production tax credit for wind, geothermal, landfill gas, solar, and biomass.

The United States has led the world for 3 years in wind power capacity. Last month, the Department of Energy said the United States can get fully 20 percent of its power from wind. But all of this grinds to a halt if we don't extend the production tax credit that expires at the end of this year.

This bill also includes incentives for homeowners to take the initiative to put renewable energy systems in their homes. It advances carbon capture technology so that we can expand coal power into the future while fighting climate change, and it extends credits for cellulosic ethanol and biodiesel. We have heard a lot of talk about ethanol influencing food prices. If we want to develop biofuels that don't compete with food, we need to extend the tax credits that help get these fuels into the marketplace.

Perhaps most importantly, it continues our focus on conservation in homes and businesses. This is the low-hanging fruit of good energy policy.

If this package has any shortfalls at all, it is that the extensions are not long enough. I know a lot of my colleagues on the other side of the aisle also like the tax provisions. The difference is, they don't want to pay for it. It is not free. We can't just get out the credit card and forget about it. If we don't pay for it, our kids do.

This package by Senator BAUCUS takes a fiscally responsible approach to the tax incentives. That means closing the loophole in the Tax Code that allows wealthy hedge fund managers, many of whom engage in the very speculation that drives up the cost of oil, to defer paying taxes on the money they make outside the United States.

Why anyone would hold up $55 billion in tax cuts for small businesses, working families, and our Nation's renewable energy industry is beyond me. More importantly, families in Montana and rural America wouldn't tolerate it, and they should not.

Unfortunately, the other side of the aisle continues to block this bill. We need to pass this important Federal support and expand it so energy diversification efforts can count on a more steady and reliable backstop.

Montana is already leading the way toward a more sustainable energy future. We need to use the power of the Federal Government to reach the full potential of these homegrown renewable energy projects. Let me give a couple examples.

Across the Great Plains, wind is one of our most reliable and most plentiful natural resources. We are harnessing the power of wind to generate electricity and to power homes and businesses across my State. We need the support of the U.S. Tax Code to build on this progress. On the agricultural front, camelina is a crop that can be used in biofuels without competing with food crops. In fact, the byproduct of camelina fuel production can be fed to cattle as a nutritional feed. This is an example of the innovative approach this Nation needs to free ourselves from the grip of OPEC and corrupt oil regimes of the world.

There is no reason the Senators cannot work together to support innovative solutions to this challenging problem. Unfortunately, the Republicans seem only interested in covering for the President, who has been asleep at the switch. Their own solution is to drill for oil in our most environmentally fragile areas.

We need commonsense solutions to address the cost of energy. The energy provisions in the Baucus bill will take a giant step forward in developing the 21st-century solutions our people deserve. We must start today to put America back on a path toward energy independence.

I yield the floor 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. SCHUMER. I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. SCHUMER. Mr. President, I rise to talk about high gas prices and the fact that so many of my colleagues from across the aisle have no interest or seem to have no interest in addressing the problem. Republicans seem not to care about the pain at the pump, but they may well care about the pain at the polls that could come from ignoring this crisis and their constituents.

The bottom line is, we are asking to have a debate on the issue of how to reduce gas prices, and the other side just says no. They may have a different solution than we do. They think ANWR is the answer, the Alaska oilfields. We all know that would take 7 years before a drop of oil would come, and most estimates say it would not reduce the price by very much at all. But let's debate it. We are willing to debate ANWR, an issue they care about. Why are they not willing to debate the windfall profits tax or dealing with speculation or dealing with the cartel of OPEC? We are happy to debate it all.

Make no mistake, we are facing an energy crisis that has led to a painful and unprecedented spike in the price of oil—$140 a barrel, $4 a gallon—and the minority, the Republicans say this is a problem that is not worthy of our attention or action. It is hard to believe. When you go home, whether it is at a parade or a veterans hall, even at weddings and christenings, people are coming over to you and asking: What are you doing about gas prices? The other side says: Let's not debate it.

It is incredible.

Eighty-six percent of Americans are unhappy with the state of our economy. The most tangible symbol of this is $4 a gallon gasoline. I can't understand why my colleagues on the other side of the aisle refuse to address this issue and block us from helping American consumers as our economy continues to falter.

They can filibuster all they want. We are up to 75 filibusters. Seventy-five times, they said: We don't want to move forward. We don't want to debate. But they cannot play the American people for fools. Come November, they will reap what they sow. My colleagues on the other side of the aisle will filibuster themselves right out of their Senate seats. The American public will not take lightly the fact that Senate Republicans have prevented anyone from helping. They will see through the shams and the false ideas. The strategy of playing to a base that is becoming more and more narrow is going to cost them dearly because the American people know which party is blocking action on energy prices and on tax extenders.

For all the talk about how American families have benefited from the Bush tax cuts, for all the emphasis Senator MCCAIN is placing on making them permanent, the simple, undeniable, you-can-look-it-up, no-spin truth is that the average American family is paying far more in higher gas prices this year than they received from the Bush tax cuts. So set aside for a moment higher health care costs, higher tuition costs, higher food prices, and all the other ways American families are feeling the pinch. They are paying more this year in gas prices alone than they received in the Bush tax cuts. Let me repeat that. They are paying more this year in gas prices alone than they received in the Bush tax cuts. Our friends across the aisle have turned the economic stimulus plan into the big-oil stimulus plan. It is unconscionable that the American public is being forced to use their stimulus checks just to pay for gas.

I have asked myself, Why don't they even want to debate the issue? We are willing to debate ANWR. We are willing to debate some of their solutions. Why aren't they willing to debate ours? I will tell you why. There are too many people who don't want to vote yes or no. They are torn between their base, their oil company constituency, and the rest of America. So they want to duck. But that policy is not going to work—not this time, not this place, not this year.

So we are here today to ask that we be allowed to debate the two issues they blocked us on yesterday. This week in the Senate Republicans are blocking lower energy costs. Let me repeat that because clear as a bell, that is what is happening. This week in the Senate Republicans are blocking lower energy costs. We cannot even debate them. Yesterday, they blocked us twice from debating legislation to address rising gas prices.

The Senate majority leader put together a comprehensive energy package, the Consumer-First Energy Act. Senator BAUCUS put together the Renewable Energy and Job Creation Act that extended tax credits to promote renewable energy and break our dependence on foreign oil. What did they say to either of these in terms of not just a lack of support but debate? No, no, no.

So we are stuck with high oil prices, and instead of letting us debate these pieces of legislation, my colleagues on the other side and the Bush administration keep going back to the same old tired idea: Drilling in Alaska. And do not be fooled because presenting this idea is like a poorly performed magic trick. It does not work, and if you look closely enough, you can see through the smoke and mirrors.

Let me ask my colleagues, when would ANWR drilling have an impact on prices? When are we going to get the first bit of oil? In 2018. Do the American people want to wait until 2018, 10 years from now? We Democrats—I was one of the leaders here—agreed last year to drill in the east gulf. That would have increased domestic production over the next few years. So when the other side says: We don't want to drill—we believe we cannot drill our way out of the problem. We need a profound change in energy policy. But to alleviate the short-term pain—not 10 years from now but more immediately—we have said drill in the east gulf. I helped round up Democratic votes to pass that bill.

So we are not saying do not drill, but we are saying we need a profound change in energy policy. ANWR is too far away. We should be changing the policy long before 2018 when the first drop of ANWR oil would come.

Perhaps the only thing we have done that will help reduce the price of oil and gas in the last while is something that had to wait for a Democratic Congress and Senate: Higher mileage standards in the cars. That will be something. But we need to do a lot more. We need to go after the oil companies. We need to go after OPEC. We need to stop rampant speculation.

The Consumer-First Energy Act does those things. We need to change our tax policy so instead of giving breaks and subsidies to the oil companies, we start encouraging alternative energy: Solar, wind, biomass—you name it.

In conclusion, yesterday we heard simply: No, we will not debate oil prices. They are blocking lower energy costs. We hope over the next day or two our Republican colleagues will rethink that position and join us in a fulsome debate because otherwise we will not get gas prices to go down.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, could you let me know when 5 minutes have expired, please.

The PRESIDING OFFICER. Yes.

Mr. ALEXANDER. Mr. President, I will give the Senator from New York an A+ for creative imagination. Here we are wanting to debate the climate change bill—which is a 53-cent-per-gallon gas tax increase proposed primarily by Members of the other side, and which includes a $6.7 trillion slush fund that Members of Congress could spend as they see fit—and members of the majority party were so embarrassed by it they tried to bring it down and pull it from the floor. This is a bill we should be spending all month talking about. If it is really important to deal with gas prices and electricity prices and climate change and clean air and our overdependence on foreign oil, where are the debaters on climate change? That is the bill we are on today. We—the Republicans—said let's continue to discuss this important issue. They said: No, let's bring it down. And for what purpose? To bring up their no-energy bill. Their solution to gas prices—very cleverly disguised by the Senator from New York—is more lawsuits, more taxes, and no exploration. Our solution is more American energy now.

The Senator from New York said: Well, why should we drill in the 2000 acres of Alaska that would produce a million barrels of oil a day? It would be 10 years before we would see that oil. The answer is that it would be 1 million barrels of oil a day, which would add 1 million to the 6 million we produce. Ten years ago, President Clinton vetoed legislation passed by a Republican Congress to permit more oil exploration in Alaska. If he had not, we would have 1 million more barrels of oil a day of American energy.

So that is the reason we should go ahead. We need more American energy now. We are for it; they are not. We are for it; they are not. More American energy now.

We know the future is a different kind of future for energy. I have suggested—with support from many of my colleagues—that we have a new Manhattan Project, in effect, to focus on things we do not know how to do. How do we get solar power down to the cost of fossil fuel? How do we make plug-in electric cars commonplace? How do we safely dispose of nuclear waste by reprocessing it? How do we have more research for advanced biofuels, made from crops we do not eat? We want that kind of future, where America has achieved clean energy independence. We want to start today to move toward it with the same intellectual horsepower and speed and dollars that we moved toward splitting the atom and building a bomb in World War II.

But that is the future. The bridge to the future is to use more American energy now. Gasoline is made from oil. We use 25 percent of the world's oil. Until we get to this future, we are going to need more of it. We can either buy it from the Middle East and from Venezuela, or we can make more of it here. It is that simple.

Today, and in days to follow, I will be reading letters from Tennesseans who have written to me about the effect of gas prices on their families. I received 400 such e-mails in the last few days. Let me read one from Lounita Howard from Lascassas, TN, which is in Rutherford County:

The high gas prices have hit my husband and myself especially hard. We are both self-employed. Bobby is a full-time farmer (one of few remaining in Wilson County, Tennessee), and I own a small community newspaper, The Watertown Gazette.

I live nearly 20 miles from my office, but working from home is not an option. I'm spending close to $70 a week on gas just commuting to Watertown from our farm in Lascassas. (We live just in Wilson County.) Two years ago, it cost me $30 to $35 a week.

Diesel fuel is another story. Road fuel is running around $4.70 a gallon. Off-road fuel for tractors is around $4.30 or $4.40.

She goes on to tell about her husband Bobby, who is a seventh generation farmer.

I have a letter, also, from Jonathan Henry, a marine for 18 years, who is a Tennessee native who returned from 12 months in Iraq. His family was given a flat rate for moving costs. Gas is so high, they have had to make cuts in about everything else, he says. He had to forego his family vacation. It is too expensive to go on now.

The PRESIDING OFFICER. The Senator will be advised 5 minutes have expired.

Mr. ALEXANDER. Thank you, Mr. President. I will continue for about another 60 seconds, and then I will conclude my remarks.

I have letters from Kathy Crowe from Hendersonville, TN; Joseph Rizzo from Townsend, TN, where I live; and Marti Lewis from Pleasantville, TN.

Mr. President, I ask unanimous consent that the letters be printed in the RECORD.

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

From: 1st Sgt Jonathan Henry.
To: Senator Alexander.
Subject: A Marine's opinion.

DEAR SENATOR ALEXANDER: I am writing as a Marine who returned from Iraq in February from a twelve month tour, my second in three years. I appreciate your concern to hear from Tennesseans including active duty service members from Tennessee like myself who represent our great state. Shortly after I returned to my home base in North Carolina and executed orders to Camp Pendleton, CA where gas is now in excess of four dollars and thirty-one cents as of 1 June 2008. My family felt the expense of gas prices as we are paid a flat rate for moving that includes fuel cost. The high prices for gas reduced the flexibility we had for use on other moving expenses.

The high prices of gas are having a serious affect on Tennesseans like myself who are assigned outside Tennessee and pay the highest prices in the nation. I have proudly served in the Marine Corps for over eighteen years and will gladly go anywhere assigned but it strains my family during times like this when we travel. This summer we had planned vacation time together we missed during my deployment in 2007. We have had to change our plans considerably because there is no way an enlisted member like myself can afford to travel distances outside the immediate area and have expenditures beyond what we would pay for fuel. My wife is thrifty and she made our home run smoothly while I served in Iraq and assures me that we can still make the most of what we have here at our new duty station.

I appreciate your concern and hope that Congress will see how Americans are sacrificing because of soaring gas prices.

Thank You Sir,

JONATHAN S. HENRY,
1st Sgt USMC.

From: Lounita Howard.
To: Senator Alexander.
Subject: High Gas Price Stories.

DEAR SENATOR ALEXANDER: The high gas prices have hit my husband and myself especially hard. We are both self employed. Bobby is a full-time farmer (one of few renaming in Wilson County, Tennessee), and I own a small community newspaper, The Watertown Gazette.

I live nearly 20 miles from my office, but working from home is not an option. I'm spending close to $70 a week on gas just commuting to Watertown from our farm in Lascassas (We live just in Wilson County). Two years ago, it cost me $30 to $35 a week.

Diesel fuel is another story. Road fuel is running around $4.70 a gallon. Off-road fuel for tractors is around $4.30 or $4.40. It just keeps going up—almost daily. There's no way to budget for this. We row-crop, growing corn and large amounts of hay, and raise cattle. Obviously, Bobby uses thousands of gallons of diesel in his business just to keep the tractors going. He uses a substantial amount of road-fuel as well, as he must have heavy-duty dually diesel trucks to pull trailers loaded with equipment or hay. Diesel fuel used to cost less than gasoline. Now it costs far more. It costs hundreds of dollars just to fill the tanks on one truck.

We're really wondering how we can survive. Bobby is a seventh generation farmer on the same land in Wilson County settled by his ancestors when they came to Tennessee in the early 1800s. My dream was to own my own business—I saw that dream come true five years ago, but with the cost of fuel coupled with the high cost of health insurance as a self-employed couple, I beginning to question the wisdom of continuing to pursue that dream.

Before the gas prices started skyrocketing, we were holding our own—not getting rich, mind you, but we were ok. Now, it's hand-to-mouth. Gas prices are impacting the cost of everything else—groceries, household supplies, you name it I heard today that sales at Goodwill Stores in Tennessee have gone up 12 percent—not surprising. Who can afford to buy ''new'' when they've got to fill up their fuel tanks to do their job, or get to the office?

Thank you for your time and efforts to address the problem of high fuel prices.

Sincerely,

LOUNITA HOWARD,
Lascassas, TN

From: essencelighting@netscape.net.
To: Senator Alexander.
Subject: Impact on Small Business.

We supply lighting to the residential building community in Sumner and Wilson county. Many of these builders have gone from building 30 homes a year in 2007 to this year just one. Some have even gone out of business completely.

I took a second mortgage out on our home and used retirement funds to purchase this business several years ago. We built a thriving business with a bright future until this year. Today, I can barely make payroll. Our key was always customer service. Part of that service included going to a client or builder's home and personally consulting on the project site. This consultation is at no charge. We have free delivery. We can no longer afford to drive to Wilson County or the far roaches of Davidson County without charging a fee just to pay for Gas! It pains me to charge for what my heart says should be at not charge. It cost $110 to fill my tank 2x per week.

Our sales to the building community are down 47% over previous year(s).

My supplies are charging 25% of the cost of goods as fuel charges.

UPS is charging 25%—55% cost of goods as delivery charges.

Product made in China (90% of inventory) is rising monthly,

Two of my employees are considering leaving us due entirely to fuel costs from Gallatin to Hendersonville everyday.

If this continues, we will close. Several new people will be on the state's unemployment, the $50,000+ local sales tax we contribute to will be eliminated and we will foreclose on our personal home and property.

Please help.

KATHY CROWE,
Hendersonville, TN.

From: Joseph Rizzo.
To: Senator Alexander.
Subject: Gas Prices.

I am a student at UT and live in Townsend. It cost me $100 per week just to travel back and forth to school. I was faced with dropping out of school, because I could not afford the fuel, or dip into my savings and purchase a scooter that will give me the economy of $20 per week in fuel cost. If the cost of the scooter offsets the cost of the fuel, then I made the right choice in the long run. My biggest concern now is the safety of traveling back and forth on a scooter. Had no choice. Education or no education.

JOSEPH RIZZO,
Townsend, TN.

From: breethnheethn@aol.com.
To: Senator Alexander.
Subject: Gas Prices.

I am a disabled veteran who requires a lot of medical treatment and doctor visits. And because I live in a small town I have to drive up to 100 miles for treatment. I have been forced to try and schedule appointments to coincide with my family's appointments so we can share the ride. As a result, I am not getting the treatment I require as often as is needed and am left suffering with symptoms that have caused me to be disabled. I should go to the doctor for treatment every two weeks but have to now wait up to a month because the gas prices are so high. In the meantime I suffer with terrible pain. But, I have little choice since I can't afford the gas it would take to drive such distances. I pray that the prices will go down so that I can seek the treatment I need for a condition that arose while serving my country. I appreciate all that you do to ensure we can have reasonable and affordable gas.

MARTI LEWIS,
Pleasantville, TN.

Mr. ALEXANDER. As we debate high gas prices, and as we hear these stories from Tennesseans and other Americans, let's be clear what we need to do. We all want an energy future where America has achieved clean energy independence, but that is very different than what we have today. But the bridge to that future in a country that uses 25 percent of all the energy in the world is more American energy now.

We Republicans support that, and most of the Democrats do not—which is why they propose more lawsuits and taxes, but no exploration.

Just as one example, to conclude: Why not let Virginia do what four other States do and put oil and natural gas rigs 50 miles out where you cannot see them, and take 37.5 percent of the revenues and put it in a trust fund for schools or beach nourishment, give 12.5 percent of the revenues to the Land and Water Conservation Fund, and put some more American oil now into the world marketplace so prices would stabilize and begin to go down? I offered that amendment to the Budget Resolution earlier this year. It was defeated 52 to 47. Most Republicans voted for it. Most Democrats voted no.

We are for more American energy now, and they say no.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CORNYN. Mr. President, I ask unanimous consent to be allowed to speak for up to 10 minutes and the remaining block of our time be reserved for the Senator from New Hampshire.

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

Mr. CORNYN. Mr. President, I want to also read a letter from one of my constituents, Jerry from Denton, TX. That is just around Dallas. He wrote to me:

> I work full time, have two part time jobs, and go to school full time and with living expenses I am having trouble keeping my head above water. My parents are both retired and drawing social security, my dad is also working as much as he can, but still they are just barely able to get by. My health insurance expires next month and I cannot afford it because of what I'm spending on gas right now.

Jerry adds:

> We need a long term plan that allows for new sources of energy, but that does not involve the complete doing away with gas or making gas prices go so high. Something needed to be done months ago.

Well, I think Jerry is being overly generous. Something needed to be done far earlier than just a few months ago. We needed to do something about this 10 years ago. But, unfortunately, the birds have come home to roost, and now the American people are suffering high gas prices which affect every aspect of their lives.

Two days ago, I was in Houston, TX, at the Houston Food Bank. I heard from a senior citizen—a woman—who is disabled and whose food costs have gone up by 50 percent. Now, you may wonder, what is the connection between food costs and gasoline? Well, the fact is, the diesel or the gasoline the farmers need in order to produce the crop—to bring it in so it can be made available for us to buy and prepare for our tables—has driven food prices even higher.

As to some of the choices we have made in Congress—for example, to use food for fuel, things such as corn for ethanol—about 25 percent of our domestic corn crop now is used for biofuels, and we need to revisit that. But in the short term what we need to do is to bring down the price of gasoline at the pump. There are basically three ways we can do that: One is we can increase supply which, to me, is the most obvious answer.

I heard one of my colleagues this morning cite a new Gallup survey which points to the fact that American attitudes have changed dramatically with the facts; that is, as gas prices have gone higher—from January 4, 2007, when they were $2.33 a gallon to today where they are $4.05 a gallon—attitudes have changed about producing oil from domestic sources. We are talking about in Alaska. We are talking about the Outer Continental Shelf where now China, off of our southern coastline is producing oil in basically an area where we could be producing it, but China is producing it for themselves while we have put a moratorium on producing that for ourselves.

Then there is a vast oil shale out in the Western States. It is estimated that in the Green River formation in Colorado, Utah, and Wyoming, there are as many as 2 trillion barrels of oil potentially available from that one location but approximately 6 trillion barrels of oil from producing oil shale using new technology that has not always been available. So we could bring down the price of gasoline, 70 percent of which is composed of the price of oil, by increasing American supply which will, in turn, reduce our dependency on imported oil from the Middle East.

Our colleague and friend, Senator SCHUMER of New York, acknowledged this recently—that supply can affect price—but he was talking about Saudi Arabia increasing their supply. I am not for increasing our dependence on Saudi Arabia or any other country; I am for greater independence by depending on our own domestic resources. But he said on this argument—on the supply-and-demand issue—on April 30: If they produced a half a million more barrels a day, the price would come down a very significant amount. At the same time, it would stop the speculation that keeps driving the price of oil up.

Well, I say he is half right. More supply—more American supply—would help dampen the speculation and help bring down the price which would help make more oil available to make into gasoline which would help all of our consumers and constituents at the pump. It would help people such as Jerry, who is trying to get by while going to school and trying to hold down two jobs in Denton, TX.

Fifty-seven percent, at last count, of the American people in a Gallup survey said they believe we ought to take advantage of the natural resources that God has given this country. I remember when I was in school; we would look at different countries and try to figure out why one was more successful, more prosperous, than another. Invariably, the teacher would say because the natural resources this country has are so vast, that is one of the reasons for the tremendous prosperity. America is the only country I know of that has this bounteous natural resource known as oil and gas and we have consciously decided—Congress has consciously decided—to put it out of bounds through various appropriations acts dating back to about 1982.

We need to reconsider this. I believe we need to change our ways and help relieve some of this pressure consumers are feeling at the pump, and the woman I was referring to at the Houston Food Bank who sees her food prices driven up, requiring her to be more in need of the good works and the charity of others, to help her with her food costs. This is something that I, frankly, do not understand—why Congress continues to be the impediment and not part of the solution.

Our friend from New York and others say: Well, we have a solution. There was a bill that was introduced and voted on yesterday, and frankly I agree with the Senator from Tennessee that it was not an energy bill because it didn't contain one additional drop of new energy. What it said was: Well, we are going to sue OPEC—the Organization of Petroleum Exporting Countries—including Venezuela and Iran, Saudi Arabia, and others, presumably to get them to open the spigot even wider so we can be more dependent on imported oil while continuing to put America's natural resources out of bounds. That is not a solution. Then they said: OK, we have an even better idea. People are mad at oil companies, so let's raise taxes on oil companies. That would be great, wouldn't it? It would make everybody feel good.

Well, the problem is that happened back in the 1980s, the so-called windfall profits tax, and do you know what happened? The Congressional Research Service has documented the fact that domestic oil production went down by 6 percent. In other words, it made us even more dependent on imported oil from the Middle East and elsewhere, not less dependent. So we want to repeat our mistakes. It is true that those who forget history are condemned to relive it, and I guess our friends on the other side of the aisle want us to relive that bad part of our history as far as our energy independence is concerned.

So as good as it may feel to some people to raise taxes to stick it to the oil companies, it is sticking it to yourself. In the end, everybody understands that when you raise taxes, eventually those taxes—those costs—are going to be passed down to—guess who. You got it: to the consumer. Rather than bringing down the price of gasoline, it is going to continue to drive up the price.

Last week we saw what I think is fair to say a very poorly timed presentation of the Boxer climate tax bill which, rather than bringing down the price of oil and gasoline, would have driven the price up. The National Association of Manufacturers estimated if

we had passed that bill, it would have driven up electricity costs and gasoline costs by more than 145 percent.

So there is a better way for us to do this, but it is not by trying to force bad solutions, big Government solutions with $6.7 trillion in costs associated with it—ones which will backfire on us and increase the costs of gasoline and electricity. That is not a good solution. I think most people of good will and common sense would agree. We need to find a solution that will bring down those costs as we work toward that clean energy future that Senator ALEXANDER and others have talked about; as we use more of our own natural resources, as we develop nuclear power to make electricity in a larger percentage as countries such as France do where 80 percent of their electricity is made from nuclear power; so we have electricity to recharge the battery on that hybrid plug-in vehicle that is going to be produced by General Motors and others in 2010 and beyond.

We are going to have to change some of the way we operate such as by conservation, by paying more attention to the environment, but also from a national security and economic perspective by trying to make sure we develop clean sources of energy. But as we are on that bridge to the future to clean energy independence, we are going to have to continue to depend on oil and gas. Doesn't it make sense that we would rely more on ourselves and less on others to help us with this important element of a prosperous economy, not to mention the thousands of additional jobs that would be created right here in the United States, if we would develop more of our own resources rather than depend on our adversaries to sell it to us so they can use the money to buy weapons to perhaps use those weapons against us?

Mr. President, I yield the floor.

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

Mr. GREGG. Mr. President, I rise to discuss further this issue of energy which is, of course, a massive and important priority for us as a nation and for people simply trying to get through the day—driving to work or whatever they have to do that uses energy—with the price of gasoline at over $4 a gallon and, at least in my part of the country, the fear of oil prices next winter—which is the primary source of heating fuel for us in New England—being well into the middle $4 price range and potentially higher. That is something most people find almost inconceivable but, more importantly, it is extremely hard to afford and it puts a tremendous amount of pressure on the family budget.

The question becomes: How do we address this as a culture and how do we address it as a Congress? We have had a proposal brought forward by the other side of the aisle which seems to ignore the concept of supply and demand and turns basically to trial lawyers and to taxes to try to address how you produce more energy. That is unlikely to encourage or to address this issue in a positive way. The simple fact is to set up an American procedure where you are now allowed to sue Saudi Arabia or the Gulf Emirates or Iran over their production of oil is cutting off your nose to spite your face. These are independent nations. The idea that you are going to resolve the issue of production and availability and price by suing these nations, some of which—for example, Venezuela—have great antipathy for us to begin with; at least their leadership does—is absurd on its face. It is plain absurd. It may make a good press release, it might make a good hyperbolic statement, but it certainly does not do anything to produce more energy for us as a nation at a more affordable price. It may make a few trial lawyers happy, but that is about all it is going to do.

In fact, it will have the opposite reaction. If I led a country and the U.S. Congress passed a law that said they could sue my country, I would simply say to the United States: You can go pound sand. We don't have to ship you any oil at all. We certainly don't have to take the revenues that we generate from those oil shipments and reinvest them in the United States, which is critical to us as a society for our own capital formation. So this policy is counterproductive and, as I say, is cutting off your nose to spite your face.

It is followed closely by an equally incoherent policy from a standpoint of substance—maybe not from a standpoint of politics—which is the idea that you are going to tax American corporations at excessive rates over which you tax other corporations because they make profits that are deemed by Members of the other side of the aisle to be excessive. Basically the philosophy of this position is: Well, we in Congress know how to spend your profits better than you, the company that produces those profits knows how to spend them, and that somehow we in Congress are going to produce more oil and, as a result, reduce the price of oil if we simply take control over your profits so you can no longer invest those profits in the exploration for new oil or for new energy sources or for alternative energy sources. The idea that Congress could in any way efficiently handle these dollars has been proven to be a fallacy, of course. Congress would simply take those dollars and spend them on whatever political issue we happen to feel the most appropriate and whatever constituency we want to benefit the most—dollars which could be much more efficiently used. Remember, most of these dollars, these profits, don't end up going to some pie-in-the-sky exercise; they either go back to the exploration to produce more energy or they go to stockholders through dividends. Most Americans are stockholders. Working Americans are invested in pension funds through their place of employment and they are stockholders. In fact, well over 65 percent of senior citizens receive dividend income. Of course, those dividends are a function of profit for the companies that pay the dividends. The money flows back to the employees of those companies and to the people who own pension funds which have invested in those companies, whether it is an auto worker or somebody working in a factory in New Hampshire or a high-tech individual who has a 401(k). So those profits usually get reenergized into the economy to produce more economic activity. They certainly are more efficiently used in that manner and through exploration than they would be for us to basically confiscate those profits through an excessive tax because some Members of the other side think it is good politics and as a result wish to target these companies which they see as good political fodder.

A much more logical approach to production and reducing the cost of energy in this country would be to actually do something about producing more available energy for the American people. Unfortunately, on every attempt to do that, we have been stonewalled by the majority party—stonewalled on the issue, for example, of producing more nuclear power. We have a unique experience of this in New Hampshire. New Hampshire was the last State to bring online a nuclear powerplant. It came online years after it should have come online at a cost which was dramatically more than it should have cost because of the opposition of the left—aggressive and very effective opposition in stalling—in bringing that nuclear powerplant online, Seabrook.

What has happened since it has been brought online? It has produced a lot of good, clean energy, not only for the people of New Hampshire but for the people of New England who have benefited from that nuclear powerplant. Unfortunately, the people of New Hampshire have been stuck with a bill of almost $100 million which is the result of cost overruns driven almost entirely by the left by delaying tactics which were put upon the plant and the production of this energy. That attitude hasn't changed much on the other side of the aisle. There is still genuine opposition to nuclear power. Nuclear power is a clean form of energy and it is something we should be turning to.

France—a country which is not often held up as an example around here for policy, but it should be on this issue—has 80 percent of its energy coming from nuclear power. We as a country should be equally aggressive in that area.

Another area we need to be aggressive in, for those States that feel it is appropriate, they should be allowed to do over-the-horizon exploration for oil and for gas off their shores. It works in Louisiana. Ironically, one of the few things that results from Katrina that you could look at as positive—and Katrina was a horrific disaster—was

the fact that there wasn't one barrel of oil spilled as a result of that hurricane—a level 5 hurricane—coming up the gulf and going through New Orleans. It wiped out the city of New Orleans, but all the oil rigs that were functioning—and there were a lot of them in the Gulf of Mexico—survived without a leak, without a spillage of any kind. That shows that drilling in deep water can be done in an environmentally safe way.

Yet the other side of the aisle resists and stops any attempts to allow other States that might wish to pursue this course of over-the-horizon exploration for oil and gas from pursuing that course. Virginia has expressed interest in doing it, and Virginia may have a very large potential energy source right off its coast. It may be fairly far out, and it will be deep water, but it may well be there. There is no reason we should not look at that type of approach and produce energy there.

We need to produce more American energy because we cannot rely—and this is fairly obvious—on energy from nations in the Middle East especially.

Another example is oil shale. The technology for the recovery of oil shale has gotten to the point where it is extremely sophisticated and, again, environmentally safe. All the activity occurs below ground. There is virtually nothing occurring above the ground, other than the actual pumping out of the final product, which is a kerosene-type product that can be used for jet fuel. We have a reserve of oil from oil shale that exceeds the reserve of Saudi Arabia. Think about that. We have, in our Western States, enough oil from shale, which can be recovered by underground methods and have no insignificant environmental impact, to actually produce more oil than Saudi Arabia. Are we able to pursue that? No. Why? Because the other side refuses to allow exploration for participation in oil shale in the West.

Those are a few examples of the type of expansion and approach we should take toward producing more American energy, which is totally resisted, regrettably, by Members of the other side of the aisle who are speaking for aggressive groups on the left.

We are not going to produce more energy or reduce energy costs by setting up a regime to sue Saudi Arabia or Venezuela. We will probably have the exact opposite effect. Certainly, it will affect the willingness of those countries to invest in the United States. We are not going to produce more energy or reduce energy costs by putting a confiscatory tax on companies that produce energy and taking money that can go to individuals through dividends, working Americans, or can go to greater exploration out of the pipeline and giving it to people in Congress to spend on special interest groups.

The only way we are going to get more energy and reduce our reliance on foreign energy is if we produce more in the United States, which we can do; we have the reserves. We are not allowed to use them. We can pursue nuclear, for example, and we can pursue renewables. They can have a positive effect, but they cannot obviously overwhelm the entire need, or carry the entire need. We also, of course, should look at other areas, such as conservation and using a different type of vehicle or engine—something that is either a hybrid or an all-electric engine. But to drive an all-electric car, you have to have electricity produced, which means you have to have more electrical plants, and you have to make sure they are clean and not putting carbon, nitrogen, and sulfates into the air.

We should be using nuclear power and promoting clean coal technology. So you need specific initiatives that will actually produce something in the way of energy, not political statements that produce something in the way of hyperbole. Senator DOMENICI has proposed a bill that would carry a number of those issues—expansion in the effort of nuclear, the opportunity to pursue over-the-horizon exploration, and using shale oil through underground recovery. Yet that bill has been held up and stopped by the other side of the aisle. So the question today becomes, how do we better improve our position and make sure we have less dependence upon foreign oil and begin to bring down these prices of gasoline and home heating oil? The answer is simple: Beyond conservation and the renewable issue, which there is agreement on, the answer is to produce more American energy and make it clean energy, such as nuclear.

I believe if we want to progress in this area, we need to take a hard look at over-the-horizon drilling for offshore oil and gas off the States that are willing to pursue that. Maine, which has the Gulf of Maine, is not going to be willing to do it because of the fisheries and neither will New Hampshire. If Virginia wants to do it, they ought to be able to do it. It can be done safely.

Second, oil shale is a reserve that can be produced, again, underground and without environmental harm. These are substantive, specific approaches, which we need at this time.

I yield the floor, reserve the remainder of our time, and I suggest the absence much a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. NELSON of Florida. Mr. President, our people are hurting. There is something wrong with the price of oil and gas. It is not a normal function of the marketplace of supply and demand that the price of oil hit, last Friday, $139 a barrel.

A few months ago, we had an ExxonMobil executive testify before Congress that the normal supply and demand of the marketplace for oil, even in a tight world market, the normal price would be about $55 a barrel. Yet, last Friday, oil sold for $139 a barrel. So what is the problem? Well, it is obviously not a supply-and-demand issue. A normal marketplace sets its price according to the supply, and when the supply is higher, the price is less; if the demand is higher than the supply, then the price is more. As you would expect, in a world where there is an increasing consumption of oil, you would think, even with the emergence of new countries that are demanding oil, the supply would keep going up and up and, in fact, it has. But if the ExxonMobil executive is accurate, and the price ought to be around $55 a barrel, what is the difference that has run the price all the way up to $139? We have to look closer to see. I think the American people are now at the point of hurting so badly we better shake ourselves out of our lethargy and do the congressional investigations that are necessary to pry open this secret box to determine what is causing oil to keep going up and up, so we can give our people some relief.

Now, it is true it is a multifaceted problem, and it is true that in a world in which any kind of news would suggest that there is going to be a part of the world that is disturbed, that it sends jitters throughout the marketplace, particularly on oil—since oil is so much valued as a commodity. That would certainly be one reason that would increase the price. So bad news having to do with this or that—bad news with regard to the war, or Iran suddenly having small boats that would swarm the U.S. Navy fleet in the Persian Gulf at the Strait of Hormuz, that would certainly send jitters. Whatever the world event is, it is going to send jitters, and that will cause people to worry whether they are going to have the oil contracts and supply for the future.

But that still doesn't explain the gap between $55 a barrel and $139 a barrel. So what we have discovered is, lo and behold, back in December of 2000, on an unrelated bill, there was an insertion made in that bill, without any fanfare, that took away energy and metals from being a regulated commodities on the Commodity Futures Trading Commission. Whereas, in the past, that Commission would have had a regulation that says, if you are going to buy futures contracts of oil, you have to be a buyer who is planning to use that oil. You take away that regulatory effort that, if you want to buy it, you have to buy it for the purpose of using it, you take away that regulatory requirement, and then what happens? In an unregulated market, these contracts for future oil start to get bid up and speculators want to speculate and more and more they think it is a valuable commodity and the price keeps going up and up in pure speculation.

It is similar to a potential owner of a house who wants to buy a house because they want to live there, but another potential buyer of a house who doesn't want to live there but merely wants to speculate on the house puts in a contract on the house, knowing the value is going to go up and would not even wait to close to own the house but will take the contract for this price and flip it to a new buyer who will buy it for a higher price. Thus, the speculative fever drives up the price. That is what has happened, in part, with regard to these oil contracts.

There is another reason the price is going up too; that is, so much of the available money in the world to be invested—we call that capital—used to go into real estate, but we know what has happened to the housing market. We know what has happened to the value of real estate. Instead of, as it has over the past decade or so, continuing to go up, it is going down. So a lot of that money that was available for real estate investments is out there to be used and invested someplace else.

Naturally, what looks like a good market is the one that keeps bidding up the price of oil. Now we have more money flowing into the bidding up of the oil contracts, which causes them to be bid up to a higher and higher price. And guess who pays at the end of the day. It is all of us. It is our people who are now paying in excess of $4 per gallon with the enormous consequences they are suffering, in many cases—I have just come back from almost two dozen townhall meetings in which I can tell you that our people are hurting. They are crying. Literally, people are standing up in townhall meetings weeping. Families cannot make financial ends meet; families cannot, with the cost of everything else going up, afford to drive their car; families who happen not to live close to their place of work, who have to depend on their own car for transportation, are getting into a terrible fix.

So what are we going to do about it? Last week, our Commerce Committee heard testimony from a professor, Michael Greenberger. He suggested we close off the loophole by taking energy commodities, such as oil and natural gas, off the list of exempt commodities, making it clear that energy commodities must be traded on regulated markets. We thought we did this on the farm bill which we passed a couple of weeks ago by closing that loophole that was allowed in the law in December of 2000. That loophole, by the way, is called the Enron loophole. It was done at the behest of the Enron company. And then the Enron company, once their commodity—energy—was not regulated, they utilized that—remember, in the early part of this decade?—they utilized that to run up the price of electricity contracts in the State of California. It was this same phenomenon: speculators speculating, bidding higher and higher on contracts for future electricity.

Mr. President, am I under a time limit?

The PRESIDING OFFICER. There is a 10-minute time limit.

Mr. NELSON of Florida. Mr. President, is there another Senator waiting? There is. I ask unanimous consent for 4 more minutes.

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

Mr. NELSON of Florida. Mr. President, I am just getting cranked up, but I will see if I can crank it up and conclude within 4 minutes.

We saw the devastation of the electricity contracts being bid up by speculators as a result of the Enron loophole in the law. We thought we closed that Enron loophole a few weeks ago on the farm bill so that there will be new regulation, but there is disagreement on this floor among Senators as to whether we have closed it. This Professor Greenberger has opined to us in the Commerce Committee that we did not sufficiently close it off. I think we ought to examine how ironclad our closing of that loophole is and ask ourselves some important questions.

Question No. 1: Should we consider the outright barring of trading energy except for a legitimate business purpose? In other words, if you want to buy a future oil contract, you have to plan to be able to use it.

No. 2: Should we stop large investors and hedge funds from gambling in energy contracts? If it is for the purpose of just running up the investment cost, I think we should.

No. 3: Should we regulate or shut down international exchanges that do business in the United States and whose trades and actions impact the lives of our people in this country? In other words, if they are not trading just on that commodities futures trading exchange but are trading on another exchange that they say is overseas, such as London or Dubai, but, in fact, are trading on electronic machines in this country, should we regulate that or shut it down?

No. 4: Should we close the over-the-counter markets until the Commodity Futures Trading Commission can get its act together with this new law that says they should regulate these energy contracts?

Energy is too precious and it impacts the economy too greatly. This endless game of speculation must stop. While the traders are making billions of dollars, our people are having difficulty in being able to afford to drive to work.

There are a bunch of Senators who have been involved in this issue—Senator LEVIN, Senator FEINSTEIN, Senator CANTWELL, Senator DORGAN, and a host of others I am joining. I support these efforts to find some answers quickly to help our people. At an appropriate time, it is this Senator's intention, if we have not gotten our act together and offered amendments, to do exactly what I have been talking about. This Senator intends to do it. I look forward to the debate on this issue.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. CARPER. Mr. President, I spent close to half an hour around lunchtime today with a number of governors. There were some 30, 40 governors gathered in one of the Senate office buildings not far from where we are standing today. They were not governors in their thirties, forties, fifties, or sixties; they were, for the most part, teenagers, and these governors are about to become seniors in high school. They are part of the YMCA Youth in Government. They are here from all over the country. It was great to be with them and see young leaders coming up through the ranks and hoping to push old guys like us out of the way and take our places, whether it is New Jersey, Florida, Georgia, or Delaware.

One of the issues we talked about was how difficult it is to get things done around here anymore. If you read the Constitution and you read the rules of the Senate, there is the opportunity for one person in the Senate to slow things down quite a bit, for a handful of people to really bollix things up and bring business to a halt.

I have never seen a time when we have had so many filibusters in the Senate. This is my eighth year, about as long as the Presiding Officer. So far in this Congress, we are up to 75 filibusters.

The issue we were dealing with yesterday was whether we were going to bring up a bill to fund the development of renewable fuels, such as solar, wind, and geothermal, and pay for that by rescinding some of the tax cuts oil and gas companies enjoy. The legislation would also crackdown on speculators and price gouging. Unfortunately, we were not able to get the votes we needed—60 votes, if you will, not 51 but 60 votes—to be able to move to debate the bill.

For everybody keeping score, this chart is not showing anybody's age, but that is how many filibusters we have had to go through during the course of the year.

I believe sometimes a picture can be worth a thousand words. Let's look at a couple pictures on these charts and see what we have.

This is a picture of what has gone on with oil prices over the last 7½ years, starting in 2001 when the price of oil was little more than $20 a barrel, and by 2004, it was up to close to $40 a barrel. In 2007, we were up to close to $70 a barrel. Today, gosh, it is approaching $140 per barrel.

How does that translate, given that kind of history, into prices at the pump? I just filled up my old Town and Country Chrysler minivan the other day, which I am proud to say has 175,000 miles on it. It is a 2001 model. Delaware is not a big State, but we have gone up and down that State many times in that vehicle, and it is still running. We changed the oil a couple times, but other than that it is doing just fine.

It is getting expensive to fill up the tank. It is a 20-gallon tank. When I filled up my first tank in my Town and Country minivan, it cost me about a buck 30, a buck 40 to fill up. I filled it up this last weekend, and it was $75—a lot of money. It is the most we have ever paid. It was painful.

This is what the runup in prices looks like. There is not too much difference from 2001 to 2003, and then they steadily climb. Recently, we have seen it take off.

That chart was looking at 8 years. Let's look at 1 year. This is another way of—I don't think we will look at this chart. We just looked at something similar to this.

This is 2008. This is just 1 year of gas prices. We saw at the start of the year about $3.11 per gallon; by May 26, $3.93; and in most cases, around the country it is up over $4 a gallon.

To follow up on what Senator NELSON was talking about, why the runup? We had some really smart people come by and testify before the Commerce Committee last week. One was a guy named George Soros, a gentleman, a very wealthy man. The Presiding Officer probably knows him or certainly knows of him, as do many of us. One of the issues he talked about that was very insightful was the value of the asset that the oil-producing nations have, the oil under the ground, how that is an appreciating value, a rising value over time. We just saw the increase from 20 bucks a barrel up to 140 bucks a barrel, an appreciating asset underground. Our asset is a currency, a depreciating asset over the last number of years. We have seen the value of the dollar against most other currencies go down.

If you are an oil-producing nation, why would you surrender an asset appreciating in value to take on an asset—our currency—which is depreciating in value? Why would you be anxious to pump more oil, which is appreciating in value, to take on the dollar, which is depreciating in value? I think it is one of the reasons the oil-producing nations are reluctant to produce more oil. It is a problem we face and other oil-consuming nations around the world face.

It is not just supply and demand causing the runup in prices. That is part of it. It is not just the drop in the value of the dollar causing the runup in prices. As Senator NELSON and others suggest, there is something going on with speculation.

Not everybody who buys a contract on oil to deliver to this country has the intention of taking possession of that oil; rather, they are speculating that the price is going to go up, not unlike the way people would buy houses or condos—as in recent years we appreciated the housing bubble—expecting housing prices would continue to rise, and they did up until now. Speculators are trading on the idea that the value of oil is going to continue to go up. Maybe it will, but my guess is it will not be forever. Part of our challenge in this country is figure how it won't go up forever and provide some relief at the pump.

This chart shows the percentage of oil owned by speculators from January 1996 to April of this year. In 1996 or so, less than 15 percent of the oil was actually owned by speculators. If you look at today, at 2007–2008, we are up to almost 35, 40 percent not owned by those who are anxious to take oil and refine it but those who are speculating the value will continue to go up.

What can we do about it? One of the things we can do about it in this country is to go after the speculators, and we certainly attempted to do that as recently as yesterday with the legislation we could not get 60 votes to move to. But there are some other things we can do, and there are some actions we have already taken as a Congress, working with the administration, to encourage people to be helpful in bringing down the demand for the limited amount of oil that is out in the marketplace. Let me mention a few of them.

I wish to mention the hybrid Dodge Durango and the hybrid Chrysler Aspen. A few years ago, a partnership was formed between our friends at General Motors, DaimlerChrysler, and BMW to develop the next generation of hybrid, and the first fruits of that have gone into the hybrid Dodge Durango and the hybrid Chrysler Aspen. Today, the Durango and the Aspen, in the city, get about 14 miles per gallon and, on the highway, about 18. Starting in August, when they will begin selling the hybrid, in the cities I think they will get close to 22 miles per gallon, and on the highway about 25 miles per gallon. That is not such terrific mileage, but compared to what it was, it is almost a 50-percent improvement over what was the case. For people looking for a larger vehicle and SUV, there is something to look for right here. People don't have to buy a big vehicle to be able to enjoy better gas mileage in our vehicles. I wish to mention, if I can, the Chevrolet Malibu hybrid. The Chevrolet Malibu was selected as the car of the year. Last year, the Saturn Aura was selected as the car of the year. We haven't competed too well for a while in this country for our vehicles, in the midsize sedan segment, but the Malibu is not only the car of the year but also J.D. Power announced last week that, in terms of midsize sedans, the Malibu is selected as a top-quality vehicle. That is against some tough competition in the Toyota Camrys and the Honda Accords and the Nissan Altimas of the world. For a top-quality car, the Chevrolet Malibu looks great and gets good gas mileage but also has a hybrid people might be interested in, for people looking to buy a new vehicle or maybe downsize or resize their vehicle. This is not a bad one to look at. There is the Saturn Aura up there.

Here in the middle is a concept car I saw at the North American Auto Show about a year and a half ago. At the time, it was an idea, and they actually had a full-size mockup of what they called the Chevrolet Volt. I called it eye candy at the time—very good-looking vehicle, very attractive, very easy on the eye, but it turns out it is a plug-in hybrid vehicle. The idea is you plug it in and charge the battery. You plug it into your garage or wherever you have an outlet in your home, and the next day you can drive it for 40 miles without a charge. It has an auxiliary power unit onboard. It could be a low-emission diesel, could be an internal combustion engine, could be a fuel cell. It could be any one of those three alternative power systems that would recharge the battery. They don't run the vehicle, they recharge the battery.

The idea for gas mileage in this vehicle, which is to be on the road in 2010, is about 80 miles per gallon. Now we are talking. One of the things we are doing in the Congress is providing investment monies, about $100 million for investing in lithium ion battery technology. So when 2010 actually rolls around, we will have a battery to do the job.

The other thing we are doing is we are providing tax credits for folks who buy highly energy-efficient hybrids, credits anywhere from about $500 per vehicle up to about $3,500 per vehicle. When plug-in hybrids come along in 2010, I expect to see a credit there of up to about $5,000 per vehicle to incentivize people to buy those vehicles.

We also have a requirement that for the Federal Government in the Postal Service, both on the civilian side of the Government and the military side of the Government, about 75 percent of our vehicles that we purchase have to be advance technology vehicles starting this year, and the same requirement for the Postal Service.

Another thing we can do as Americans, as consumers, to bring down the demand side and try to put some downward pressure on prices, is simply to encourage folks to take transit more. They don't need a whole lot of encouragement because they are taking it. They are certainly taking it in Maryland, where our Presiding Officer is from, and they are taking it in Delaware a whole lot more.

Transit saves nearly 4 million gallons of gasoline per day. At $4 per gallon, that is almost $16 million saved from transit every day. Not every year, not every month, but every day we are going to save $16 million from transit. The typical public transit user consumes about one-half the oil an automobile rider consumes.

What else can we do as consumers? Take the train. Not just MARC trains in Maryland between DC and the Delaware line, but they can take Amtrak. These are the ups and downs of Amtrak ridership since 1991. Ridership on trains peaks usually between Thanksgiving and New Year's Day. Ridership peaks during the summer months as well.

Ridership at other times drops off. Right about here, Amtrak's on-time performance was not very good. I was on the Amtrak board at the time as Governor of Delaware. There was very good on-time performance and not very good ridership.

Look at this. Ridership continues to climb. Ridership on Amtrak last year was up about 10 percent. Ridership is up this year, this fiscal year to date, up about 15 percent. I would tell the Presiding Officer that I rode the train on Monday. I went to Philadelphia, to New York, and came back to Delaware. Every train I took, and not peak-time trains, basically SRO—standing room only. A lot of people are taking the train. It is a great way not just to save money but to reduce congestion at the airports and on the roads too.

Here is what is going on in commuter rail ridership from Seattle, WA, to Philadelphia, PA. We have worked with SEPTA, in a partnership there. Seattle, WA, ridership up there the first 3 months of this year is about 28 percent; Harrisburg, PA, of all places, up 17 percent; Oakland, CA, 16 percent; Stockton, CA, 14 percent; and Pompano Beach, not exactly a place you think of for transit, up 13 percent; and Greater Philadelphia, up about 10.

The reason I come to the floor today is to say we in Congress have a responsibility to do a number of things: tax policy that encourages people to buy more efficient vehicles—hybrid and so forth—and we are doing that; investing our dollars to help develop lithium ion batteries and technologies for the Chevrolet Volt and other vehicles, and we are doing that; we are trying to provide support for transit. The Presiding Officer and I have been very much in favor of doing that and working hard toward that end and providing reasonable support for Amtrak to help expand their capacity.

But you know the old story ''You can lead a horse to water but you can't make him drink''? We as consumers have to take advantage. When Amtrak is offered, when transit is offered and it is available and it makes sense for us, and when it is time to trade in for a newer vehicle, keep in mind the kind of vehicles that are out there and produced in this country and from around the world and take advantage of those and buy one.

That can be what we can do as individuals to make a difference on this issue.

I thank the Chair.

The ACTING PRESIDENT pro tempore. The Senator from Wyoming is recognized.

Mr. ENZI. Mr. President, the price of gasoline is the biggest issue in this country, and I appreciate the comments the Senator from Delaware made. However, the one-size-fits-all law is a little tough for this country. He probably doesn't realize we don't have any passenger trains or commuter trains anywhere in Wyoming. We used to, but they showed there wasn't enough use by changing the schedules so it always showed up 12 hours late, and most people weren't willing to wait 12 hours for a train. Then when you don't have the use, you can take the train out.

A lot of people in our State don't just drive their car to be able to get to work. Driving their truck or their car is their work. And we have these huge miles between places. One of my experiences recently is that I was driving between some towns and I, unfortunately, didn't have enough gas to make it to the next town. So I started to fill my tank and the pump stopped at exactly $75. Now, I can't tell you the last time I got a pump to stop right on the numbers. It used to be pretty easy because you could squeeze the handle and get it to an even number. But now you squeeze the handle a little bit and it goes zap and up quite a few cents. But it cut off right at $75. I thought, I don't think that is enough to fill this tank. When I checked, it wasn't. So there are some limits the credit card companies or the pumps are not used to, where they cut off, and that is making it a very important issue in Wyoming and the rest of the Nation. Because it is making it more expensive to take a vacation, it is making it more expensive to cool our houses, and it is making it more expensive to go to the grocery store.

Unfortunately, at a time when the American people are begging us to take constructive action, the Senate refuses to have a serious debate on this important topic. Instead of working together to find sensible solutions we can agree on, the Democratic majority insists on playing ''gotcha'' politics and bringing up policies that have not been through any committee. So they know they will not pass. They do it to score cheap political points. That is not how we are supposed to operate. That is how we have been operating now for several months. I think the farm bill is the last one that seriously went through a committee and followed the whole process.

Earlier, there was a chart up that showed 75 filibusters. Well, the blame for 75 filibusters shouldn't all be placed on the ''other'' side of the aisle. That count of filibusters is anytime that a cloture motion is filed. I have noticed it has been very convenient for the Democratic side of the aisle to put in a bill on a Friday and file a cloture motion that we would vote on Monday or Tuesday morning. So far as I can tell, the purpose of that, with the 51-to-49 split and 2 Presidential candidates gone on one side and one Presidential candidate gone on the other side, is they couldn't assure they would win a vote.

So if you file cloture and you happen to win, it is going to be 30 hours before there can be another single vote, which takes us to at least Wednesday night, and that means you don't have to get your candidates to come in until Wednesday night. So it has been very convenient to have this kind of process on the Senate side. That process was designed so the majority would have a say in what was happening and so the minority could put amendments on.

Now, we have this little thing over here, it is a little parliamentary procedure, where you can file a couple amendments at the same time you file the cloture motion, and that prohibits any amendments, so you don't have to worry about the other side having anything difficult to vote on. The minority almost always, I think through the history of the Senate, has stopped debate on that kind of a process. The 40 in the minority stop the debate. That is what we have been going through.

We had a perfect example of that yesterday. The Senate voted on a tax package that included an extension of wind and solar production tax credits. Democrats and Republicans both agree we need to extend those important tax credits. We came together to support the provisions to extend those credits by a vote of 88 to 8 in April. But instead of working together, working with our colleagues in the House to move the provision that had the support of the 88 Senators forward, the majority forced us to vote yesterday on an extension we all knew wouldn't pass.

Now, I am mad about the price of energy, just like everybody else. I don't like going to the gas station and paying $4 for a gallon of gas. I look at the profits the oil industry is making, and I do find them shocking. They are big numbers, until—until—you compare them with the dollars we are shipping to Saudi Arabia and Venezuela and other countries every day. We are shipping money out of this country to get energy in much bigger numbers than we are paying to any American companies.

But I also look at the situation we face, and I wish to do something that will improve it and not harm it. My colleagues on the other side of the aisle obviously don't have the same desire. How can you tell, you might ask? Because their proposal we voted on yesterday imposed a windfall profit tax on energy companies and increased the level of regulation on the energy industry, making it easier to sue them. As usual, their answer to a problem is, let's increase the taxes and let's hand the situation over to the trial lawyers.

Now, we have tried the windfall profit tax before, when Jimmy Carter was the President. While it may have made people feel good for a few days, because they could say they were punishing those big oil companies for making profits, it didn't improve the situation. It made it worse.

Businesses, to stay in business, reinvest profits. Most reinvest in what they know best. I wish to see a monthly report of the oil company investments. We do keep making it harder and harder for them to invest in America.

In Wyoming, I know there was a powerplant that decided to do a little bit of

wind energy. We had the proposal out there that all of them would have to get a certain amount of their power from alternative energies, so they planned and started building a wind power field. They were a little surprised at some of the environmental groups saying: You can't do that; you can't own that. You have to buy it from other people.

We have to make up our mind if we want it and how badly we want it and who we will let have it. I don't know why anybody with the dollars to invest in wind power should not be able to invest in wind power. It is an alternative source of energy. It is something we can use, something we need. Hopefully we can get some better battery storage so when they are operating, and when people don't need it, we store it for when people do need it.

There are a lot of inventions we need. I have a lot of faith in American ingenuity to know, whatever problems are out there, we can solve them. We have people with minds who can come up with creative ideas that can solve them. That is happening with energy.

I was talking about the windfall profits tax. I can't sum it up any better than former Democratic Senator John Breaux from Louisiana did. He said: A windfall profits tax is not going to produce a single barrel of oil. A windfall profits tax will produce less energy and not more.

The Congressional Research Service, the nonpartisan researcher for Congress, agrees. A windfall profits tax doesn't improve our energy situation but it does score a cheap political point, and that is why we voted on it once again yesterday instead of having a serious energy debate. The problem we face is the problem of supply and demand: less American-made energy and more demand for that energy—prices go up. That is the problem Congress should be addressing. That is what those in control of both Houses of Congress do not seem to understand at this stage.

The continued rise of gas prices is going to put an end to this dog-and-pony show eventually. Then maybe the majority will be more open to responsible, limited oil production off our shores in States that want to have the production off their shores, such as the Commonwealth of Virginia, or we could open less than one-tenth of 1 percent of the Arctic National Wildlife Refuge, an area smaller than Dulles Airport, to energy production with the most stringent environmental controls ever imposed. Maybe we could have a serious debate about using our Nation's most abundant energy source, which is coal, to produce diesel fuel or jet fuel that can be moved in our existing transportation infrastructure and can be made here in America.

Wyoming passed some new laws that deal with carbon sequestration, so there would be a goal for people to shoot at. It is the first State to ever do that. The companies are responding. Of course, part of the use of that carbon is to inject into oil fields because the average oil field is able to recover about 20 percent of its product. With it they can get 30 percent of the product.

It appears as though my time has expired. I still have quite a bit more I will say at a later time.

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

Mr. DOMENICI. I wonder if the Senator from Wyoming would answer a question on my time, before he sits down.

Mr. ENZI. Certainly.

Mr. DOMENICI. I listened to the Senator's speech and I was very impressed. I think it would be helpful to those who are listening if you could define one word, because you use it and I use it and everybody uses it around here. What does ''cloture'' mean?

Mr. ENZI. Cloture means the desire to cut off debate. It can be used, but it is a very lengthy process, very time consuming, and usually results in about 3 weeks of debate even if everybody wants the debate.

Mr. DOMENICI. So cloture is an instrument whereby you stop debate, if you impose cloture?

Mr. ENZI. If you impose cloture, you cut off a lot of amendments and a lot of debate and limit the amount of time that anything can be talked about. It is a parliamentary procedure. That is correct.

Mr. DOMENICI. If anybody was listening, the Senator talked about that. At the time the cloture motion is filed, there are certain requirements, a certain number of Senators have to sign it. It is a request to the Senate that you vote on whether you are going to continue debate. When that vote occurs, you are voting on cloture, on a cloture motion regarding the pending motion or pending legislation.

Last night I spoke to a group of energy experts and gave them the same warning I have been giving since the start of this year in a series of speeches on the Senate floor. That is that the United States faces a grave and growing threat to its well-being. Our economic strength and our energy security is being threatened by our vast dependence on foreign oil. I have said it before and I will say it again: If we do not address this problem in a serious way, America will become poor.

I could have added a whole lot to that, but let me repeat: If we don't do something about this vast dependence upon foreign oil, America will become poor, p-o-o-r. Mr. President, $600 billion a year—it looks like is where we are headed—will be sent from this country to other countries to buy crude oil that we are going to turn into gasoline or diesel fuel to use here in America in our transportation system, essentially.

We have seen the warnings for years now. I remember when President Nixon launched the Project Independence more than three decades ago. The goal of that project was to eliminate our dependence upon foreign oil within a decade. Since then, our dependence on foreign oil has more than doubled and we have literally put trillions of American dollars into the hands of others who often do not share our interests. The problem has gotten worse under both parties for decade upon decade.

Yesterday, another warning was brought up to us in the form of trade numbers, international trade numbers for April. Our deficit in the international trade of goods and services rose by 7.8 percent to nearly $61 billion in the month of April. We were also told that this $4.4 billion increase in trade deficit in April was nearly entirely attributable to imports of crude oil and petroleum products. The average price of imported petroleum and the total amount of fuel bought were both the highest ever. It is obvious it is because the price of crude oil was the highest ever for that particular month versus any other month.

It is time we begin to do something about this. Family budgets are being strained by the price of gasoline. America's small businesses are being hurt by the cost of energy. America's trade deficit is swelling out of control by the importation of foreign crude oil and the money we pay to buy it. It is the time to act, to do something. Over the past 2 months, Republicans have offered a new direction on energy policy. We have recognized we must open additional areas to American exploration and that we must put the decision of locking up our own areas to a test of whether closing the land to development meets a greater national interest than opening the land for exploration and production of oil and gas. In making such an assessment, we must listen carefully to the American people, who are hurting and who are asking us for some relief at the pump. A clear majority of Americans wants us to open more lands for oil and gas production. They want to understand what lands are open from which we could develop our own energy.

We have sought to open ANWR. That would not work. We didn't have enough votes. We have sought new deep sea exploration. We have sought to develop oil shale, or at least to take off the moratorium which was imposed last year that will make it more difficult to develop oil shale, which we own in large quantities and in great abundance.

We also have sought to turn coal into a liquid fuel. We could do that in any number of ways. The technique is available; it just costs a lot of money. But it is costing us a lot of money to pay for this dependence. So we could initiate a major program for coal to liquid and say we are going to contract to sell that to the military. Their needs are enormous. They buy a lot of it from overseas because we do not produce enough of our own. So why not take that huge resource called coal, use one of the existing ways of converting it, and arrive at an agreement

where we could use the diesel fuel so produced to fuel our military and we would be using our coal, we would buy less overseas, our military would get the diesel produced here in America, and at the same time the other one we could do is commit ourselves to develop oil shale into oil.

If those who have us by the throat can strangle us with the price of oil only believed we were going to develop ANWR in Alaska, that we were truly going to develop liquid from coal and use it for whatever specialized purpose we wished, know we could do it in large quantities, and then if we would commit to oil shale conversion and get started, even if it were only to produce a small quantity, the world would respond. They would say America is serious about minimizing rather than maximizing her dependence upon foreign oil. No doubt about it. Any of those three—and the offshore I talked about, the exploration of our offshore which is subject to moratoria that have been imposed by Congress. There are a number of States that would do it, that could do it, and we would share the royalties as we are with Louisiana and Texas, that many of us voted for when we produced an energy bill, the second Energy bill the year before last. We did it, we knew how to do it, and we could do it elsewhere.

It appears to me now is the time to move on. Each and every one of these American energy policies has been turned back by our Democratic friends on the other side of the aisle and they have sought to raise taxes, increase regulation, and ask Saudi Arabia for more oil.

I ask unanimous consent I be given an additional 2 minutes.

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

Mr. DOMENICI. Let's look at what we voted on yesterday. The Democrats sought to increase taxes on American business competing with foreign nations for a global commodity. They tell us this tax is the solution because the oil companies are making too much money. These new taxes will not lower prices, and they know it. What raising taxes on American companies would do is to ship the competitive business advantage to foreign oil companies. Raising taxes on American companies and not on their competitors costs American jobs. Raising taxes on American companies increases imports and lowers American energy production. This is not only my analysis, it is the analysis of the independent Congressional Research Service. It is the analysis of the Wall Street Journal and the analysis of officials from the Carter and Clinton administrations, who had experience with the windfall profits tax, which had a pretty-sounding name and a terrible-sounding effect, for it rumbled through the country causing oil companies to pay higher taxes, thus raising costs of oil and lowering the amount that was produced. So we are told by a consensus of our greatest experts that such a time is decades off.

I have spoken with those who know about our needs. They say we need a bridge to secure our energy future—a bridge. On the far side of the bridge is America, where we are no longer dependent on these vast amounts of crude oil. On the far side of the bridge is cellulosic ethanol used widely around the Nation and in our plug-in hybrid cars that will influence the use of oil.

However, we are told by a consensus of our greatest experts that bridge and that such a time when we will not be using oil could be as many as four decades from now. In the meantime, if we do not move to solve it, that bridge will be built of crude oil, if it is imported, and we will just pay more for longer periods of time to countries around the world that may not agree with our idea or our philosophy of life.

We are also told from the IEA that our world oil production estimates for the year 2030 are well below what we previously thought. The question then becomes will this Nation get about the business today of producing our own American energy for tomorrow or will we continue to rely to a greater degree on foreign oil. The question is that simple. I ask my colleagues to seriously reconsider the Domenici American Energy Production Act.

I ask them to reconsider the views that they held when oil was at $19 in an era of $135 oil. I ask them to reconsider their views as many have done on nuclear power since I begin advocating for it more than a decade ago. Since then, we have seen a nuclear renaissance in America and we are seeing a growing number of people come over to our side on that issue. I ask my colleagues to listen to the 57 percent of Americans who are telling us to produce more here at home. And I ask my colleagues to consider whether the foundation of the bridge to our energy future should be built with American energy or foreign energy. I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Louisiana is recognized.

Mr. VITTER. Mr. President, in light of the comments of the distinguished Senator from New Mexico, I ask unanimous consent to use the remaining Republican time plus an additional 3 minutes.

Mr. DORGAN. What remaining time exists?

The ACTING PRESIDENT pro tempore. There is 6 minutes 15 seconds remaining.

Mr. DORGAN. Mr. President, I will not object if an additional 3 minutes is added to the time on this side following the Senator from Louisiana.

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

(The remarks of Mr. VITTER are printed in today's RECORD under ''Morning Business.'')

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

Mr. DORGAN. Mr. President, how much time remains on our side?

The ACTING PRESIDENT pro tempore. There is 33 minutes on the majority side.

Mr. DORGAN. I ask unanimous consent to use 23 minutes.

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

Mr. DORGAN. Mr. President, there has been a lot of helium in this Chamber in recent hours. I have been watching and listening and heard a lot of discussion about why we cannot produce more energy.

Well, in fact, we are producing more energy. I announced about two months ago, with the U.S. Geological Survey, their assessment of the largest assessment of recoverable oil they have ever announced in the lower 48. That is called the Bakken shale, which underlies eastern Montana and western North Dakota.

They say it has up to 3.65 billion barrels of technically recoverable oil in it. The fact is, we are producing more oil and gas. My colleagues who talk about the need to produce more should understand that I and three others, two Democrats and two Republicans, from the Senate who lead the effort to open what is called lease 181 in the Gulf of Mexico in the 109th Congress. Substantial oil and gas reserves exist there, and we have opened a portion of that—not nearly enough by the way.

I notice that, in the Republican offshore proposal offered by my colleagues on the other side, they carve out opening the area in eastern Gulf of Mexico where there is substantial opportunity to achieve new oil and gas reserves.

In fact, companies from India and companies from China are now exploring for oil in Cuban waters. Our companies want to go there, but American companies are not allowed access in that area. They are not allowed to drill in waters off of Cuba because of the embargo against Cuba.

So this administration has decided, well, we do not want to produce oil off of Cuba despite the fact those waters are open. My understanding is some wells drilled by India have now struck oil. The Chinese are there too, but we cannot drill just miles away from Florida in Cuban waters. So next time I hear about people saying, well, people on this side of the aisle do not want to support additional production, we have supported additional production. That is a fact.

The hood ornament on that argument from them is always about ANWR, a pristine area set aside in legislation signed by President Dwight Eisenhower. Well, the fact is, ANWR should never be a first resort; perhaps a last resort in a critical time. But there is much we can and should do. I am going to talk about some of it this afternoon to address these issues. Yes, produce more, and I have described how I and others have supported more production.

We need conservation and greater efficiency. We waste a prodigious amount of oil and energy in this country. We can conserve much more. With everything we do, every switch we touch from the morning until the evening, all of the appliances that we use, dramatic new efficiency is important.

We also need more focus on renewable energy from wind, solar, and geothermal. There are so many different forms of energy that need to be a part of the solution, including the biofuels which are a part of our future.

Having said all of that, I want to go though a couple of charts because what is happening today is almost unbelievable. We have people driving to the gas pumps this afternoon, and we have people who have ordered a load of gas delivered to their farm this afternoon. We have airlines that pull the airline up to the gate and then have to load up with fuel. We have truckers at the truckstop trying to figure out at the next truckstop how they stop and get a load of fuel and afford it.

Look at what has happened. Oil prices have doubled in a year. There is not one justification in the fundamentals of oil supply and demand for a doubling in price in a year. There is no justification for it. In fact, this country has had an economic slowdown, and we are using slightly less energy than we did before. So demand is slightly down in this country. Since January, the oil and gas inventories in this country have been up slightly. Demand is down slightly down, and production is up slightly. Yet, the price of oil doubles.

There is nothing in the fundamentals to justify what has happened to this oil market. Now, I think I understand what has happened to this market, and here is the line that describes it. It is called speculation. We all know what speculators are. We have lived among speculators. Perhaps our neighbors speculate. We all know speculators.

Will Rogers described them about 80 years ago. He said that these are people who buy what they will never get from people who never had it and expect to make money on both sides of the trade.

That is speculation. Speculators in the oil market are not people who want oil. These are not people who ever want to take delivery of oil. They are not people who would know about the viscosity of oil or perhaps how to drill for oil, nor would they care. They are interested in trading in a commodities market for the purpose of making big profits.

They are not ever wanting to take delivery of anything. They are simply speculators for the purpose of making a profit. Now, that is not why the commodities markets were established. They were established for hedging purposes, legitimate reasons to have a market. You should have, and must have, a market for commodities. For hedging purposes you need some liquidity in the market.

But what has happened in this market is a perversion. We have speculators in this market who have driven the price way up. In fact, I have just spent an hour today with the head of an organization called New York Mercantile Exchange, NYMEX, in New York. He came down and we talked for about an hour. We agree on some things and do not agree on others.

This is a pit in which they trade commodities in NYMEX. Well, they trade the crude oil on the NYMEX. One of them is West Texas intermediate crude, for example.

You have people who wear these jackets, they bid. As you see, they throw paper on the floor. At the end of the day, people who have never touched a quart of oil, let alone a barrel of oil, have decided what the price is going to be for the coming days and months.

It is not the only commodities exchange. This is also occurring on the Intercontinental Exchange in London and Dubai. It is a large, global market, but only part of it is regulated. Only part of it is available for us to inspect and see. Much of it is out of our view. Much of it I call dark money. It exists out there, but you cannot see it. It is not transparent or regulated. It has a profound impact on the price of oil, and therefore, it has a tremendous impact on what it is going to cost consumers to fill a car with gas, a farmer to order a load of fuel, airlines to buy jet fuel. We have airlines and trucking companies going bankrupt and many more struggling to make it through this.

Now, I understand we have had 12 airlines in recent months declare bankruptcy. We have a lot of trucking companies, mom-and-pop trucking companies, who are going belly up because they cannot afford to buy fuel for their trucks.

The airlines are barely able to afford to buy the jet fuel for their airplanes. Drivers pulling up to the gas pump are having a difficult time trying to figure out how to pay $60 or $70 for a tank of gas.

I pulled up behind an old car about 30 miles north of Minot, ND, one day some while ago. It was pretty much a wreck. The back bumper was hanging down about halfway. It had a lot of dents and rust. And it had an old, faded sticker on the bumper which said: We fought the gas war and gas won.

Probably not surprising. Gas won. Well, gas is sure winning these days, $4-plus a gallon, diesel well above $4 a gallon, and oil flirting with $140 a barrel. Now, some say, well, that is just the market at work. There is no market at work here. This is a perversion.

Let me talk about the oil market. You have ministers representing nationalized companies under the banner of OPEC. Now, this is a cartel. Cartels are illegal in this country. It is a crime. It is criminal. So you have a cartel of countries that go behind closed doors and have their oil ministers make judgments about how much they are going to produce and what price they want to get for it in the international marketplace. That is No. 1. There is no free market aspect to a cartel. I expect most people would agree.

Second, the major integrated companies are all much bigger and much stronger with much more muscle in the marketplace.

Why? Because they have all merged. They all got romantically entangled, decided they want to pair up. Pretty soon, Exxon is not just Exxon; it is ExxonMobil. Phillips Oil is now ConocoPhillips. They all have two names and a lot more muscle. They are bigger, stronger, and more powerful forces in the marketplace.

Third, you have a futures market that has become an unbelievable amount of speculation, driving up prices. So you have a cartel with OPEC; bigger, stronger oil companies; and a futures market that is rife speculation.

Fadel Gheit, senior energy analyst, who worked 35 years with the Oppenheimer & Co., said:

> There is absolutely no shortage of oil. I am convinced that oil prices shouldn't be a dime above $55 a barrel. I call it the world's largest gambling hall. It's open 24/7. Unfortunately, it's totally unregulated. This is like a highway with no cops, no speed limit, and everybody is going 120 miles an hour.

I have talked to Mr. Gheit by telephone. He was a witness at a hearing in December 2007. I have a sense of what he is about and what he thinks. He believes this market is a complete perversion. It is rife speculation, with people driving up the price of oil, having nothing to do with the fundamentals of supply and demand.

It is not just Mr. Gheit from the Oppenheimer and Co. We see this in the New Jersey Star Ledger:

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

If the former head of ExxonMobil is saying there is so much speculation that it has added 20 to 30 percent to the price of a barrel of oil, the question is whether that is credible?

From the senior Vice President of ExxonMobil:

> The price of oil should be about $50 or $55 a barrel.

The president of Marathon Oil, Clarence Cazalot, Jr.:

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

During a question-and-answer period with reporters, he suggested a more reasonable range for crude oil prices would be between $55 and $60 a barrel.

The Commodity Futures Trading Commission is supposed to be the regulating body. I know regulation is a four-letter word in this Chamber for some. It is not for me. A free market works only when it is open and free. When the arteries get clogged, bad things happen. We have seen a lot of clogging of the arteries in this so-called free market system. But we have a referee for the free market system. It

is called the Commodity Futures Trading Commission, the CFTC. The CFTC is supposed to be a regulator, but like a lot of regulators, it seems to be pretty much asleep at the switch. I will describe why and how in a minute.

I have some experience with this because I chaired the hearings in the Senate over in the Commerce Committee on the Enron scandal. I had Ken Lay, now deceased, come to our hearings. He was the CEO of Enron. He raised his hand, took an oath, sat down, and took the fifth amendment. He was subsequently sentenced to prison but died before he went there. Once exposed, several in the Enron Corporation went to prison because we discovered it was a criminal enterprise. Among other things, it soaked billions of dollars of ill-gotten gains, particularly out of consumers on the west coast through wholesale electricity prices. That happened under the nose of what was supposed to have been a Federal regulator, the Federal Energy Regulatory Commission.

During that time, I raised the question about the speculation and the manipulation of the marketplace by Enron and others. Vice President CHENEY scoffed and said: There is nothing going on here. Shame on all of you for suggesting there is something nefarious happening. It turns out DICK CHENEY was dead wrong, supporting the energy interests ahead of the public interest. We found out later it was a criminal enterprise. We found out later that the regulator did nothing other than sat by and watched what was happening.

Now we have a regulator, the Commodity Futures Trading Commission, which is supposed to be wearing the referee's shirt with stripes that calls the fouls with respect to energy trading. The Commodity Futures Trading Commission has actually allowed a lot of this to occur, this speculation, by issuing what are called no-action letters so that a number of commodity trades can move to the dark side so they can't be seen and regulated by the regulator. In fact, the regulator is saying that it is OK for us not to see you or understand what you are doing which is kind of unbelievable. It defies credibility to hear a regulatory body say: We don't want the information with which to regulate you.

Let me describe what Mr. Lukken, the head of the Commodity Futures Trading Commission, the regulatory body, has been saying. I am using the description that he is ''parroting'' the assertion by those involved in the market. These are the very speculators who make a lot of money in these markets and want us to believe that nothing is really happening. There is not substantial speculation. This is just a lot of good people selling and buying back and forth.

Here is what Mr. Lukken says:

> Based on our surveillance efforts to date, we believe that energy futures markets have been reflecting the underlying fundamentals of those markets.

That was last July. Mr. Lukken says: Gosh, things are fine. Don't worry. Be happy. Everything is OK. The fundamentals justify whatever is going on. That was last July.

The acting Chairman of the Commission, Mr. Lukken, again said in January of this year:

> Based on our surveillance efforts to date, we believe that energy futures markets have been largely reflecting the underlying fundamentals of these markets.

You will note he said in January exactly what he said in July, but he changed one word. It must have been a mistake. He changed one word. He essentially says: Hey, don't worry about the price of oil and gas. This is all about fundamentals. So the Chairman of the regulatory body says things are OK once again.

In February, acting Chairman Lukken says:

> The Commodity Futures Trading Commission is confident that U.S. futures exchanges and clearinghouses are functioning well, especially during these turbulent economic times.

Don't worry. We regulators have our hands on it. We have it all figured out.

On May 7, the acting Chairman of the regulatory body says:

> We can say with a high degree of confidence that people are not manipulating the energy markets.

That is really interesting because just two weeks ago this same person, Mr. Lukken, who has told us now for a year, while the price of oil has doubled, there is really no speculation, this is just supply and demand at work. The fundamentals of the marketplace are working. Don't worry, be happy. Nothing nefarious is going on. There is no manipulation, then all of a sudden, two weeks ago, this man must have had some sort of epiphany. I don't know what he ate for dinner, but suddenly he woke up and made an announcement that the CFTC wants to find out what is going on in this marketplace and for the last 7 months they have been investigating it. Really? That is interesting. What about his statements during the last year they had already concluded nothing was wrong?

I wonder at what point Americans should be relying on the word of Mr. Lukken when he was telling us in January there is nothing going on. It is just the fundamentals at work. Yet, he was reassuring us in early May there was nothing happening. Perhaps a couple weeks ago, he apparently, in some startling 180-degree turn decided to figure out what is happening.

Mr. Lukken, the acting Chairman, and his nomination is before this body, said we are now going to something called the Intercontinental Exchange and others. Incidentally, it is a foreign exchange but an exchange in London, largely founded by American companies, trading on computer terminals in Atlanta, GA, and other places in the U.S. but allowed to do it without oversight or regulation by the CFTC because they exempted them with a letter of no action. It basically is saying we are not going to find out what is going on. Really? I thought you knew what was going on. You have been assuring us all along that you knew what was happening. Turns out now he admits they don't have nearly the information with which to judge whether there was excessive speculation.

By the way, the Administration, to the extent it was doing anything, called for the creation of a task force of several agencies, including the CFTC. They act as if the barn is on fire at the moment. They go from no motion to slow motion to some sort of hyperspeed, I guess. But I have almost no confidence in statements for 6 or 8 months saying that the doubling of the price of oil is just fine, and it is unrelated to either manipulation or speculation.

I had one of the presidents of one of the largest investment banking firms come to my office. I think we spent an hour speaking. At the end of the hour, he answered every question except the one he couldn't answer, the one I kept asking: If you say fundamentals are at the root of why the price of oil has doubled, then tell me what those fundamentals are that justify the doubling of the price of oil. Is it that supply is down and demand is up? If that is not the case, what are the fundamentals? Those who argue that this speculative binge cannot answer the question, what fundamentals justify doubling the price of oil?

The importance of that is this: I used to teach a little economics—not very much—in college. I taught economics briefly. I tell people I was able to overcome that experience and go on to lead, nonetheless, somewhat of a productive life. Economics is psychology pumped up with helium. That is all it is. Everybody says they know this, that, or the other thing. Economics is about human behavior. But I understand enough about the economics of this issue to understand you have binges of excess and speculation, and we have seen them in history. You can find books about them. They will take you back to the days when tulip bulbs were sold for $25,000 for one bulb in a binge of speculation that is still written about today, 400 or 500 years ago. We have bubbles of speculation that occur. In most cases, it is not terribly damaging to a country or an economy. Who cares if you can buy a tulip bulb? Who cares if you can afford it?

Consider this. The price of oil jumps to $135 a barrel. The price of gas goes to $4 a gallon. You have OPEC countries going to the bank depositing our money in their accounts. The major oil companies going to the bank depositing our money in their accounts. Airlines are going broke, and trucking companies not able to afford to run their trucks. The average American family is trying to figure out how they can afford to put gas in the car and get to work. When all of that occurs, it is long past time for this country to say:

What on Earth is happening and how do we fix it? When you have a market that doesn't work, there is a responsibility for the regulator and the Government to take a step and fix that market.

This futures market is not the market that was established many decades ago. That market was established for a specific purpose, a laudable purpose. It was to allow orderly trading for delivery of petroleum commodities. It has now become an unbelievable cesspool of speculation that has driven up the price of oil in ways that deeply damage this country. This Congress has a responsibility to deal with it.

I am working on legislation that would mandate the Commodity Futures Trading Commission to take the steps that are necessary to shut that speculation down, to stop the dark money and markets, to put it all on the regulated side and then to increase margin requirements in order to wring the speculators out of this market. I believe that could decrease the price of oil and gas by 20, 30, 40 percent. It is not just me. I have quoted those who run some of America's major oil companies and experts involved in some of the trading at some of the largest institutions who believe speculation now has driven up the price of oil and gas by 20, 30, 40 percent.

There is a lot to say about what is happening in our country and a lot to say about the need for regulators to begin doing what we pay them to do. I will describe the legislation I am working on at greater length. I appreciate the indulgence of my colleagues.

I yield the floor.

The PRESIDING OFFICER (Mrs. MCCASKILL). The Senator from Rhode Island.

Mr. REED. I believe I have been put in order for 10 minutes.

The PRESIDING OFFICER. The Senator has 9½ minutes at this point.

Mr. REED. I thank the Chair.

Madam President, we have heard a number of interesting opinions on the reasons and potential solutions to the energy crisis in which we currently find ourselves. Unfortunately, yesterday many of my colleagues on the other side of the aisle blocked our ability to have a meaningful debate about the proactive steps we should be taking to address the issues that are contributing to skyrocketing prices Americans are paying at the pump.

All around the country, high gas prices are contributing to already shaky economic times for the American people. In my home State of Rhode Island, gas prices have increased by over 140 percent since 2001. Currently, Rhode Islanders are paying $4.09 a gallon for regular unleaded gasoline and $4.93 a gallon for diesel. Households in Rhode Island are paying $2,000 more per year for gasoline than they paid in 2001. That is $2,000 more than they were paying in 2001.

For the State economy, this means that families, businesses, and farmers in Rhode Island will spend $835 million more on gasoline this year than was spent in 2001 if prices remain at current levels. But these prices seem to be constantly accelerating. Rhode Island residents, farmers, and businesses are on track to pay over $1.44 billion for gasoline this year. That is an extraordinary drain on the economy of my State and on States throughout the Nation.

It is well known that our current energy crisis is due in part to the marriage of two uncontrollable circumstances: a fast-growing worldwide demand for oil and increasingly limited oil supplies. The Renewable Fuels, Consumer Protection, and Energy Efficiency Act, which was signed into law in December of last year, made important improvements to our national energy policy, and I am confident the provisions in that law will help to decrease our long-term dependence on oil and thus lessen our future vulnerability to its availability. However, there is also a number of controllable variables that are contributing to the volatility of energy markets that we must address immediately to ensure the high prices Americans are paying at the pump are not going into the wallets of speculators and oil companies looking to exploit these difficult times.

The Consumer-First Energy Act would take action by incorporating proactive measures to protect against excessive speculation, keep the hedge funds and oil companies honest, and require investments by oil companies toward the development of our Nation's renewable energy infrastructure or face a windfall profits tax.

Experts now estimate that well over 25 percent of the cost of a barrel of oil can be attributed to excessive speculation by the financial traders of energy commodities. Yet yesterday we failed to move forward on a bill that would clamp down on excessive speculation by preventing traders from routing their transactions through offshore markets in order to evade speculation limits and subject energy traders to stronger reporting requirements.

Many of my colleagues on the other side of the aisle say we must open up more land to drilling to solve the current crisis, increase the supply, and lower the demand. The fact of the matter is over recent years we have already opened up significant areas of the land and the Continental Shelf to oil companies and given them tax incentives to subsidize and encourage their exploration and drilling activities.

Over that same span of time, oil companies have reported bigger profits—almost $600 billion. Yet we still find ourselves in a precarious energy situation today. Moreover, the Minerals Management Service has reported that of all the oil and gas reserves believed to exist on the Outer Continental Shelf, 82 percent of the natural gas and 79 percent of the oil are located in areas that are already open to leasing. Onshore, 72 percent of oil and 84 percent of natural gas resources are either accessible already or are pending review.

We also hear very little about the nearly 91 million acres of land currently open to leasing in the Alaskan arctic area outside of ANWR, of which only 11.8 million acres have actually been leased.

The idea that we need to make more areas available to drilling to increase domestic production is not substantiated by the facts. We have broad swaths of land and Continental Shelf that are available for exploration and drilling. They are not being used. Until we have thoroughly reviewed and sited projects there, the idea that we have to open up ANWR is only a subterfuge, an excuse for inaction.

Indeed, in the last 4 years, the Bureau of Land Management has issued 28,776 permits to drill on public land. However, during that time, only 18,954 wells were actually drilled. Thus, oil companies are currently holding onto 10,000 unused permits which could just as easily help to increase domestic production as the lands that are currently protected under law. Clearly, the problem is not that there is a lack of places to drill.

Thus, drilling our way to energy independence is not the answer. Neither is increasing the importation of foreign oil and natural gas. The answer is investing in energy efficiency and renewable energy programs that currently save us more energy each year than the amount we consume from any single energy source, including oil, natural gas, coal, and nuclear power. These investments offer short-term and long-term solutions to strengthen our national security by reducing our energy consumption and making us less reliant on oil from unstable regions of the world. Moreover, they enhance our economic competitiveness by creating American jobs in this new green economy, and they protect our environment by reducing our carbon footprint.

There are actions the Congress can and should be taking, which were laid out in the Consumer-First Energy Act, that could ease the pinch people are feeling at the pump. My colleagues on the other side of the aisle also refused yesterday to debate a package of energy and tax extenders that would also go a long way to help investing in new renewable energy sources and the jobs these new sources would create.

Other economic indicators are equally discouraging, in addition to those concerning the energy sector. There are particular concerns in our economy today about inflation, slow growth in gross domestic product, significantly higher consumer borrowing, a rising Consumer Price Index for food, and other indications of difficult economic times.

But perhaps the most growing statistic and worrisome statistic across the country is unemployment. New monthly job numbers were released last Friday, and they were far worse than economists had predicted. The unemployment rate jumped to 5.5 percent from 5 percent in only 1 month.

In Rhode Island, 6.1 percent are jobless right now—unchanged over the past 2 months. This is the fourth highest unemployment in the United States, behind only the States of Michigan, Alaska, and California. It marks the highest unemployment rate in Rhode Island since August 1995—more than 12 years ago. The number of unemployed Rhode Islanders has risen to approximately 35,000, and it has been trending upward.

The Providence Journal reported today that about 41 percent of Rhode Island's unemployed in January, February, and March have exhausted their benefits. This is the highest of any New England State.

As we all know, the Senate and the House are currently reconciling an emergency appropriations bill. I was especially pleased the Senate version provided domestic spending for LIHEAP and unemployment insurance—two critical issues we are facing today: accelerating energy prices and exploding unemployment numbers. This domestic funding is critical to boosting our economy and helping those who are most in need.

Indeed, many economists have pointed to an extension of unemployment benefits as a quicker way to stimulate the economy than the rebate checks that were being passed out and are being passed out today. An extension of UI benefits provides a very high return on the investment, generating approximately $1.64 in gross domestic product per dollar spent. This is especially helpful at a time when people are saving less, making them ill-prepared to cope with a long-term economic slump.

In Rhode Island, it is estimated that the number of jobless who could immediately benefit from an extension of unemployment benefits ranges from 6,500 to 8,000 or more. Under the Senate-passed provisions, Rhode Island would not only qualify for an additional 13-week extension, but given our consistent 6.1 percent unemployment rate, we would trigger extended benefits of another 13 weeks. This means Rhode Island could receive up to 26 additional weeks of assistance to help amid these difficult times. That is why I will continue to press also for an extension of unemployment benefits.

We had the opportunity yesterday to move forward on progressive, proactive energy legislation, and it was stymied by my colleagues on the other side. We cannot let that happen. And we cannot also let the unemployed go without extended benefits.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. ISAKSON. Madam President, I have listened intently for the last 2 weeks to the climate change debate and the energy debate, to Republican ideas and Democratic ideas, to Republican speeches and Democratic speeches—all about what is wrong. While we have talked, the crisis has grown astronomically.

In Georgia today, school systems looking to transport students this fall are wondering how they are going to be able to afford to run their schoolbus fleet because of the cost of diesel.

Back in Georgia, today in Marietta, our sheriff and our police chief are wondering how they are going to be able to patrol the streets with the budget they have for gas with that tremendous cost. They are doubling up officers. They are leaving cars idle in the motor pool.

Today workers are going to the pump, and they are filling up at $4 a gallon—a price that is unsustainable for them based on their wages and based on the cost of energy.

While we may make a lot of speeches, it is time for Republicans and Democrats alike in the Congress of the United States to put aside their partisan bias when it comes to energy.

I was a young man in the 1960s. A great U.S. President, John Kennedy, stood before the American people and the Congress, when America was confronting a great difficulty. We were falling behind in math, science, and technology. The Russians had already launched a satellite. They were on the way to developing a space program, and America was being left in the dust. President Kennedy stood before the Congress, and he declared the United States would launch a man to the Moon, land him, and bring him home safely before the end of the decade.

We did not know how to do that. But the President was bold in declaring it. The Congress put its partisan differences aside and funded NASA, funded reach; and 7½ years later, on July 31, 1969, the United States of America landed two men on the Moon and brought them back safely to Earth.

We are a great country, and we are at our best in a crisis. We have one today. Answers and solutions lie on both sides of the political spectrum. Enough, quite frankly, is enough. Republicans have to begin to embrace those things we said are not enough of a solution, such as renewables and conservation. They can help. They do not solve the problem, but they contribute to solving it. Democrats have to recognize we are sitting on a ham sandwich, starving to death, when we continue to keep our nuclear energy locked up and we do not expand and develop our nuclear program to generate safe, reliable, nonpolluting, carbon-free nuclear energy.

On the issue of exploration, it is possible to explore responsibly, develop the resources of our country, and contribute to our supply locally ourselves. It is important we have tax incentives for all forms of alternative energy—renewable energy such as wind and solar, future energy such as cellulosic-based ethanol, equalizing our incentives, making sure every megawatt hour is incentivized equally so we are putting all our solutions on the table.

This is not just a political problem; this is not just a pocketbook problem; this is an American problem. Have you ever thought about it for a second? Regardless of your opinion on global warming and climate change, it is in our best interest as a country to reduce our dependence on foreign oil and reduce the production of carbon in the atmosphere. It is in our interest environmentally. It is in our interest geopolitically.

Right now, the United States of America is buying oil from three of our biggest competitors/sometimes adversaries—Hugo Chavez in Venezuela, Ahmadinejad in Iran, and Vladimir Putin in Russia—paying prices of up to $139.26 a barrel for oil, the profit from which they turn around and buy our Treasury notes. They are buying equity in the United States of America with the very funds we are paying for their oil.

Yet we sit here and do not develop the resources we should be developing that we know of and we have here today: the shale oil in Colorado and Montana and North Dakota, a reserve that is estimated to be equal to the oil reserves of Saudi Arabia. There are issues in Alaska with ANWR, but we can work them out. We can environmentally and safely explore. We did it 30 years ago with the pipeline in Alaska. We can do it again now. Off the coast of the Gulf of Mexico and my State and States on the Atlantic coast, we can drill safely and securely. We can drill aesthetically pleasing, because if you drill outside of 50 miles, and in most cases 12, you are over the horizon so there is no damage to tourism. Yet you are extracting your own rich natural resource and supplanting those imports you would otherwise have to take from parts of the world you might not want to take from.

It is critical that we develop our resources. We all know that oil will run out one day and we all know we have to develop the technologies to replace it. We all know we need a bridge over the next 40 years as we develop those technologies to keep America running strong and vibrant and have our economy and our people prosperous. We are not going to do it with ever-spiraling prices of gasoline, heating, fuel oil, and petroleum. We can't do it. It is time we put our biases aside. It is time we stood and spoke as Americans. It is time we look toward every possible resource that is available to us and make a declaration just as John Kennedy did. If this President of the United States and this Congress join united to say we Americans are going to reduce our dependence on foreign and imported oil by 33 percent over the next decade and we are going to do it by unlocking those things that we refuse to explore—by developing our renewables, by incentivizing equitably all sources of energy that reduce our dependence on petroleum such as nuclear, wind, solar, synthetic fuels, and biodiesel—the world will immediately take notice and the speculators who were discussed so much two speakers ago will speculate in a hurry that America finally

woke up, the Congress finally decided to do something. They will know our insatiable desire for foreign oil is at an end, that we are looking toward an end game where we are energy independent. You know what happens when that happens: The price of oil begins to come down immediately.

The way you have an immediate impact on a spiraling and rapid increase in price is to have an immediate declaratory decision that you are going to do something about it and delineate those solutions you have and you know are doable. Surely a country that faced in the 1960s a challenge without the technology at the time to even know how to do what it said it was going to do can now today in 2008 make a declaration we are going to take our resources we are going to invest in them, we are going to incentivize them, and we are going to reduce our dependence on foreign oil. If we do that, we will have the beginning of the end of the rapid spiral up in prices as well as a beginning of a new solution in the Senate of the United States. That is both sides of the issue coming together, finding the common ground that in the end benefits whom we serve: the people of the United States of America.

When I left Atlanta, GA, on the 4:20 flight to come to Washington on Monday, I came here recognizing that every day it is my responsibility to speak not for myself but for the people I represent. The people I represent are hurting. It is hurting our business. It is hurting education. It is hurting public safety. It is hurting the economy. We have to put aside our partisan differences, make a declaration of war on the spiraling cost of gas, develop the resources that we as America know we have, and say to the American people: This is the most deliberative body in the world, but it also has the potential to be the most decisive body in the world if we will only make up our mind to do it.

Madam President, 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.

The PRESIDING OFFICER. The Senator from Alaska is recognized.

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

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

Ms. MURKOWSKI. Madam President, there has been a great deal of discussion on the floor of the Senate today, certainly, about the price of oil and the impacts the high energy costs are having on our States across the Nation. I rise today to talk a little bit about one solution, one aspect of the solution for our energy woes in this country, and that is increased domestic production. Before I begin my comments, I acknowledge it is only one piece of the puzzle as we deal with the high price of energy in this country. Increased domestic production is one aspect of it, but we also have the other components. Certainly we must do more to focus our technologies to advance the renewables and the alternative energy sources in this country. Then the third leg of my three-legged energy stool is the focus on conservation and efficiency. I think it is fair to say that we in this country simply do not do enough yet, and that is something we must move toward and move toward in a dramatic manner.

We had a situation in the capital of Alaska about 6 weeks or so ago. The community of Juneau was left without their source of hydroelectric power when a series of avalanches took out the transmission lines that connected the source of hydro to the State's capital. Literally overnight, that community was plunged into a situation where they were going to be powering that community off of diesel. They were looking at a fivefold increase in their energy prices. The communities said: What do we do? We can't do this. All of a sudden we had a community—a population—that said: I can't afford to pay utility bills that are five times what I am already paying in terms of energy usage. So that community came together in a time of crisis and in 1 week's time reduced their energy consumption by 30 percent, and moved on then further in the next couple of months to reduce their energy consumption in Juneau, AK, by about 40 percent.

They did it through everything. Juneau, as my colleagues may know, is in a rain forest. It is pretty damp. There is usually not much need for clothespins, but every clothespin in Juneau was snapped up literally as people said: Well, I can't afford to run the dryer. We are going to figure out ways in our households where we learn to conserve. That focus—that very specific focus on conservation now because we are in a time of crisis—produced some pretty dramatic results. I think that community can stand as an example of how we in this country can work together to make a difference to reduce our energy consumption.

I wish to talk a little bit this afternoon about the Arctic National Wildlife Refuge in the State of Alaska and how opening ANWR to oil exploration and development could help lower the price of petroleum for decades into the future. Over the past couple of days, we have heard several colleagues—well, not several; we have all been talking about the high prices of fuel that people are facing. I have heard a lot from some about encouraging foreign nations, whether it is Saudi Arabia or others, to produce more oil so that we can drive down the price of fuel for our benefit. We have heard that imposing perhaps a windfall profits tax on the oil companies would somehow or other lower prices, but the explanation for exactly why that would occur has been a bit sketchy to me. But I have heard almost nothing—almost nothing—from some of the Members of this body on why America should not produce more oil itself, keeping the jobs in America, keeping the wealth in America for our benefit, America's benefit, not the benefit of Saudi Arabia, Venezuela, or Nigeria.

We can pass many laws in Congress, and we can repeal many laws, but we cannot repeal the law of supply and demand. I am not the first person to stand on the Senate floor and say that. If we want to lower our prices, we have to figure out how we can increase our Nation's fuel supplies.

On June 5, in the Washington Post, there was an opinion piece by George Will. He talked about the fact that America does have a national energy policy. According to Will:

> America says to the foreign producers: We prefer not to pump our oil, so please pump more of yours, thereby lowering its value, for our benefit.

That was his statement about our national policy. That is a crazy national energy policy. No wonder it hasn't worked.

I ask unanimous consent that this full column by Mr. Will be printed in the RECORD.

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

THE GAS PRICES WE DESERVE

Rising in the Senate on May 13, Chuck Schumer, the New York Democrat, explained: "I rise to discuss rising energy prices." The president was heading to Saudi Arabia to seek an increase in its oil production, and Schumer's gorge was rising.

Saudi Arabia, he said, "holds the key to reducing gasoline prices at home in the short term." Therefore arms sales to that kingdom should be blocked unless it "increases its oil production by one million barrels per day," which would cause the price of gasoline to fall "50 cents a gallon almost immediately."

Can a senator, with so many things on his mind, know so precisely how the price of gasoline would respond to that increase in the oil supply? Schumer does know that if you increase the supply of something, the price of it probably will fall. That is why he and 96 other senators recently voted to increase the supply of oil on the market by stopping the flow of oil into the Strategic Petroleum Reserve, which protects against major physical interruptions. Seventy-one of the 97 senators who voted to stop filling the reserve also oppose drilling in the Arctic National Wildlife Refuge.

One million barrels is what might today be flowing from ANWR if in 1995 President Bill Clinton had not vetoed legislation to permit drilling there. One million barrels produce 27 million gallons of gasoline and diesel fuel. Seventy-two of today's senators—including Schumer, of course, and 38 other Democrats, including Barack Obama, and 33 Republicans, including John McCain—have voted to keep ANWR's estimated 10.4 billion barrels of oil off the market.

So Schumer, according to Schumer, is complicit in taking $10 away from every American who buys 20 gallons of gasoline. "Democracy," said H.L. Mencken, "is the theory that the common people know what they want and deserve to get it good and hard." The common people of New York want Schumer to be their senator, so they should pipe down about gasoline prices, which are a predictable consequence of their political choice.

Also disqualified from complaining are all voters who sent to Washington senators and representatives who have voted to keep ANWR's oil in the ground and who voted to put 85 percent of America's offshore territory off-limits to drilling. The U.S. Minerals Management Service says that restricted area contains perhaps 86 billion barrels of oil and 420 trillion cubic feet of natural gas—10 times as much oil and 20 times as much natural gas as Americans use in a year.

Drilling is underway 60 miles off Florida. The drilling is being done by China, in cooperation with Cuba, which is drilling closer to South Florida than U.S. companies are.

ANWR is larger than the combined areas of five states (Massachusetts, Connecticut, Rhode Island, New Jersey, Delaware), and drilling along its coastal plain would be confined to a space one-sixth the size of Washington's Dulles airport. Offshore? Hurricanes Katrina and Rita destroyed or damaged hundreds of drilling rigs without causing a large spill. There has not been a significant spill from an offshore U.S. well since 1969. Of the more than 7 billion barrels of oil pumped offshore in the past 25 years, 0.001 percent—that is one-thousandth of 1 percent—has been spilled. Louisiana has more than 3,200 rigs offshore—and a thriving commercial fishing industry.

In his book ''Gusher of Lies: The Dangerous Delusions of 'Energy Independence,''' Robert Bryce says Brazil's energy success has little to do with its much-discussed ethanol production and much to do with its increased oil production, the vast majority of which comes from off Brazil's shore. Investor's Business Daily reports that Brazil, ''which recently made a major oil discovery almost in sight of Rio's beaches,'' has leased most of the world's deep-sea drilling rigs.

In September 2006, two U.S. companies announced that their Jack No. 2 well, in the Gulf 270 miles southwest of New Orleans, had tapped a field with perhaps 15 billion barrels of oil, which would increase America's proven reserves by 50 percent. Just probing four miles below the Gulf's floor costs $100 million. Congress's response to such expenditures is to propose increasing the oil companies' tax burdens.

America says to foreign producers: We prefer not to pump our oil, so please pump more of yours, thereby lowering its value, for our benefit. Let it not be said that America has no energy policy.

Ms. MURKOWSKI. On the floor this week, some Senators have argued that by opening ANWR and causing physical disturbance to just 2000 acres, which is what we are talking about, of the Arctic coastal plain—and this area is about one-sixth the size of Washington Dulles Airport that would likely result in the production of about 1 million barrels of new oil a day—isn't going to have much of an impact on prices.

I want to quote the senior Senator from New York, who said on May 13:

If Saudi Arabia were to increase its production by 1 million barrels per day, that translates to a reduction of 20 percent to 25 percent in the world price of crude oil, and crude oil prices could fall by more than $25 a barrel. . . . In turn, that would lower the price of gasoline between 13 and 17 percent, or by more than 62 cents off the expected summer regular-grade price, offering much-needed relief to struggling families.

Now, earlier this afternoon, the same Senator said opening ANWR would ''have little impact'' on lowering prices. I am not going to suggest that I know what he was thinking there, but I believe what he intended to say was that opening ANWR would have little impact on lowering prices immediately. In fact, if we were to vote in Congress today, this very moment, to open ANWR, we would not actually see the oil down the line into the lower 48 States for between 5 to 7 or 8 years. But I do believe the Senator who made those comments is wrong about both the short-term and the long-term effects of opening ANWR to oil development. He was right when he said last month that adding more oil to the world supply chain would increase supply and help drive down the prices. I think that is just as true in the years ahead as it is today.

We recognize that our actions in this Nation, in terms of the statements that we send and what we are willing to do and what we are willing to commit to—if America were to finally tell the world that we are willing to produce more fuel ourselves, that we are serious about producing more of the energy we consume, I believe it would result in lower prices immediately—not in the 5 years it is going to take to get ANWR oil flowing, but it would bring down prices because it would have a psychological impact.

In 1995, President Clinton vetoed the legislation that would have opened ANWR. If he had not at that point done that, and we had moved ahead, more than likely we would be seeing an additional 1 million barrels of oil flowing to the market right now. I believe and contend that oil would have prevented the prices from reaching today's exorbitant levels.

To go back to George Will's column, he says everyone who has worked to block U.S. oil development over the past several decades is ''complicit in taking $10 away from every American who buys 20 gallons of gasoline.''

We talk a lot about ANWR and the potential out there and the controversy that, well, you can't open something if it doesn't have the support of the American people. I think we are being deceptive if we are saying the American people do not support the exploration in the 1002 area. According to a May 29 Gallup Poll, 57 percent of Americans support ''allowing drilling in U.S. coastal and wilderness areas now off limits'' to development.

In Alaska alone, the Alaskans who had expressed their support over the years—it has historically been 75 percent-plus of Alaskans who do support opening ANWR. We are seeing that support grow not only in the State, but we are looking at truly exorbitant prices, and we are seeing it across the country as well.

Just yesterday, there was a nice fellow from Indiana who called my office to say he started a petition campaign on his own—just acting on his own volition—to help win support for opening ANWR. He said in just a few weeks he gathered thousands of signatures from citizens, not just in Indiana but in a number of States, in support of opening ANWR. Just last night, I heard a radio commercial from a group, and I didn't even know they existed. They were gathering signatures in support of opening ANWR to exploration and development.

I think the American people know what some Members in Congress seemingly don't; that is, the need for America to expand its domestic production, expand that in a manner that we can move as quickly as possible and affect the high prices that we are seeing in this country. Again, it is not just increased domestic production. That is one aspect of it.

I spoke a little bit about the Juneau example and how we in this Nation need to be doing more to conserve and achieve greater efficiency. I was home in the State this weekend and folks in Alaska are driving through some pretty rough roads and are driving through tough conditions. People there like SUVs and trucks, but it is not just because they are big and powerful; they are necessary. So driving by some of the lots this weekend, I can tell you just about everything for sale in the lots was the big trucks. People are looking at them and saying: I can't afford to fill up my vehicle anymore.

I was in the fishing community of Dillingham on Saturday. They are preparing to go out for their first fish opener on Monday. Some of those boats are not going out because they cannot afford to fuel up. In Dillingham, the spring barge just came in a couple weeks ago. The price of gas at the pump there jumped up over a dollar in 1 day. They are paying $5.50 for unleaded. Diesel is $6.50-plus. It affects everything in the community, not just what is happening when you fill up your car. They are paying $8 for a gallon of milk. They are paying $10 for a carton of orange juice.

When I went in to get a cup of coffee, a young woman said: I don't know how long we can stay in business. People from the small villages surrounding Dillingham are coming in because they cannot afford to fill up. The communities are suffering terribly. It is not just anger that we are seeing from the people in Alaska over the high prices that happened this winter. People were angry about what they are paying.

Now what is happening is they are scared. They have nowhere to go. When your village cannot keep the lights on and you have to move to the regional hub and you realize there is no place for you to live, it is just as expensive, and there is no way to go, you say: I will go to town, to Anchorage or Fairbanks. But do you know what. The people don't have the money to get the airplane ticket out of town to get to a community where, again, the energy prices are through the roof.

We have challenges in this Nation the likes of which I don't know that we have seen before because it is our energy and our ability to utilize our energy sources that keep this country as great as it is. We cannot have rural

Alaska and rural America imploding because we haven't helped address the high cost of energy. The answers are there. It is increased domestic production. It is renewables and alternatives and the technologies we can advance. And it is conservation and efficiency.

We will keep working on it. I think the people are going to be hearing a lot more about what many of us think is the shorter term solution, and that is increased production.

With that, I yield the floor.

The PRESIDING OFFICER. Who yields time?

The Senator from New Jersey is recognized.

Mr. MENENDEZ. Madam President, I ask unanimous consent to speak as in morning business for up to 20 minutes.

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

ILLEGAL DETENTIONS

Mr. MENENDEZ. Madam President, our deepest obligation as Senators and Representatives of the American people is to make sure our Nation's founding promises are being kept.

With a few strokes of Thomas Jefferson's pen, we were told that life and liberty would be unalienable rights, that a chance to seek happiness would be something to which we were all entitled.

Our rights grew over time, and over time we grew out of restrictions of who was entitled to those rights. African Americans threw down the chains of slavery. Women marched to the polls. People came from all over the world to become full members of our society because of the promise that our country held and the guarantees that our Government made.

But when agents from Immigration and Customs Enforcement—also known as ICE—conducted raids in Texas not long ago, one 19-year-old U.S. citizen, who was dragged from her home while she was still in her pajamas, wasn't thinking about that history.

An 18-year-old U.S. citizen, who was shackled at his ankles, handcuffed at his wrists, and tied at his waste, wasn't thinking about that history.

They were thinking to themselves: My God, what is happening to me? What is going to happen to my family? What is happening in my country?

When ICE agents banged on the door of a U.S. citizen named Arturo Flores and pushed their way into his house in Clifton, NJ, without showing a warrant, and when agents in North Bergen, NJ, stormed into the house of a legal immigrant, named Maria Argueta, in the middle of the night and held her without cause, taking her away from her family for 36 hours, those loud knocks on the door quickly woke these law-abiding individuals up from their American dreams.

Now, hearing these examples, some people might not hear well. They may say this is what happens when people enter this country without going through the proper channels. I hear that a lot of the time because it is the mantra of people who defend ICE raids.

But these are not undocumented immigrants getting pulled from their homes in the dead of night. They are U.S. citizens who are targeted because of their race, because of their color, and denied every fundamental right guaranteed by the United States Constitution.

Our fellow citizens may not have been surprised that they were yanked from their homes. They might have even known that their immigration status wasn't even necessarily relevant.

They might have heard stories about friends who were U.S. citizens or legal permanent residents but who were seized in immigration raids, detained, and in some cases even deported. I am talking about U.S. citizens and legal permanent residents.

They may have known that their accent, their name, the color of their skin, the place where they lived would have put them at risk. They may have known that regardless of what our politicians and historians say, fundamental constitutional rights still might not apply to them in today's America.

We have been hearing these stories for too long, and it is time they were told on the floor of the Senate because together we need to face a blunt reality: Our legitimate desire to control our borders has too often turned into a witch hunt against Hispanic Americans and other people of color.

Common sense repeatedly loses out to hysteria, and agents of intolerance repeatedly jump over the legal protections to which every single American is entitled.

I am going to tell just a few stories today, but there are plenty of others similar to them.

Last year, a 30-year-old mentally impaired man named Pedro Guzman, who was born and raised in southern California, was detained on misdemeanor charges and scheduled to be released.

He is a U.S. citizen, but somehow his accent, his name, the color of his skin must have convinced immigration authorities otherwise. So instead of returning him to his home, they decided to deport him to Mexico.

Even after immigration authorities realized their horrible mistake, they made no significant effort to correct it. Pedro attempted several times to cross the border home to the United States, of which he is a citizen, and was repeatedly turned away. He was forced to wander the streets of Tijuana, eating out of trash cans to survive—a U.S. citizen.

His mother Maria was worried beyond belief and took off time from her job to search for Pedro. Finally, 3 months after he had been illegally deported, Pedro found his way home. When he came back, his mother said after so much trauma, only half her son had returned.

Each of us in this country has to think: What if that happened to me? Why couldn't that happen to me next? What would happen to my children if I was taken away under those circumstances?

Authorities harass U.S. citizens of Hispanic descent in other ways.

Last fall, under the cover of darkness, a dozen immigration agents stormed into the Long Island home of Peggy Delrosa-Delgado, a U.S. citizen and mother of three. They pushed through her 17-year-old son, herded her children into the living room, and one of them drew a gun on a family friend staying in the house. This was the second time they had done this, supposedly looking for someone named Miguel, who had never lived there.

Another U.S. citizen named Gladis was at her home one day when 18 vehicles drove into her front yard and 20 agents jumped out. Agents banged on the door and threatened to throw gas inside the house if they did not let them in. While the children in the house ran and hid in the bedroom, the agents broke down the door.

One of the agents grabbed Gladis and attempted to handcuff her. She said she could prove her citizenship and gave them her Social Security card. After interrogating Gladis and her family for 20 more minutes, the agents left as fast as they came. They had no warrant, no probable cause, no reason for their actions besides suspicion about someone's name, their accent, and the color of their skin. There is one more detail I should mention. Gladis was 6 months pregnant at the time.

Each of us in this country has to think: What if that happened to me? Why couldn't that happen to me? What would happen to my children under those circumstances?

Very shortly, I will be introducing legislation to prevent the unlawful—unlawful—detention of U.S. citizens and legal permanent residents.

The problem with our detention system is even larger. Beyond the U.S. citizens and permanent residents who are unlawfully detained, there are people who have come to the United States fleeing persecution, people who have committed no crime, who find themselves trapped and squeezed between the gears of the U.S. immigration system.

The Washington Post has recently run a disturbing series on the catastrophic state of our detention system. I encourage all my colleagues to read it. I ask unanimous consent to have printed in the RECORD the first of the Washington Post articles.

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

[From the Washington Post, May 11, 2008]

SYSTEM OF NEGLECT: AS TIGHTER IMMIGRATION POLICIES STRAIN FEDERAL AGENCIES, THE DETAINEES IN THEIR CARE OFTEN PAY A HEAVY COST

(By Dana Priest and Amy Goldstein)

Near midnight on a California spring night, armed guards escorted Yusif Osman into an immigration prison ringed by concertina wire at the end of a winding, isolated

road. During the intake screening, a part-time nurse began a computerized medical file on Osman, a routine procedure for any person entering the vast prison network the government has built for foreign detainees across the country. But the nurse pushed a button and mistakenly closed file #077–987–986 and marked it ''completed''—even though it had no medical information in it. Three months later, at 2 in the morning on June 27, 2006, the native of Ghana collapsed in Cell 206 at the Otay Mesa immigrant detention center outside San Diego. His cellmate hit the intercom button, yelling to guards that Osman was on the floor suffering from chest pains. A guard peered through the window into the dim cell and saw the detainee on the ground, but did not go in. Instead, he called a clinic nurse to find out whether Osman had any medical problems. When the nurse opened the file and found it blank, she decided there was no emergency and said Osman needed to fill out a sick call request. The guard went on a lunch break.

The cellmate yelled again. Another guard came by, looked in and called the nurse. This time she wanted Osman brought to the clinic. Forty minutes passed before guards brought a wheelchair to his cell. By then it was too late: Osman was barely alive when paramedics reached him. He soon died.

His body, clothed only in dark pants and socks, was left on a breezeway for two hours, an airway tube sticking out of his mouth. Osman was 34.

The next day, an autopsy determined that he had died because his heart had suddenly stopped, confidential medical records show. Two physicians who reviewed his case for the Washington Post said he might have lived had he received timely treatment, perhaps as basic as an aspirin. Privately, Otay Mesa's medical staff also knew his care was deficient. On Page 3 of an internal review of his death is this question:

Did patient receive appropriate and adequate health care consistent with community standards during his/her detention . . .?

Otay Mesa's medical director, Esther Hui, checked ''No.''

Osman's death is a single tragedy in a larger story of life, death and often shabby medical care within an unseen network of special prisons for foreign detainees across the country. Some 33,000 people are crammed into these overcrowded compounds on a given day, waiting to be deported or for a judge to let them stay here.

The medical neglect they endure is part of the hidden human cost of increasingly strict policies in the post-Sept. 11 United States and a lack of preparation for the impact of those policies. The detainees have less access to lawyers than convicted murderers in maximum-security prisons and some have fewer comforts than al-Qaeda terrorism suspects held at Guantanamo Bay, Cuba. But they are not terrorists. Most are working-class men and women or indigent laborers who made mistakes that seem to pose no threat to national security: a Salvadoran who bought drugs in his 20th year of poverty in Los Angeles; a U.S. legal U.S. resident from Mexico who took $50 for driving two undocumented day laborers into a border city. Or they are waiting for political asylum from danger in their own countries: a Somali without a valid visa trying to prove she would be killed had she remained in her village; a journalist who fled Congo out of fear for his life, worked as a limousine driver and fathered six American children, but never was able to get the asylum he sought.

The most vulnerable detainees, the physically sick and the mentally ill, are sometimes denied the proper treatment to which they are entitled by law and regulation. They are locked in a world of slow care, poor care and no care, with panic and coverups among employees watching it happen, according to a Post investigation.

The investigation found a hidden world of flawed medical judgments, faulty administrative practices, neglectful guards, ill-trained technicians, sloppy record-keeping, lost medical files and dangerous staff shortages. It is also a world increasingly run by high-priced private contractors. There is evidence that infectious diseases, including tuberculosis and chicken pox, are spreading inside the centers.

Federal officials who oversee immigration detention said last week that they are ''committed to ensuring the safety and well-being'' of everyone in their custody.

Some 83 detainees have died in, or soon after, custody during the past five years. The deaths are the loudest alarms about a system teetering on collapse. Actions taken—or not taken—by medical staff members may have contributed to 30 of those deaths, according to confidential internal reviews and the opinions of medical experts who reviewed some death files for the Post. According to an analysis by the Post, most of the people who died were young. Thirty-two of the detainees were younger than 40, and only six were 70 or older. The deaths took place at dozens of sites across the country. The most at one location was six at the San Pedro compound near Los Angeles.

Immigration officials told congressional staffers in October that the facility at San Pedro was closed to renovate the fire-suppression system and replace the hot-water boiler. But internal documents and interviews reveal unsafe conditions that forced the agency to relocate all 404 detainees that month. An audit found 53 incidents of medication errors. A riot in August pushed federal officials to decrease the dangerously high number of detainees, many of them difficult mental health cases, and caused many health workers to quit. Finally, the facility lost its accreditation.

The full dimensions of the massive crisis in detainee medical care are revealed in thousands of pages of government documents obtained by the Post. They include autopsy and medical records, investigative reports, notes, internal e-mails, and memorandums. These documents, along with interviews with current and former immigration medical officials and staff members, illuminate the underside of the hasty governmental reorganization that took place in response to the attacks of Sept. 11, 2001.

The terrorist strikes catapulted immigration to a national security concern for the first time since World War II, when 120,000 Japanese residents and their American relatives were locked away in desolate internment camps.

After Sept. 11, the Bush Administration transferred responsibility for border security and deportation to the new Department of Homeland Security, which gave it to Immigration and Customs Enforcement (ICE)—a reconfiguration of the decades-old Immigration and Naturalization Service—in 2003, the year the Post used as the starting point for counting detainee deaths. Each year since, the number of detainees picked up for deportation or waiting behind bars for political asylum has skyrocketed, increasing by 65 percent since July 2005.

Government professionals provide health care at 23 facilities, which house roughly half of the 33,000 detainees. Seven of those sites are owned by private prison companies. Last year, the government also housed detainees in 279 local and county jails. To handle the influx of detainees, ICE added 6,300 beds in 2006 and an additional 4,200 since then. They too are nearly full.

These way stations between life in and outside the United States are mostly out of sight: in deserts and industrial warehouse districts, in sequestered valleys next to other prisons, or near noisy airports. Some compounds never allow detainees outdoor recreation; others let them out onto tiny dirt patches once or twice a week.

Detainees are not guaranteed free legal representation, and only about one in 10 has an attorney. When lawyers get involved, they often have difficulty prying medical information out of the bureaucracy—or even finding clients, who are routinely moved without notice.

The burden of health care for this crush of human lives falls on an obscure federal agency that lacks the political clout and bureaucratic rigor to do its job well. The Division of Immigration Health Services (DIHS), housed in a private office building at 13th and L Streets, NW., several blocks from ICE headquarters, had a budget last year of $61 million. ICE spent an additional $28 million last year on outside medical care for detainees.

Medical spending has not kept pace with the growth in population. Since 2001, the number of detainees over the course of each year has more than tripled to 311,000, according to ICE and the Government Accountability Office. Meanwhile, spending for the DIHS and outside care has not quite doubled, ICE figures show. ICE's conflicting population and budget numbers make the trends difficult to determine.

The agency is responsible for managing and monitoring detainee medical care, about half of which is provided by U.S. Public Health Service professionals and the rest by contracted medical staff. When doctors and nurses at the immigration compounds believe that detainees need more than the most basic treatment, they have to fax a request to the Washington office, where four nurses, working 9 to 4, East Coast time, five days a week, make the decisions.

A proud Statue of Liberty replica stands just beyond the glass doors of DIHS headquarters to remind visitors of the Public Health Service's historical role in screening and treating European immigrants arriving at Ellis Island at the turn of the last century. Its new role is to keep detained immigrants healthy enough to be deported.

The mission is accompanied at times by a sense of panic and complicity. Many documents obtained by the Post make clear that the people in charge know that the system is in trouble and that piecemeal fixes are not enough.

''The onus is on us if it hits the fan,'' one official complained during a high-level headquarters meeting about staff shortages late last summer, according to records of the conversation. ''We're going to be responsible if something happens, because it's well documented that we know there's a problem, that the problem is severe.''

''We are putting ourselves and our patients at risk,'' another official said.

Doctors express concerns about violating medical ethics and fear lawsuits. In July, Esther Hui at Otay Mesa sent a memo to DIHS medical director Timothy T. Shack, saying her colleagues were worried that they might be sued because of the substandard care they were giving detainees. The agency's mission of ''keeping the detainee medically ready for deportation'' often conflicts with the standards of care in the wider medical community, Hui wrote. ''I know in my gut that I am exposing myself to the U.S. legal standard of care argument. . . . Do we need to get personal liability insurance?''

Nurses who work on the front lines see the problems up close. ''Dogs get better care in the dog pound,'' said Catherine Rouse, a contract nurse at an Arizona detention center who quit after two months last year because

she saw what she regarded as ''scary medicine'' in the prison: Patients taken off medications they needed and nurses doing tasks they were not qualified to do. ''You don't treat people like that. There has to be some kind of moral fiber,'' Rouse said.

In a statement responding to questions raised by The Post, Immigration and Customs Enforcement officials pointed out that the federal government spent nearly $100 million in fiscal 2007 on medical care for immigration detainees. About one in four immigrants in the detainee population has a chronic health condition, the statement said.

''Among ICE's highest priorities is to ensure safe, humane conditions of confinement for those in our custody,'' the statement said. ''We make every effort to enforce all existing standards and, whenever possible, to improve upon them. When we find standards that are not being met, we take immediate action to correct deficiencies and when we believe that the deficiencies cannot be corrected, we relocate our detainees to other facilities.''

By their calculations, officials said, the mortality rate among detainees has declined since 2004 to a level that is lower than that in U.S. jails and prisons. The deaths, the statement said, ''highlight the tremendous responsibility and potential liability the government faces in providing medical care to a population that often did not have access to adequate health care before coming into our custody.''

To this end, the agency recently increased its inspections of facilities and is creating an inspection group at headquarters to review serious incidents, including deaths or allegations that standards are not being met.

ICE declined to comment on specific cases, citing internal policies on patient privacy or pending litigation.

Neil Sampson, who ran the DIHS as interim director most of last year, left that job with serious questions about the government's commitment. Sampson said in an interview that ICE treated detainee health care ''as an afterthought,'' reflecting what he called a failure of leadership and management at the Homeland Security Department. ''They do not have a clear idea or philosophy of their approach to health care [for detainees],'' he said. ''It's a system failure, not a failure of individuals.''

A new director for health services arrived six months ago, following a stretch when the agency was run first by Sampson and then by a second interim director. The new boss is LaMont W. Flanagan, who brought with him the credential of having been fired in 2003 by the state of Maryland for bad management and spending practices supervising detention and pretrial services. An audit found that Flanagan had signed off on payments of $145,000 for employee entertainment and other ill-advised expenditures. His reputation was such that the District of Columbia would not hire him for a juvenile-justice position.

''Another death that needs to be added to the roster,'' Diane Aker, the DIHS chief health administrator, tapped out in an e-mail to a records clerk at headquarters on Aug. 14, 2007. Juan Guevara-Lorano, 21, was dead.

Guevara, an unemployed legal U.S. resident with a young son, was arrested in El Paso for driving illegal border-crossers farther into the city. He was paid $50.

An entry-level emergency medical technician, with barely any training, had done Guevara's intake screening and physical assessment at the Otero County immigration compound in New Mexico. Under DIHS rules, those tasks are supposed to be done by a nurse.

After two difficult months in detention, Guevara had decided not to appeal his case. He would go back to Mexico with his family. But on Aug. 4, he came down with a splitting headache, what he called a nine on a pain scale of 10, his medical records show. The rookie medical technician prescribed Tylenol and referred Guevara to the compound's physician ''due to severity of headache . . . and dizziness,'' according to medical records.

But Guevara never saw a doctor. Eight days after the first incident, he vomited in his cell. The same junior technician came to help but was unable to insert a nasal airway tube. Guevara was taken to a hospital, where doctors determined an aneurism in his brain had burst.

His wife, pregnant at the time with their second child, recalled that she rushed to the hospital but ICE guards would not let her inside, until the Mexican Consulate interceded. Guevara's mother waited five hours before they let her in. By then he was brain-dead.

''My son is not coming back,'' sobbed Ana Celia Lozano months later, sitting in Guevara's small mobile home as her grandson played on the floor. ''I want to know how he lived and died, nothing more.''

What appears to be the most incriminating document in Guevara's case has been partially blacked out. Still, what is left shows that he did not receive adequate care. ''The detainee was not seen or evaluated by an RN, midlevel or physician. . . . At the time of the incident on 8/12/2007, the detainee was seen and examined by EMTs.''

Each immigration facility is allotted a different number of positions, and a shortage of doctors and nurses is not unusual at centers across the country. Records from February show that about 30 percent of all DIHS positions in the field were unfilled. ICE officials said last week that the current vacancy rate is 21 percent. Concern about the vacancies is voiced repeatedly at clinical directors' meetings. ''How do we state our concerns so that we can be heard? . . . this is a CRITICAL condition. . . . We have bitten off more than we can chew,'' a physician wrote in the minutes of one meeting last summer.

In some prisons, the staffing shortages are acute. The Willacy County detention center in South Texas—the largest compound, with 2,018 detainees—has no clinical director, no pharmacist and only a part-time psychiatrist. Nearly 50 percent of the nursing positions were unfilled at the 1,500–detainee Eloy, AZ, prison in February. At the newly opened 744–bed Jena, LA, compound, nurses run the place. It has no clinical director, no staff physician, no psychiatrist and no professional dental staff.

Last August, Sampson, who was then DIHS interim director, warned his superiors at ICE that critical personnel shortages were making it impossible to staff the Jena facility adequately. In a vociferous e-mail to Gary Mead, the ICE deputy director in charge of detention centers, he wrote:

''With the Jena request we have been re-examining our capabilities to meet health care needs at a new site when we are facing critical staffing shortages at most every other DIHS site. While we developed, executed and achieved major successes in our recruitment efforts we have been unable to meet the demand.''

The slow ICE security-clearance process forced many job applicants to go elsewhere, Sampson wrote. Of the 312 people who applied for new positions over the past year, 200 withdrew, he wrote, because they found other jobs during the 250 days it took ICE, on average, to conduct the required background investigations. Last week, ICE officials said the average wait had decreased recently to 37 days.

These shortages have burdened the remaining staff. In July 2007, a year after Osman's death in Otay Mesa, medical director Hui strongly complained to headquarters about workload stress. ''The level of burnout . . . is high and rising,'' she wrote in an e-mail. ''I know that I have been averaging approximately 2–6 hrs of overtime daily for the past 2 months. I will no longer be able to sustain this pace and will be decreasing the number of hours that I work overtime. This being said, more will be left undone because we simply do NOT have the staff.''

The overcrowding has created a petri dish for the spread of diseases. One mission of the Public Health Service is to detect infectious diseases and contain them before they spread, but last summer, the gigantic Willacy center was hit by a chicken pox outbreak.

The illness spread because the facility did not have enough available isolation rooms and its large pods share recycled air, but also because security officers ''lack education about the disease and keep moving around detainees from different units without taking into consideration if the unit has been isolated due to heavy exposure,'' noted the DIHS's top specialist on infectious diseases, Carlos Duchesne. The staff was forced to vaccinate the entire population in mid-July. In one 2007 death, memos and confidential notes show how medical staff missed an infectious disease, meningitis, in their midst. Victor Alfonso Arellano, 23, a transgender Mexican detainee with AIDS, died in custody at the San Pedro center. The first three pages of Duchesne's internal review of the death leave the impression that Arellano's care was proper. But the last page, under the heading ''Off the record observations and recommendations,'' takes a decidedly critical tone: ''The clinical staff at all levels fails to recognize early signs and symptoms of meningitis. . . . Pt was evaluated multiple times and an effort to rule out those infections was not even mentioned.'' Arellano was given a ''completely useless'' antibiotic, Duchesne wrote. Lab work that should have been performed immediately took 22 days because San Pedro's clinical director had ordered staff members to withhold lab work for new detainees until they had been in detention there ''for more than 30 days,'' a violation of agency rules.

''I am sure that there must be a reason why this was mandated but that practice is particularly dangerous with chronic care cases and specially is particularly dangerous with . . . HIV/AIDS patients,'' Duchesne wrote. ''Labs for AIDS patients . . . must be performed ASAP to know their immune status and where you are standing in reference to disease control and meds.''

Given the frequency with which ICE moves people within the detention network, keeping track of detainees is critical to stopping the spread of infectious illnesses. The purchase of an electronic records system named CaseTrakker in 2004 was supposed to help. But according to internal documents and interviews, CaseTrakker is so riddled with problems that facilities often revert to handwritten records.

A study at one site found that it took one-third more time to use CaseTrakker than to use paper. Thousands of patient files are missing. Recorded data often cannot be retrieved. Day-long outages are common.

When detainees are transferred from one facility to another, their records, if they follow them, are often misleading. Some show medications with no medical diagnoses, or ''lots of diagnoses but no meds,'' according to Elizabeth Fleming, a former clinical director at one compound in Arizona.

After Yusif Osman's death and the discovery of the problem with his computerized records, the DIHS ordered a review of all charts at the Otay Mesa center. During the review, auditors also found that 260 physical

exams were never completed as required. The nurse responsible for the error in Osman's case was reprimanded, but the computer problem was not fixed. The CaseTrakker system ''has failed and must be replaced,'' Sampson, the DIHS interim director, wrote to his ICE supervisors in August.

In January 2008, medical director Shack told colleagues that CaseTrakker ''is more of a liability than the use of paper medical record system,'' according to the minutes of a meeting. It ''puts patients at risk.''

ICE officials said last week that they are not satisfied with CaseTrakker and are working to replace it.

Along with being at the mercy of computer glitches, detainees suffer from human errors that deny or delay their care. And with few advocates on the outside, they are left alone to plead their cases in the most desperate ways, in hand-scribbled notes to doctors they rarely see.

''I need medicine for pain. All my bones hurt. Thank you,'' wrote Mexico native Roberto Ledesma Guerrero, 72, three weeks before he died inside the Otay Mesa compound. Delays persist throughout the system. In January, the detention center in Pearsall, Tex., an hour from San Antonio, had a backlog of 2,097 appointments.

Luis Dubegel-Paez, a 60–year-old Cuban, had filled out many sick call requests before he died on March 14. Detained at the Rolling Plains Detention Facility in the West Texas town of Haskell, he wrote on New Year's Day: ''need to see doctor for Heart medication; and having chest pains for the past three days. Can't stand pain.''

Ten days later he went to the clinic and became upset when he wasn't seen. He slugged the window, yelled, pointed at his wristwatch. He was escorted back to his cell.

Another of his sick call requests said: ''Need to see a doctor. I have a lot of symptoms of sickness . . . as soon as possible!'' The next was more urgent: ''I have a emergency to see the doctor about my heart problems . . . or the last couple days and I been getting dizzy a lot.''

The next day, Dubegel-Paez collapsed and died. His medical records do not show that he ever saw a doctor for his chest pains.

Hanna Boutros, 52, who came to the United States 30 years ago, waited seven months for surgery after receiving a diagnosis of ''high-grade'' prostate cancer, which his urologist urged be treated immediately. ICE officials sent him to Krome Service Processing Center in Miami because, they said, it could best deal with his condition.

But he was seen by nurses, not a doctor, until he found an outside lawyer to threaten a suit. Boutros finally got surgery just before Christmas, before he was deported to Lebanon, leaving two children and a wife in the United States. ''I was miserable. I was very, very scared. It was always burning,'' he said.

Juan Guillermo Guerrero, 37, was denied his seizure medication and given an ineffective substitute. Suffering from one or two painful seizures a week, he told his lawyer to drop his case, saying he preferred to be deported than to die inside an immigration prison. A few days after he returned to Mexico, Guerrero died of asphyxiation during a seizure, according to his lawyers. Sometimes, to save money, the government releases detainees instead of treating them. Martin Hernandez Banderas, a 40-year-old Mexican, was released from custody last year while he was in the hospital following surgery to amputate his leg. An internal review found that the system failed him before the surgery: Nurses and doctors at Otay Mesa did not appreciate the severity of his diabetic foot wounds, did not properly treat them or prescribe the correct course of antibiotics, and did not bring in a qualified surgeon to evaluate the problem.

Simon Reyes-Altimirano, 25, a Honduran, was diagnosed with chicken pox and sent back to his cell with Benadryl, only to be hospitalized a day later and diagnosed with an inoperable brain tumor. He died two weeks later.

Shack, the medical director, found that Reyes-Altimirano's care at the El Paso detention center had been ''appropriate and timely.'' But a nurse at the center poured out her remorse in a typed note placed in Reyes-Altimirano's medical file. ''We always have to listen to the patient and the reason I say this is because'' when he first reported his problems, ''one of the nurses said, ''I think he is faking his illness'' . . . this is not just a medical learning experience but also an emotional one.''

Three weeks after Reyes-Altimirano died, a nurse at the Krome Service Processing Center accused the Rev. Joseph Dantica of faking an illness, too. The 81–year-old Baptist minister had fled Haiti in the fall of 2004, fearing for his life after gangs set fire to the church overlooking Port-au-Prince where he ran a school, let people use computers for free and quietly handed out money to needy families.

As a younger man, Dantica listened to tapes to practice English every day, but he never wanted to live in the United States, said a niece, writer Edwidge Danticat, who was raised by him. He visited once a year, to see his brother in Brooklyn and raise money for his church.

But after U.N. peacekeepers and Haitian riot police seized the church to use as a base against gangs, and after the gangs retaliated by burning the altar, Dantica slipped on a woman's muumuu and wig and headed to the airport. He arrived in Miami with a valid visa but decided to seek asylum because he thought he might have to stay longer than his visa allowed. In an earlier time, Dantica would have been permitted to go on to New York while the government considered his claim. This time, he was detained.

Dantica and an immigration lawyer were sitting before an asylum officer when the minister began to vomit violently. The lawyer, John Pratt, said agents at the detention center had taken away his client's blood-pressure medicine.

Dantica ''turned very cold. His eyes wandered around, and he appeared not to be conscious of his surroundings,'' the asylum officer, Miriam Castro, later told investigators, according to confidential documents. ''Applicant assumed a rigid position with his legs stretched out and remained in this position.''

Castro called for medical help. No one came for 15 minutes. When the public health nurse and a physician assistant arrived, the nurse said he believed that Dantica ''was faking because Applicant kept looking at him randomly,'' Castro said. The nurse, Tony Palladino, ''then went on to demonstrate that when he moved Applicant's head up and down, Applicant maintained his head rigid as opposed to limp, thus not allowing his head to fall back. [The nurse] stated that was another way he determined Applicant was faking symptoms.''

Dantica died a day later in Miami's Jackson Memorial Hospital, shackled to a bed. Pratt had called the hospital repeatedly, trying to get information about the minister's condition and permission for his family to see him. ''They never said anything but they were doing tests,'' Pratt said. Security reasons, hospital officials told him, prevented visitors.

The government's internal medical records say Dantica died of pancreatitis. A one-page death certificate in his file has ''VOID'' stamped across it. Two outside doctors who reviewed his medical records for The Post said he probably died of heart problems.

Yusif Osman had been living in Los Angeles as a legal resident for five years when he was detained crossing back from Tijuana in 2006 with a passenger, also from Ghana, who had a false ID. Osman was arrested on a smuggling charge, which he denied and was fighting while locked up at Otay Mesa. He seemed healthy to his friends and family who visited him or spoke to him by phone.

His girlfriend, Dorothy Weens, was stunned when she picked up the phone in late June and a stranger broke the news. ''Yusif Osman passed away,'' the man said.

When Osman's lawyer called the compound to verify what had happened, he was told only that his client was no longer there. Weens and a cousin of Osman's called immigration officials several times for answers. They were told that the matter was under investigation. Eventually they stopped calling.

Osman's belongings from the prison arrived at his cousin's house one day by mail. Pants. Socks.

Scraps of paper with prayer verses written in Arabic. His birth certificate. A letter from Dorothy: ''Hey Babe! Hang in there. I'm trying everything I can do, to get you out of there. I love you and God love you. And that all you needs. I'm sending you $100.00. Love, Dot.''

There was also an inventory of the rest of his personal property on the day he died: ''4 yellow envelopes. 1 writing pad. I religious beads. I Chap Stick. 14 Ramen soups. 1 grape jelly. 1 jar peanut butter. 1 hot cocoa mix. 1 box Q tips.''

The mortuary received a preliminary death certificate from the coroner's office. It noted Osman's cause of death as ''pending,'' enough to release the body. His mosque collected money for a burial in a Muslim cemetery in the Mojave Desert. Male friends dug the grave. They laid his corpse, wrapped in white cloth, into the open earth and covered it with rocky dirt.

The final death certificate arrived in the mail sometime later. Under cause of death, it still read ''pending.'' Osman's passing remains a mystery to his grieving relatives in Ghana and his adopted African community in Los Angeles.

An uneven, blank concrete headstone marks Grave 26. The truth of Osman's death is also buried, thousands of miles away, past the Statue of Liberty replica near the front door, inside a cabinet at the Division of Immigration Health Services, in file #077–987–986.

Mr. MENENDEZ. Madam President, the series is staggering, revealing deficiencies in our detention system that most of us could not dream up in our worst nightmare. The Washington Post has forced us as a nation to look in the mirror, and I, for one, am appalled at what I see.

We, the United States of America, the greatest democracy in the entire world, have been injecting people with heavy dosages of drugs in order to deport them or to move them around the system with more ease.

Immigration officials drug people going through U.S. facilities, and they drug people who are to be deported. They drug some people so heavily that when they get off the plane, they collapse on the tarmac or have to be rolled off the plane in a wheelchair.

They do not only drug people to make it easier to kick them out. One story that stood out in both the Washington Post article and a segment on

''60 Minutes'' was that of a woman named Amina Mudey.

Last year, Amina fled from Somalia to the United States to seek asylum after she was tortured and her family was killed before her eyes. When she arrived at JFK airport, she was shackled, thrown in a van and driven to a windowless, converted warehouse in New Jersey. Immigration authorities didn't so much as find an interpreter. Instead, they decided to lock her up and decided she was insane, without even talking to her, and decided to inject her full of a drug to treat a disease she didn't even have. The side effects were awful. Her tongue swelled so much she couldn't close her mouth. She drooled and vomited uncontrollably and began to lactate. When she complained, they upped the dose. She thought to herself: Maybe I am going to die here.

Finally, 5 months after she was detained, she won her asylum case in court and was released from the detention center. Without the perseverance of her lawyer, Amina would never have emerged from her drug-induced state. She never would have found the asylum she so desperately needed.

This case sheds light on another grim reality. Medical treatment at our detention facilities is atrocious. Overmedication is far from the only problem. Life-threatening lack of care is also a serious problem. Take the heartbreaking story of Francisco Castaneda. Francisco entered one of our detention facilities battling cancer, although he didn't know it at the time. All he knew is he had significant lesions on his reproductive organs.

Offsite officials who never examined Francisco repeatedly denied him the biopsy he so desperately needed. After 11 long months in custody, Francisco argued for and eventually obtained a temporary release so he could pay for his own biopsy. Life-threatening cancer tumors were found. Despite amputation of the affected area and several rounds of chemotherapy, Francisco died of cancer at the age of 36.

A Federal judge recently noted that this case appears to present ''one of the most, if not the most, egregious Eighth Amendment violations [involving cruel and unusual punishment] the Court has ever encountered.''

The United States of America essentially killed Francisco Castaneda by denying him the medical care he so desperately needed. Why? Because he had entered this country without the proper documentation at the age of 10, when his mother, fleeing civil war in El Salvador—a war the United States helped to fund, a war that sent thousands of refugees such as him to our country—chose to seek freedom.

He was denied care because he tried to make a better life for himself and his family. These are hardly offenses that warrant death. We cannot in good conscience allow these conditions to continue. That is why I have joined together with Senators KENNEDY, DURBIN, AKAKA, LIEBERMAN, KERRY, and BINGAMAN to introduce the Detainee Basic Medical Care Act.

First, the bill would require the Department of Homeland Security to establish procedures for delivering basic health care to all immigrant detainees in custody. It requires the Department to give people in custody access to any medications they urgently need, both during detention and transfers.

Currently, a bureaucrat in an office can overrule a medical professional who is actually on-site and seeing a detainee. This bill ensures that treatment decisions are made by the professionals who actually see the patient.

Finally, the bill would require the Department to report all detainee deaths to the Office of Inspector General and Congress.

We can never lose sight of the fact that everyone who immigrates to this country, whether they are documented or not, is a human being. A detention should never amount to a death sentence. This kind of action to ensure humane treatment and prevent unnecessary deaths at these facilities is long overdue.

Let us not forget that many in immigration detention are there for minor violations, many because of administrative errors or pending legitimate asylum cases.

At this point, this becomes more than a legal issue; it becomes a human rights issue. It is our job to do all we can to secure our country while also protecting the dignity of all human beings. If we fail to do so, not only do we blemish ourselves, but we lose the moral high ground to be a beacon of democracy and a leader of human rights around the world.

It is astounding to me that human beings could be treated as badly as some are being treated on our soil. When innocent people are drugged, tranquilized, and treated similar to animals, when agents attempt to handcuff a pregnant U.S. citizen, break down the door to her home, terrify her children and her family, when an agency of the Federal Government deports its own citizen, when all this is going on, each of us in America has to think: What is happening in our country? Doesn't my U.S. citizenship, whether by birth or naturalization, protect me from this kind of abuse?

Some officials have claimed these incidents are rare, and some have suggested this is acceptable collateral damage in pursuit of undocumented aliens. Tell that to our fellow citizens who found themselves either detained illegally or deported. Tell that to Pedro, Gladis and Amina and everyone else and all the families who have had to watch this happen. No matter how widespread this pattern of abuse turns out to be, one thing is clear: It isn't rare enough.

There is only one way to prevent that kind of abuse, and it should be a universal policy that before we accuse someone of being undocumented, there is one other document we should inspect first. It is called the Constitution of the United States. It is time for immigration and law enforcement at all levels to rededicate themselves to respecting the rights the Constitution guarantees. That means respecting the need for probable cause and the right to be free from unreasonable search and seizure guaranteed by the fourth amendment, the right to due process guaranteed by the fifth and fourteenth amendments, and the full benefits of citizenship and equal protection for anyone born or naturalized in this country, guaranteed by the 14th amendment, and the entire range of rights and protections under our Constitution.

It is going to take real leadership at every level of our justice system, from the Attorney General to the Secretary of Homeland Security on down. That is the only way that those who by birth or naturalization have a legitimate right to pursue the American dream and to make sure their lives do not turn into an un-American nightmare.

This issue might not be the legislative business of the Chamber at this moment, but it is always our moral business. It is always our moral business to defend the most fundamental principle on which our Nation was founded: that all of us are created equal. Stopping illegal detentions of Americans based on their race is about more than properly enforcing the law. Above all, it is about respecting people who may be different from us but who share the same birthright.

Martin Luther King said:

> We may have come on different ships, but we're all in the same boat now.

If we are worried about what to throw off the boat, it should be our oldest enemy, which is fear. Once that is gone, we can resume our course on the currents of freedom and let our sails be filled with liberty and justice for all.

We can preserve the Constitution, defend our borders, and, at the same time, make sure no American citizen, whether naturalized or born here, ever faces the discrimination that is taking place widespread across the country in ways in which they are illegally detained, illegally put in detention facilities, their houses are broken into, and where even a U.S. citizen could be deported. That is a shameful time in our history, and I hope the Senate will work to stop it.

To the extent I have any time remaining, I yield it to Senator DURBIN for his presentation.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Before speaking on the issue of energy, I wish to commend my colleague from New Jersey. I hope those who were following the debate of the Senate were listening closely to what he had to say. I wish I could remember the exact quote—perhaps he can—but someone once said:

You can really measure the morality of a people by watching how they treat their prisoners and those under detention.

I think what he has brought to our attention today is nothing short of a critically important issue about the conduct of our Government in the treatment of people in detention, many of whom are not guilty of crimes, many of whom may be suspected and are being treated as if they have already been convicted, and treated extremely poorly.

I thank the Senator for bringing up this issue. It is one I hope the entire Senate will reflect on, and again I thank him for bringing it to our attention.

Madam President, if you go back to your home State of Missouri or my home State of Illinois—or you pick a State, pick a town, pick a street—and grab the first person who walks by and say: Is there anything on your mind that Washington is dealing with, do you know what the answer is going to be? Gasoline prices, Senator. Where have you been? Have you noticed what is going on here? Go to fill up the gas tank and pull out the credit card or the cash and you are paying twice as much as you did not that long ago. What are you going to do about it, Senator? A lot of talk about all the issues you are concerned about, but what is happening in Washington? Well, if you follow what happened this week on the floor of the Senate, you will understand that precious little—in fact, nothing—has happened this week in Washington when it comes to the issue of gasoline prices, diesel prices, and home heating oil. And it isn't for lack of effort.

The Democratic majority brought a bill to the floor asking the Senate if we could move forward and start to debate this bill. The bill had specific elements in it to try to address the increased cost of gasoline, to stop what we considered to be an abuse to the American economy. And how bad is it? Well, take a look at this chart, which shows in graphic terms what has happened since President Bush was sworn into office in January 2001 until just a few days ago here in 2008. The average price of gasoline, when the President was sworn in, was $1.47 a gallon. It is now $4.04 a gallon. This dramatic increase has caused hardship to families, to businesses, to farmers, to airlines, and to truckers. You name it, the American economy is suffering because of it.

It isn't just something that happened over a long period of time. We can see just this year what has happened with gas prices. Just since January of 2008, gasoline prices have gone up 93 cents, almost $1 a gallon. People are feeling that. I find it when I get back to Illinois, particularly in my part of the State, in downstate Illinois, where they live in smaller towns, in affordable housing, and commute to their jobs. They now find the price of gasoline to be beyond their budgets week after week and month after month.

So we said: Let's bring a bill to the floor, and let's have a bill that deals with the reality. And here are the harsh realities. Not only has the price of gasoline gone up, but the profit-taking by the American oil companies has gone up dramatically. Since President Bush has taken office, the profit-taking by these companies has increased by over 400 percent, in the same period of time the cost of gasoline has gone up over 250 percent. It is no coincidence. These companies aren't making the biggest profits in the history of the oil industry, they are making the biggest profits in the history of American business. No other company has ever done this.

We also understand what it means to businesses, passing along the expenses of energy costs on products. Whether they are food products or whatever it might be, it raises the cost of living for everybody.

We know what is happening with airlines. Just this last week, the airlines—those that are still in business, because so many have gone bankrupt—those that are still in business announced dramatic cutbacks in their scheduling. Most of the major airlines took out of their fleets the less fuel-efficient planes and cut back on their scheduled aircraft by 20 percent. Well, welcome to our summer vacations as we try to move back and forth across America with fewer airplanes, stuffed to the gills with passengers. That is the reality of this energy crisis.

We know what it means to truckers. They are facing diesel costs near $5 a gallon, and they are trying to fill up those big rigs and keep them on the highway, and it is hard to do. It is difficult to even consider that they can do this without passing along the cost of that added energy cost to those who are buying the products in the back of the truck.

So what we have already done so far in the Senate is to pass fuel economy standards for cars and light trucks that will reach 35 miles a gallon by 2020. That is a good thing. American consumers will have a choice to buy more fuel-efficient vehicles. We have committed to the production of 36 million gallons of renewable transportation fuels, such as ethanol and biodiesel, by the year 2022. We have expanded research for plug-in hybrids. What is needed now, though, is not the long-term fix but something that can bring some relief. So we brought this bill to the floor, and here is what it did:

First, we rolled back the $17 billion Federal subsidy we are currently giving oil companies. How can you justify a subsidy to a company making record-breaking profits? Why would you take taxes away from families, who are hard pressed with their own budget needs, and give them to the wealthiest, most profitable companies in America? That was No. 1 in our bill.

No. 2 was a 25-percent windfall profits tax. We say to these oil companies: Enough is enough. You are entitled to a profit—you are in business for your shareholders—but when you have gone beyond a reasonable profit and it has gone into the area of greed, the Government is going to take it. And maybe the notion of a windfall profits tax would discourage the oil companies from continuing to raise those gasoline prices at the pump.

We also protected consumers from price gouging. The bill gave the President the authority to declare an energy emergency and set a limit on unconscionably excessive prices, if necessary. Are we in an energy emergency at this point? I argue that we are, and I think the President should have this authority.

Next, we would go after speculation in oil—the trading that goes on at the highest levels by some of the biggest investors—to make sure there is transparency and accountability, and that is something which is long overdue.

We would send a clear message to OPEC—that cartel of nations in the Middle East that supplies us with oil—that we will allow enforcement actions against any company or country that is colluding to set the price of oil, natural gas, and other petroleum products.

What was the Republican response to this bill? We needed 60 votes. We called for a vote yesterday. I took a look at it and I see that we had—it looks like 6, maybe 7 Republicans who joined us, 7 out of 49, one of whom was the Senator from Iowa, here on the floor now, who voted with us yesterday on moving forward on this bill. And I salute him. I wish some of his colleagues on the other side would have joined him. We needed 60 votes, and it failed. So the filibuster on the Republican side worked. They stopped the bill. They stopped the debate. We can't move forward on the bill because we couldn't bring over 60 Members. Unlike the Senator from Iowa, the vast majority of Republican Senators voted against even debating this bill, voted against amending it.

That is not the first time that has happened in this Congress. The filibuster, which many people are familiar with, allows any Senator to stand up and object to any amendment, any bill, any nomination, and if anyone wants to say to that Senator that he or she doesn't have the right to do that anymore, we need 60 Senators who will stand up and say it is time to move on, it is time to debate the amendment, it is time to bring it before us. In the history of the Senate, the total number of filibusters in any 2-year period of time, the max, has been 57. So far in this Congress, which still has about 6 or 8 months to go, there have been 75 Republican filibusters.

This most recent filibuster, on the Energy bill, stopped us from debating ways to bring down the price of gasoline in America, to send a message to oil companies that they have gone too far. We couldn't bring over, on a bipartisan basis, enough Republican Senators to reach the 60 votes. So the 74th

and the 75th Republican filibusters prevailed. They stopped us from moving forward. That is a sad reality and one that is hard to explain back home.

This week in the Senate—with the exception of the Senator from Iowa, who is on the floor and whom I have saluted twice but I will salute a third time for joining us on this vote—the overwhelming majority of Republicans are blocking a bill to debate lowering energy costs across America. How can that be in the best interest of the American economy? How can it be in the best interest of the Senate? Aren't we elected to come here and address the issues that really count, the ones that families and businesses feel every single day? Well, because of the strategy on the Republican side, we were unable to do it.

Now, I will tell you that the answer by most Republicans to the debate I have just talked about is that we should drill for oil in the Arctic National Wildlife Refuge in Alaska. I am opposed to that. And for years, whenever I would get up and say I am opposed to it, one of the Senators from Alaska would say: You have no business opposing it, you don't know what it looks like, you don't know what you are talking about. So I took it upon myself several years ago to go to the Arctic National Wildlife Refuge and to camp out two straight evenings there, with my son, two overnights, but I use that term loosely because the sun was up 24 hours a day by the time we went there to see what it was like. You understand, once you have flown over, landed, and walked through it, a large part of it, why President Eisenhower set this piece of real estate aside and said: Protect it. There is something special about this. Don't develop it unless it is an absolute emergency in America and there is no place to turn.

From the Republican side, they believe that is the answer: Let's go drill for oil in the Arctic National Wildlife Refuge. But the Department of Energy's own Energy Information Agency has made clear that it wouldn't make any difference if we drilled for oil in the Arctic National Wildlife Refuge because by the time the oil would be in peak production—which wouldn't be until the year 2030—Refuge oil would make up only .6 percent of the world's oil. It would literally be a drop in the oil bucket. That drop in the bucket is hardly a solution to today's high gasoline prices. In fact, the effect at the gas pump wouldn't be felt for two decades.

This Arctic National Wildlife Refuge is one of America's last pristine, untouched wilderness areas. It is home to over 200 wildlife species, including polar bears, musk ox, which I spotted while I was there, and caribou. Can we trust that a rush of oil development will protect this wilderness that we hold stewardship over? Is this really the last answer America can come up with? I think not. I think we are smart enough, we are determined enough, and with the right leadership we can reduce energy costs in America, give consumers an option to buy more fuel-efficient cars and trucks, find more fuel efficiency, more homegrown fuels, such as ethanol and the biofuels and biodiesel, and make certain we hold true to the values that we are not going to compromise the water we drink, the air we breathe, or wildernesses and refuges that have been set aside for decades. That is what is critically important in this national debate.

We know that despite even their best efforts, some of the major oil companies have pipeline problems. Just a couple of years ago, one of the major oil companies was responsible for the largest oil spill in North Slope history. That, unfortunately, is an indication that you can never be too careful.

History is clear: We need to do the right things to meet this energy crisis, and the first thing we need to do is to act as a Senate and debate an issue that really counts in America.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Madam President, I wish to speak on taxes, but I would like to comment a little on what I just heard from the Senator from Illinois. And he is absolutely right that I did vote to debate because I think a great deal can be accomplished through debate on this legislation. In regard to the overall bill and the motive behind it, it is good in the areas of antitrust and things of that nature, but taxing oil? The rule of economics 101 is that when you tax something, you get less of it. And the American people understand by now, with $4 gas, another rule of economics 101: If you are going to get prices down, you have to increase supply.

I would not be flippant about 13 billion barrels of oil in Alaska that we have not tapped. Yes, by the year 2030 it might be .6 percent of the world's supply, but when you are using 85 million barrels a day worldwide and when there are only about 86 or 87 million barrels of oil being pumped out of the ground worldwide, then you have to understand that a six-tenths of 1 percent increase in a world supply that is not very flexible is going to make a big difference because it is the nervousness that is in the supply of oil, and when it might be cut back because of natural disaster or terrorism activity or some German worker being kidnapped in Nigeria, which sometimes is an excuse for oil going up, more flexibility in the supply of oil is what is going to help us with steady prices and lower prices as we increase supply.

So even though I voted to bring the bill to debate yesterday, I want it fully understood that I am not a guy who believes taxing is going to increase supply. In fact, I believe more taxes is going to decrease supply.

I wish to have a debate with the Senator from Illinois and other people from the other side that what we need is supply. I could easily agree with the Senator from Illinois—maybe not about drilling in Alaska, but if he were willing to drill on the Outer Continental Shelf, willing to drill more in the Gulf of Mexico, and willing to drill more on public land. These are places we know there is an ample supply of oil we ought to make use of to keep the money in the United States instead of buying from the Arabs to give them American dollars to shoot back at us.

I think there are a lot of national security implications here that are as important as the price of gasoline for our suppliers. I said I would be willing to vote that way if we could get some understanding of drilling other places.

What I hear from the other side is: No, to Alaska; no, to the Outer Continental Shelf; no, to public lands; no, to the Gulf of Mexico. But I don't hear anybody crying—you often hear from people about the Outer Continental Shelf that you are going to ruin tourism if we do it. You are going to ruin the view of the ocean. But I don't hear anybody complaining that 50 miles off of Key West, it is OK for China to drill. But if you want to drill 50 miles off of Florida for the benefit of Americans, you would have an outcry. I don't understand it.

When I had my town meetings in Iowa during the Memorial Day recess, at every one of those meetings was brought up why don't we drill more where there is oil that is needed in the United States? Why don't we explore and make use of what we have? We can't fool the American public.

To some extent the debate we had yesterday was on a bill because if we didn't get to these issues of more exploring and more use of these resources, it would be a figleaf to cover the opinion or position of the other party that, no, we can't drill anymore.

Conserve? Yes, we ought to conserve. There is nothing the Senator from Illinois said about conserving that is not legitimate. But conserving is not the only answer to our problem. You have to have a three-legged stool of answers to our energy problems.

One of them is to drill where we know there are resources. Now, since God only made so much fossil fuel, that is short term. Then renewables is second, and conservation, the third. We need a public policy in all those areas. We have public policies for conservation—tax credit for fuel-cell cars, for refurbished homes to be more energy efficient, for energy-efficient appliances. We have tax incentives for renewable fuels. Of course we have had tax incentives for petroleum for a long period of time. We need those incentives. But to think renewables or conservation is a solution to this problem is very misleading.

Madam President, I want to talk a little bit about energy but also to talk more about taxes. That was an issue we debated yesterday. As I finished up last night, I spoke about the spike in gas prices. These increases in costs are hammering most Americans, including

too many Iowans. Iowans have seen it firsthand in the gas stations in New Hartford. I say that because sometimes I get the impression from my own constituents that everybody thinks all 100 Senators have chauffeur-driven limousines to drive around in so we don't know what the cost is to put gas in a gas tank. It is not true here in Washington, DC, except for a few of the elected leaders, and it is not true in Iowa, where I drive a 2003 Taurus. We do take care of ourselves and we do know the price of gas. In fact, I can tell you if I had been smart enough to buy gas when I left the Des Moines airport Friday night, I could have gotten it for $3.69, and I waited to buy it Sunday night and it was $3.89, and I know it is $4 out here. The point is, we feel it.

By the way, I have some advice for some of the leaders who drive SUVs around here and have chauffeur-driven limousines while we are paying $4 in taxpayers' money for gasoline. It aggravates me to high heaven when I see the SUVs idling out here, maybe to keep the car warm in the wintertime or cool in the summertime, and I saw it when the temperature around here was 60 degrees. Shut these cars off and save. There is no reason for the Senate of the United States to set an example that we do not conserve or care about the taxpayers' money by having these SUVs idle when nobody is in them, when they are not going anyplace.

I read reports about the gas issue. I read reports about the stimulus rebate checks being eaten up at the pump with this high gasoline price. In addition to this hit from gas hikes, American families are facing a big hit from planned tax hikes. I wish to take a few minutes then to talk about the additional hit taxes make on the family budget.

You would think no one would increase taxes in times of economic distress. Record tax hikes in an era of higher gas prices would seem to be a recipe for economic disaster. So people who think taxes are not high enough, complaining about the upcoming recession—hopefully avoided but probably not—why would you want to make it worse by increasing taxes?

Some people do not seem to care. People on the other side, including Presidential candidates, proudly and passionately want to raise taxes. You see it in the debate. I am not telling you something you can't see on television. Candidates of the other political party are waiting to raise taxes. How do they want to increase taxes, you might ask? By increasing tax rates and taxing investment income.

If the other side prevails in the November elections, we will be on a path to a tax hike; taxes that will go up, as a percentage of gross domestic product, higher than they have been at any time since World War II. If they stay on that path, yet higher. Taxes should rise by almost 10 percent with virtually every American paying more. If you want to create jobs, you don't tax labor. The rules of economics 101—if you tax something, you get less of it. If you want labor, then don't increase taxes on labor.

I wish to ask folks, particularly in the media, to take a serious look. It is in the Congressional Budget Office reports. It is the effect of letting the bipartisan Tax Relief Act of 2001 expire, and maybe a more partisan tax bill of 2003 expire.

How much more taxes would we have to pay? A lot more, say people on the other side, especially those Americans who are defined by the other side as making a lot of money.

What is a lot of money? The Democrats say if you are a family making at least $250,000 a year, you make a lot of money and don't pay enough taxes. That puts you in the current 33-percent tax bracket.

Can Americans making less than $250,000 a year be sure they will not pay more taxes? What is to say that the other side will not tax Americans making $100,000 a year? Or even $50,000 a year? The bipartisan Tax Relief Act made sure that all Americans are paying less in taxes. In 2001 and 2003, Congress did the right thing and reduced the tax liability for all hard-working Americans.

This tax relief should not be labeled the Bush tax cuts. Yes, President Bush had a great deal of involvement and deserves some credit. But I want to remind people that Congress passed the 2001 and 2003 tax relief. In fact, that year the Finance Committee was divided 50 percent Republican, 50 percent Democrat, because the whole Senate was equal, the number of Republicans and Democrats. We completely, as a body, rewrote the suggestions that President Bush put before the Congress.

Max Baucus, the current chairman, was my partner in the 2001 bill. We overcame the White House's desire to write a ''Republican only'' bill and skip the committee process. So stop calling this tax relief the Bush tax cuts. This label is politically motivated to confuse the American taxpayers about what was truly a bipartisan tax relief measure.

This label is repeated over and over. The head of the Senate Democratic Campaign Committee beats his partisan drum with this phrase. He relies on polls to drive a partisan message. The label is likewise parroted over and over in the press reports. The Sunday political talk show hosts are even getting into the act. If I had a nickel for every time I heard the words ''Bush tax cuts,'' especially from the political pundits, I would singlehandedly be able to pay off the national debt.

Colleagues and friends in the media, I beg you—I have asked you to consider what I am saying—lay off the false label of Bush tax cuts. Instead, look at the substance. The substance of the 2001 and 2003 tax relief put more money into the pockets of hard-working Americans. This is how it came about, by lowering the tax rates, providing marriage penalty relief and by providing the child tax credit. I do not hear much press discussion about how much money hard-working Americans are going to have to pay if the 2001 and 2003 tax relief expires. I ask the media people: Take a look at the data. It is real. It means dollars and cents to virtually every American taxpayer. That cushion in the family budget will be critical to deal with the burden from the higher gas prices that have been involved in the debate today and yesterday.

Other data: If the 2001 and 2003 tax relief expires, a family of four with household income of $50,000 will pay $2,300 more in taxes. That is a lot of money for a family earning $50,000. Here is a chart that will show you exactly the impact when 2010 comes and these expire, as the candidates on the other side want to do. In 2011 that family of four is hitting a tax wall, the tax wall, or $2,300 a year. These families have hit the wall. If the other side prevails, they are going to have their noses bloodied by the tax brick wall that the middle-income family hits.

Here is more data. A single mother with two children earning $30,000 will pay $1,100 more in taxes, if the tax relief bill is passed. This single mom with two kids will actually be crushed financially by a brick wall of higher taxes.

There is a lot of talk about need for change in economic policy. It seems as if change, no matter what it means, is good on its face. Many in the media and the beltway punditry fawn over the soaring rhetoric of the eloquent Democratic candidate. Indeed, there is almost a cult of personality surrounding the charismatic junior Senator from Illinois. These folks in the media and beltway punditry need to cut through the fog and look at what the Democratic notion of changed economic policy will mean to folks beyond the beltway. Look at this change not from the perspective of high-paid, latte-liberal crowds in the bluest areas of the bluest States. Look at what this means in the offices, factories, and farms of the heartland. That is what I ask many in the media and the punditry to take a good look at.

Gas prices are also squeezing the country's main job creators and that hits small business and farms. Small business has a tax hike to worry about as well. This tax hike piles on top of higher energy costs that are slamming small business.

According to the Treasury Department, about 70 percent of taxpayers who are flowthrough business owners are in the top 5 percent of the taxpayers. So my friends on the other side of the aisle, along with their Presidential candidate, are effectively saying they want small business owners to pay at least 13 percent more in taxes.

Small business owners are not Bill Gates or Warren Buffet. Small business owners are hard-working Americans

who live on Main Street. They are vital to our economic well-being. Small business employs a vast majority of America's workers. Yet small business owners have to pay more money to their Government. That is less money they can use to hire somebody.

The old law of economics 101: If you increase taxes, you get less of it; you tax labor more, you get less labor, you get less jobs. If that person is not hired, what happens? The individual is unemployed, has no income, has no health care. Instead, that worker stands in the unemployment line and collects unemployment.

Economics, like I said. All these tax hikes on small business would pile on top of the gas price hikes already crippling small business. Why should they pay more taxes? Is this change good because they can afford it? That is what the other side is saying. But it makes no sense.

What they are saying is, because these taxpayers can ''afford it,'' these taxpayers should be paying even a greater percentage of Federal Government taxes. But what does ''afford it'' mean? Do we not want all taxpayers, not just those make $250,000 or more, to pump their disposable incomes back into our economy?

Do we wish to steer taxpayers, including upper income taxpayers, toward lower return, tax-favored investments? Do we wish to steer their money away from reinvesting in small businesses or start-ups?

By the way, I wish to compliment one of Senator OBAMA's surrogates. I am referring to Gov. Tim Kaine of Virginia. On FOX News Sunday, Governor Kaine indicated Senator OBAMA would propose a zero-percent capital gains rate for small start-up companies. Under current law, that is a 7.5 percent rate.

Now, we Republicans could look at this proposal. But unfortunately for the American people, Governor Kaine said Senator OBAMA would substitute this rate with a 33-percent increase in capital gains on other investments.

So the substitution would be bad for other investors. So let's focus on the progrowth side of the proposal and consider dropping the rate of start-ups from 7.5 percent to zero.

The political talking point that we hear again and again, raise taxes on the country's top taxpayers to generate ''needed'' revenue, is communicated to the American public.

It is said enough times and repeated by the press so many times that many Americans believe it.

It is not the fault of that portion of the American public that believes it.

It is refreshing that a vast majority of Americans think the general idea of a tax increase is a bad idea, especially in these economic times.

But the notion that there are no downsides for taxpayers or for economic growth if income taxes go up by 10 percent is a notion that the other side believes. Many in the media seem to accept this notion without further examination.

If middle- and upper-income taxpayers see a bigger tax bill, do they believe that our economy will be better off?

It is clear lower tax rates have generated record tax revenues. I challenge some of the media who are skeptical about tax relief to take a look.

Here is a chart that illustrates that lower taxes have generated record tax revenues.

This chart illustrates that Federal tax revenues have been, and generally continue to be, coming into the Federal Treasury at or above the historical average of 18.2 percent of GDP.

Now what the heck does that mean?

It means that lowering the tax rates has not gutted Federal tax revenues.

So don't believe the Chicken Littles who say the sky will fall if we keep taxes low.

It means that keeping taxes low, even for Americans earning $250,000 a year has brought in record-breaking revenue.

It also means that the Government doesn't need to raise taxes in order to generate revenue.

Now I can't let my colleagues on the other side, and some of the skeptics in the press for that matter, say to the American public that if you earn less than $250,000 a year, you won't see higher taxes.

Why? There are millions of investors earning less than $250,000. They earn dividends and capital gains.

Let's take a closer look.

In 2003, Congress reduced the top tax rate on capital gains from 20 percent to 15 percent.

Congress also tied dividend income to the capital gains tax rate, that is, 15 percent.

For low-income taxpayers, the tax rate on capital gains and dividends is currently zero.

That's zero, with a capital Z.

Millions of low-income taxpayers receive dividends and capital gains.

All of these taxpayers were not making over $250,000.

I will shed light on this fact with a chart. Nationally, over 24 million tax returns reported dividend income.

In Iowa, for instance, over 299,000 families and individuals claimed dividend income on their returns.

Here is another chart dealing with capital gains.

Nationally, 9 million families and individuals claimed capital gains. Over 127,000 of them were folks from Iowa.

I have fought both Democrats and Republicans to ensure that our country is set on the right course.

That course is economic prosperity.

I would like to see a real discussion of the negative implications of changing current economic policy. With high gas prices squeezing taxpayers, it is more compelling than ever.

Let's clear away the fog about the expiring bipartisan tax relief. Broad-based tax increases aren't gauzy ''feel good'' economic policy changes. Let's examine the benefits of keeping taxes low.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. ALLARD. Madam President, first of all, I wish to thank the Senator from Iowa for his graciousness in allowing me to speak. He is a tremendous leader for us on issues of tax policy and health care, and I appreciate my relationship with him a lot. He is a wonderful American. He is a wonderful Iowan. He does a great job for the people of Iowa in the Senate.

We all know we are experiencing a time of dramatically increased energy costs. The price of gas sets new highs almost every day, and the price of oil continues to climb. In the face of this, the Democrats in this body think the proper response is to increase taxes and regulations on the energy industry.

It reminds me of a saying from the Reagan era: If it moves, tax it; if it keeps moving, regulate it; and if it stops moving, subsidize it.

Well, the bill the Democrats are trying to force on the American people would do at least two of those things. Increasing taxes and regulations do nothing to bring down the increase in fixed costs that result from high energy prices. It is not the right solution. Conventional wisdom dictates that in times when fixed costs are high, discretionary spending must decrease.

As the last budget showed, we certainly do not follow conventional wisdom in DC. But families all over America have to. In plain and simple language: Spending more on what we need generally means we have less to spend on what we want.

Now, make no mistake, we are spending more on what we need. Americans are feeling the pain at the pump due to high gas prices, but increasingly they are feeling pain at the kitchen table too. As gas prices go up, so do food prices. America's farmers and ranchers produce the safest and most affordable food in the world. But rising energy prices have affected almost every level of agriculture. It has caused the cost of everything from fertilizer to processing to increase.

The high price of diesel and other types of energy are forcing up production costs, which also forces up food prices. My home State of Colorado produces some of the best-tasting produce in the world, including potatoes. It is not putting fuel in the tractor that is hurting our farmers. Last year, in Colorado's San Luis Valley, it cost a farmer about $90 an acre for starter fertilizer for a potato crop. This year, the cost is up almost $300, from $90. You heard that right, in 1 year, starter fertilizer costs have more than tripled.

Weld County, CO, is one of the Nation's top-producing agricultural counties. But even in an area that produces as much food as Weld County, people there are fighting high food costs. Higher food costs hurt all Americans, but they are especially damaging to people dealing with food insecurity.

Food banks are struggling to stretch dollars so they can keep food on their shelves. That is food that goes to our most vulnerable populations, impoverished individuals and their families. In Weld County, 32 percent of the individuals served by the local food bank are children.

The price of food, and indeed all goods that need to be moved any distance, is also increased by the transportation costs. Listen to this. The trucking industry has been especially hard hit by the increases in diesel prices. In January of 2007, when the Democrats took control of Congress, diesel was $2.53 a gallon. Today the national average for diesel is $4.69 a gallon. That is an increase of $2.16 in the 18 months of Democratic control of Congress. In the 6 years preceding Democratic control of the Congress, the price of diesel rose about $1. That is right, $1 dollar for over 6 years, and $2.16 in 18 months.

I think the evidence is clear that the antiproduction Democrats in Congress are ignoring the needs of rural Americans in favor of liberal environmental elitists.

Gasoline prices are also changing families' plans for their leisure time. In times such as these, we see an industry such as tourism both helped and hurt by families having more limited funds. Local tourism in places such as Colorado is helped because people stay closer to home. For example, a family from southeast Colorado might choose to forgo their planned week-long trip to Yellowstone Park and instead spend 3 or 4 days at Rocky Mountain National Park.

This is good for Rocky Mountain National Park because that family might not have visited if they could afford the gas necessary to go to Yellowstone. But it is bad for Yellowstone because they lost visitors. Businesses in the surrounding communities around Yellowstone also lost the opportunity to feed and house that family and to sell them their souvenir T-shirts.

Unfortunately, though, tourism in a State such as Colorado is likely to be hurt by families' needs to visit locally, because although Rocky Mountain National Park will play host to a southeastern Colorado family, they are likely to lose visitation from families who have to travel farther to get there. Now, the Rocky Mountain National Park is a destination tourist area. So that people from all over the country, when they plan their weeks for a week vacation, they plan on making Rocky Mountain National Park their main focal point of that vacation. So families have to travel farther, and when they travel farther, they do not often want to spend more, and so it hurts destination tourist spots such as Rocky Mountain National Park.

But it is not just families who plan to drive who are affected. According to the Air Transportation Association only 8 years ago, 15 percent of the price of an airline ticket went to pay for fuel. Now that number has risen to 40 percent. Fuel prices for airlines are up 84 percent over last year, forcing them to raise fares and add surcharges and fees to recoup costs. Airlines will continue serving their best markets but may be forced to reduce flight frequencies and the number of cities they can serve altogether.

Small cities may keep service with a flight or two a day but only at much higher prices aimed at business travelers, while leisure travelers will have to drive to bigger cities to get more reasonable fears.

U.S. airlines are projected to spend $61 billion on fuel this year; that is $20 billion more than in 2007, an increase equivalent to the compensation and benefits of 267,000 airline workers or the acquisition of 286 new jets.

The rapid increase in jet fuel will add substantially to airline costs at a time when a weakening U.S. economy will make it more difficult to offset those costs with higher fares.

While oil prices are soaring, the airline industry and Denver-based Frontier Airlines has been forced to analyze every facet of their business in an effort to combat the enormous financial strain fuel costs are having on them. Airlines have been resorting to carrying less water per flight, removing bulky, unneeded carts and equipment, while even eliminating hot meal options so they could eliminate ovens and microwaves in the galleys.

While I commend our airline industry for their innovative solutions and creativity during these constrained times, these changes combined with fare increases are having a dreadful impact on our domestic airline industry, which has been vital to national and international commerce and tourism. Denver, CO, is the center of much of that activity.

United Airlines recently announced plans to take 70 more jets out of service and cut domestic capacity by 17 to 18 percent for the remainder of 2008 and 2009. Although Frontier Airlines prides itself on the ability to provide passenger service at relatively low cost, once again the high price of fuel has necessitated an increase to their fuel surcharge which is passed on to the customer.

In addition to raising prices, they have reduced aircraft fuel burns and began using new flight-planning computer software to track fuel and flights to save fuel. Frontier has also had to reduce the number and frequency of its flights into Denver, which will have an adverse impact on the Colorado economy and Colorado tourism, which usually flourishes in the warm summer months.

In closing, I would like to address the claim that Republicans in this body are the problem. Republicans in this body actually have legislation that will increase domestic production of energy, instead of cut it off. We are ready to talk about energy prices. We are ready to talk about gas prices. That is why we are here today doing that. We wish to help Americas alleviate the pain they are feeling at the pump by increasing production. That is the real solution to our problem.

The laws of supply and demand dictate that increasing supply will work to drive down prices. Increased taxation simply suppresses supply, which, in turn, leads to even higher prices. What we should not do is act on a bill that will decrease domestic production by imposing increased taxes.

What we should not do is act on a bill that will decrease domestic production by increasing the regulatory burden. That is what we have on the floor right now. That is what the ''no energy bill'' before us will do. I simply cannot support that. I am supporting the majority leader's effort to allow Republicans to be able to be a part of this process, to submit their amendments on the floor so we can actually move toward more production, instead of less production.

I yield the floor.

The PRESIDING OFFICER. The Senator from Colorado is recognized.

Mr. SALAZAR. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

MEDICARE

Mr. SALAZAR. Madam President, I come to the Senate floor this afternoon to speak about the Medicare package we will be voting on cloture on, the legislation that Senator REID filed for cloture yesterday. We will be doing that vote sometime tomorrow. Before I make my comments about that particular piece of legislation, I want to make a few comments in general about the importance of the health care agenda and the health care challenge that faces America.

For all of us who are in elected office in all of our States, we hear about the pain the people of America are feeling from a number of different perspectives. We hear loudly and clearly that people in our States are very concerned about what is happening with the runaway prices of oil and the high cost of gas and diesel and the farmers and ranchers and the businesspeople and consumers in general, just concern about that cornerstone of our economy which is causing so much pain to the people of America today.

We also hear about another cornerstone of concern, and that is what is happening with the housing crisis, the housing crisis which, in many ways, has ignited the economic instability we face in America today, where people are losing their homes, record foreclosures are occurring, and people want to know what it is we are doing in Washington to address the dream of home ownership for America.

In my State, it is projected that in the year ahead and in 2009 there will be about 50,000 homes that will go into foreclosure. There will be about a third of the housing stock that will have a decline of anywhere from 12 to 15 percent in value over the next several years. Those two cornerstones of our economy—energy and housing—are trembling a little bit today. It is important for all of us in the Congress to do what we can to try to stabilize our energy policy and energy prices and also to deal with the challenges we face in the housing crisis.

There is another cornerstone in our economy which is something we need to address. We will do small pieces of it here, but it has to do with health care. Health care today is a huge challenge and problem for America.

In the Presidential debates, one of the hot topics will be how will the next leader of the greatest democracy in the world help us address the huge challenges we face in health care. One thinks about the fact that there are 47 million Americans who do not have health insurance today. One thinks about my State of Colorado with a population of under 5 million people. Today there are 850,000 Coloradans who don't have health insurance, and of those 850,000, 180,000 are children, children without health insurance in our State.

As I look at the issue of health care in general, one of the cornerstones that face our country in terms of the economic and real human pain we are facing, I am proud of the fact that there are people in the Senate who are trying to figure out a way forward already.

First, Senator BAUCUS, chairman of the Finance Committee, has decided this is an issue we need to learn a lot more about. So we have a series of hearings on what is happening with health care, what is happening with health care in other places around the world. Next Monday we will be having a health care summit to try to further our understanding on how we can deal with this incredibly difficult issue. Then in the mix of all that dialog, my good friend from Oregon, Senator WYDEN, who just happens to be on the floor—totally by coincidence—has offered for all of us to take a look at the Healthy Americans Act.

The Healthy Americans Act is important because it is the only piece of legislation that has come to the Senate in a manner that is a comprehensive health care reform package, but also, importantly, it has the kind of bipartisan support which, at the end of the day, will be required in order for us to fix the very complex health care problems and challenges we face today.

I applaud him and both my Democratic and Republican colleagues who have joined him in that effort. It is the only significant bipartisan piece of legislation that has been considered in Washington for a long time. But the issue of health care and health care reform is not going to go away this year. It is an issue I expect will loom large on our plates right after the January 2009 inauguration. Many of us will be working to try to find the right solution that fits the American population. I very much look forward to working with my colleagues on that on a bipartisan basis and to working with my good friend, Senator WYDEN, on that agenda as well.

I wanted to speak about a ticking health care emergency that, if unaddressed, will affect millions of doctors and patients across the country before the end of the month. In 19 days from today, Medicare reimbursement rates are scheduled to drop 10 percent, based on an outdated formula that we desperately need to fix. A 10-percent cut to Medicare reimbursement rates will force tens of thousands of doctors into the red, tens of thousands of doctors across America in every one of our States. Millions and millions of Medicare patients will find that their doctor simply cannot afford to treat them. Every single Member of this body has heard loudly and clearly about the devastating effects these cuts will have on patients and on doctors. Here are just a few things I have heard over the last several days.

This is from Dr. Mike Wasserman, a Colorado physician who is in a group practice that focuses solely on Medicare patients. He said:

> A 10 percent cut is untenable. I would have to seriously consider immediately closing our practice if this were to actually stick.

Other comments that I have received in my office from others:

> Many primary care physicians will not only stop taking new Medicare patients but will consider reducing their current Medicare load. That means more patients being cared for by higher cost specialists. Conceivably, this could actually lead to greater Medicare expenditures.

Finally:

> This cut will have a devastating impact on health care across the board as most commercial insurers and TRICARE tie their rates to Medicare.

Let's keep these realities in mind as we try to forge ahead in the next 19 days, and hopefully sooner, to try to fix the Medicare issue which faces us today.

The June 30 Medicare cuts will affect military health care plans through TRICARE. We will have the rug pulled out from under the feet of TRICARE if we don't fix this problem. For me and for the soldiers in Colorado at Fort Carson, for the airmen at Schriever, Peterson, and Buckley Air Force Bases, and for our Guard and Reserves, I know they will find that fewer doctors will see them, their spouses, and children. It will be more difficult for returning servicemembers from Iraq and Afghanistan to get treatment for PTSD and for wounds they have incurred on the battlefield on our behalf.

As the largest purchaser of health services, Medicare rates also serve as a starting point for private insurers. This means the impact of a cut will eventually be felt by middle-class families as well.

We cannot let this happen. We cannot let Medicare reimbursement rates fall on June 30. That is why I am pleased that Senator BAUCUS and a bipartisan group of Senators on the Finance Committee have introduced a bill that would correct this problem. I strongly support this bill, the Medicare Improvements for Patients and Providers Act. I thank the leadership of Majority Leader REID for giving us the time to bring this matter to full debate and conclusion, hopefully, on the Senate floor. We have to get this bill done. We have no choice.

In addition to saving doctors and patients from the June 30 Medicare cuts, the bill makes several fiscally responsible improvements to Medicare and Medicaid, including, first, the bill improves critical programs to ensure seniors and individuals with disabilities on a restricted income can afford the health care prescriptions they need to stay healthy. Second, the bill extends and expands rural health programs. Third, the bill expands coverage of preventive services which are so needed in health care. Fourth, the bill reduces coinsurance for mental health services. Fifth, the bill addresses overpayments and unscrupulous marketing tactics in the Medicare Advantage Program. Finally, the bill will protect the long-term solvency of the Medicare Program.

Curiously, the Medicare bill introduced today by Senator GRASSLEY, my good friend and the ranking member on the Finance Committee, mirrors many of these provisions. While the differences may not be in number, the differences, nonetheless, in my view, require us to move forward with the version of the bill Senator BAUCUS has introduced.

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

Mr. SALAZAR. I ask unanimous consent for an additional 30 seconds.

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

Mr. SALAZAR. The one thing we have always agreed on is that the goal of the Medicare Program is to provide affordable, high quality health care to our Nation's seniors. The Baucus bill is the only option that does that, with nearly $4 billion in beneficiary improvements. The Baucus bill also addresses one of the biggest concerns of Medicare Advantage, the lack of reliable networks for private fee-for-service plans. By requiring private fee-for-service plans to have a written contract with providers, this bill makes sure patients have access to the providers they are promised, and doctors will get paid for the services they provide.

For nearly 40 years, patients have relied on Medicare, knowing that they would not fall through the cracks. We must continue to protect the integrity of Medicare's good name by swiftly addressing inadequacies. The Baucus bill will do just that.

Too much is at stake to let this bill get stuck in the politics of obstructionism. For Medicare patients, for their doctors, for parents, kids, soldiers, and servicemembers' families, we need to get this done before the June 30 deadline.

I yield the floor.

Mr. WYDEN. I ask unanimous consent to speak for up to 15 minutes as in morning business.

The PRESIDING OFFICER (Mr. PRYOR). Without objection, it is so ordered.

Mr. WYDEN. Mr. President, before he leaves the floor, let me thank my good friend from Colorado, Senator SALAZAR, for his kind and gracious comments about the Healthy Americans Act. He has been a wonderful addition to the Senate Finance Committee. I know we are going to be spending a lot of time trying to deal with these important challenges in the days ahead. I thank him for all his thoughtfulness, both today and on a regular basis.

Every day from coast to coast, millions of our seniors look at Medicare as a lifeline. These are the seniors who walk on an economic tightrope, balancing their fuel bills against their food costs and their food costs against their prescription costs. They are just trying not to fall off the economic tightrope. As the distinguished Senator from Missouri has pointed out, when you look at these skyrocketing gas and fuel prices over the last few months, that is enough to send seniors trembling about the prospect of being able to pay for necessities every month.

This legislation is a substantial step in the right direction of major health reform. It is not everything that needs to be done. As Senator SALAZAR has noted, I and others are working with seven Democrats and seven Republicans on what we think is a comprehensive overhaul of American health care system. But, clearly, this legislation moves in the right direction. I want to touch on three areas—the question of physician reimbursement; protections for low-income people; and then, finally, marketing practices—to highlight the fact that this legislation, which I hope the Senate is going to vote to move along tomorrow, clearly makes changes that will be helpful for older people today, but also will pay dividends for the broader course of health reform in the future.

First, with respect to this question of trying to ensure a step forward with respect to physician reimbursement—all over this country, we have physicians in small practices who are literally having trouble keeping the doors open. They can have a couple of people in their office and spend virtually the whole day trying to pry out of insurance companies information from their insurance matrix about what they are going to pay for various services. Literally, these physicians are not going to be able to keep their doors open if Medicare physician payments are cut by more than 10 percent.

So this is not an issue of somehow protecting fat-cat doctors or those who are affluent in our society. This is a question of protecting primary care and primary care for the most vulnerable people in our society. I am of the view that if this cut were allowed to go forward on July 1, it would be a body blow to the older people of this country, those millions who are walking on an economic tightrope.

I commend Chairman BAUCUS and Senator SNOWE and the whole group on the Finance Committee who are trying to move this forward. I hope we will do that tomorrow.

Second, I believe the protections for the low-income older people are another step in the right direction. This legislation increases the amount of resources that Medicare beneficiaries can have and still qualify for the Medicare Savings Program. So what that does is it helps older people fill in the gaps in their coverage. The provision, also with respect to low-income people, adds money to boost the State Health Insurance Assistance Programs and the Area Agencies on Aging that are enrolling low-income older people in assistance programs.

So those are the first two provisions that I think make a real difference for older people: the expansion with respect to services they would get from doctors if the reimbursement goes up, particularly in terms of primary care services for older people; and, second, the additional protections for the low-income Medicare beneficiaries.

But what I wish to highlight this afternoon is the additional protection in the Baucus-Snowe legislation against abusive marketing practices.

I will tell the Presiding Officer and colleagues, when I came to the Congress many years ago, in the days when I had a full head of hair and rugged good looks, it was pretty common for an older person to have a shoe box full of health insurance policies, and a lot of them were not worth the paper they were written on. They would be wasting money on these health insurance policies that they ought to be using on food and fuel and essentials.

So in the early 1990s, we got a law passed; and we changed that. It was a law to reform what was known as the Medigap market—the market for policies sold to supplement Medicare. It has worked. It has standardized the market. It has been good for old people. It has been good for responsible insurance companies. It worked.

But what happened? After the Medicare prescription drug program went in, we saw once again some people in the private insurance sector—certainly not a majority, but some—say: Boy, here is another wonderful opportunity to make some fast money. We have seen some horrendously abusive practices in this area, particularly through a product that is known as Medicare private fee-for-service. That has been the area where, in effect, you do not even have the protections you would have in Arkansas, say, if an older person had an HMO, a health maintenance organization, plan or another.

These programs exist outside the oversight and the scrutiny we ought to have for the protection of older people. And sitting next to the distinguished Senator from Arkansas on the Finance Committee, Mrs. LINCOLN, we have heard in our committee about these abuses on a regular basis.

I also point out that Chairman KOHL, the distinguished chairman of the Aging Committee, had some superb hearings which pointed out exactly the same practices: how you saw older people being victimized by cold calling arrangements and door-to-door sales activities. These agents would be swooping in to apartment buildings and senior living facilities, basically trying to get people into events where there would be a free meal, or calling it an educational program, and all of a sudden they would be selling these products that were not worth a whole lot more than the paper they were written on.

So, in effect, what we saw in the last few years—it is a different product—but Medicare Advantage was going the same way we saw some of those Medigap programs going in the 1980s, which we eventually fixed.

It is important for Senators to note when they vote tomorrow on moving this Medicare legislation ahead that Chairman BAUCUS and Senator SNOWE, with the excellent work done by Chairman KOHL in the Aging Committee, are taking a real step in the right direction to protecting seniors from these marketing abuses.

This bill would require the agents and brokers to set the scope of any sales appointment when they are setting it up. It would require inclusion of the plan type in the particular program. What happens now is it is hard for people to even figure out what type of plan is being discussed because there has not been the kind of openness and disclosure of those particular provisions.

There also would have to be training for those agents and brokers who are selling Medicare Advantage in what has come to be known as Part D so they would be out in the marketplace in a position to answer the questions of older people.

Also—and I thought this was a particularly important benefit in the Baucus-Snowe legislation—agents and brokers would have to be licensed and appointed as required by State law. We saw this in both the Baucus hearings and the Kohl hearings, that the lack of that requirement was a serious deficiency in terms of consumer protection.

I hope tomorrow the Senate will move forward on this Medicare legislation. I think without the additional assistance, particularly for doctors in the primary care field, it will reduce access to older people. We need the protections, the low-income protections I

have outlined. And, finally, we need the protections for older people in terms of ensuring we do not have these flagrant, outrageous cases of marketing abuses that take us back to the 1980s, when a lot of us thought we had gotten rid of that kind of fly-by-night flimflam rip-off of older people.

The last point I want to mention—I know the distinguished Presiding Officer has been kind to talk to me about this in the past—is I think we need to pass this legislation as a foundation for the broader health reform effort that is going to take place next year. In other words, it is going to be pretty hard to go on to broader health care reform if we see physicians clobbered this year and that cutback in reimbursement goes into effect.

If you have physicians cut 10 percent, and we lose a lot of physicians in primary care, it is going to be pretty hard next year when we have a new President and bipartisan interest in the Senate to go on to broader health reform.

I think we have an opportunity with respect to comprehensive health reform that we have never had here in the Senate. For the first time in the history of the Senate, we have 14 Senators—7 Democrats and 7 Republicans—willing to work in a bipartisan way. For the first time, the people who keep the budget numbers, the Congressional Budget Office and the Joint Committee on Taxation, say that the numbers add up for comprehensive reform, that we can do it in a budget-neutral fashion. In fact, they say in the third year of an effort it would actually start generating some surpluses for the Federal Government.

So there is a lot to work with, particularly when we get Senator KENNEDY back here, and he is going to be the champion of our effort. I think we can move forward with comprehensive reform, and do it in a bipartisan way. But to move forward next year with comprehensive health reform, we cannot make mistakes in this session of the Senate.

It would be a huge mistake, for example, to let this physician cutback go through that is going to harm primary care. It would be a huge mistake not to have the protections for marketing abuses, not to protect the low-income older people.

We can pass this legislation. I hope we will do it in a resounding fashion in the Senate, starting tomorrow with the important procedural vote.

I close by saying, we ought to do it now. We ought to do it at this time because it will help seniors for the future but also because I think it will lay an important foundation for bipartisan health reform in the next year of the Senate.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CORNYN. Mr. President, I rise to talk about the squeeze on the family budget that is being imposed by a combination of circumstances that, frankly, cry out for some relief.

As shown on this chart, this is how long it takes the average American family to work each year to pay their taxes: 74 days each year to pay their Federal taxes. Then you add State and local taxes on top of that. As you can see, that is a good part of the year, about a third of the year, people have to work to pay their taxes, before they can begin to pay any of the rest of their bills.

Then it takes 60 days out of the year to pay for their housing; 50 days out of the year to pay for their health insurance; 35 days out of the year to pay for their food; and 29 days out of the year to pay for transportation.

Now, this chart was prepared from a special report by the Tax Foundation, dated April 2008, having to do with Tax Freedom Day. That was the date they designated when you do not have to pay Uncle Sam or State and local taxes anymore, you are actually working for yourself. That is what we call Tax Freedom Day. But I daresay that this chart would have to be updated when it comes to the cost of food and the cost of transportation. That is what I wish to concentrate on with my remaining few minutes here.

Those related to the rising costs of energy—I have mentioned on the floor before being at the Houston Food Bank 2 days ago, where I learned that the cost of food is being dramatically increased as a result of the cost of energy that it takes to produce it by our farmers. Of course, that is being passed along to consumers, making it harder and harder on the most vulnerable among us, particularly seniors, people on fixed incomes, to pay for their food costs. Then, of course, you add on top of that the rising costs of gasoline and fuel, and it presents a real human crisis in many instances.

Many folks have said: Well, there is not much we can do about it—the cost of gasoline. They had said that when gasoline was at $2.33 a gallon. Actually, Speaker PELOSI, back before she became Speaker of the House, said if elected Speaker, the Democrats would present a commonsense plan to bring down the price of gasoline at the pump. That was the good old days. That was back when gasoline was only $2.33 a gallon. Now it is $4.05 a gallon, and we are still waiting—I would say with bated breath—for that commonsense solution which has yet to come.

But in the absence of a commonsense solution being offered by Speaker PELOSI, we have offered a solution that deals with the simple fact that when you have increasing worldwide demand for the same commodity, that one of the ways you can bring down the price is to increase supply. When you talk about the ways we can increase the supply of gasoline, well, you necessarily have to talk about increasing the supply of oil. Then you get into the issue of how much of the oil we depend on to make into gasoline in our refineries is imported. Well, that figure now is about 60 percent of all of the oil we consume and the various petroleum-related products are produced abroad and shipped into the United States.

But we are in an ironic situation of where our dependency on imported oil is a consequence of our own failed policies here in the Congress because since 1982 Congress has imposed a moratorium on the development of America's natural resources right here at home, whether they be on the western lands, the oil shale, the Outer Continental Shelf surrounding our country, or places such as the Arctic National Wildlife Refuge. Congress has placed those out of bounds. We are the only country in the world that has placed our own natural resources out of bounds and refused to develop those while we have increased our dependence on imported energy from dangerous enemies of the United States—countries such as Iran and Venezuela, which professes to be our enemy in South America.

What is ironic is the fact that years ago, the United States and Cuba agreed to draw an imaginary line between our two countries and said Cuba had control of the submerged lands on the other side of that line leading up to Cuba and the United States had control of the 45 miles or so that represented American territory. But do you know who is developing the oil and gas that is 50 miles off our southern shore of Florida? Well, Cuba has production agreements with Brazil, Venezuela, Spain, China, Vietnam, India, Malaysia, Canada, and Norway. That is right. While we refuse, as a result of a Federal moratorium on development on the Outer Continental Shelf, to allow Americans to produce American energy, the Chinese and others are drilling and producing oil 50 miles off our shore in the area owned by Cuba. It is ironic indeed that we would prohibit Americans from producing American energy on American land so that we could remain increasingly dependent on foreign oil. I think it is a terrible mistake.

Congress, looking around for a scapegoat as to who has caused these high prices, I would suggest needs to look in the mirror. We need to reassess and correct that mistake by making this natural resource available for production.

Some have come up with what I consider to be misguided solutions that do nothing to produce additional supply of oil and gas. As a matter of fact, they try something we tried back in the 1980s, for example; that is, raise taxes on oil producers here in America. We found out in the 1980s, according to the Congressional Research Service, that it actually reduced domestic oil production by 6 percent.

Some may ask: Well, how is that possible? The fact is that 80 percent of the world's oil reserves are owned by national oil companies of foreign governments. Let me say that again. Eighty percent of the oil reserves in the world are owned by oil companies that are

owned by foreign governments, and only 6 percent, 6 percent of the world's oil reserves are owned by stockholder-owned companies; in other words, the private sector—the ExxonMobils, the Chevrons, the Conoco-Phillips, and the like. Six percent owned by those privately owned or stockholder-owned companies, 80 percent owned by nations such as Saudi Arabia, Iran, Iraq, Kuwait, and others, just to name a few.

So the irony of ironies again would be not only to not allow us to develop our own natural resources but actually to tax the privately owned or shareholder-owned oil companies that control 6 percent of the world's resources while not touching the 80 percent owned by foreign countries because, of course, we can't impose a tax on their production here in America. We can only impose a tax on our own companies here in the United States. When we did that before, we decreased domestic production. We should have learned from that mistake, but sadly, as a philosopher once said, ''Those who refuse to learn from history are condemned to repeat it.''

This is almost like Groundhog Day here in the Senate where we continue to encounter the same failed solutions—or I should say ''nonsolutions''—to the same problems and refuse to look at the most obvious solution staring us in the face; that is, to open more of America's natural resources.

Now, earlier on the floor, the distinguished Democratic whip, Senator DURBIN, talked about emergency situations and talked about price caps in an emergency and said we are in an emergency, implying that we should somehow—Congress should dictate price controls on gas. But I would suggest to the distinguished Senator that if we have an emergency situation—and I agree, we have something that profoundly affects our national security and our economic security and has a dramatic impact on food prices and on the average American family. We do have an emergency, and we ought to reassess our decision to block exploration and production in the Arctic National Wildlife Refuge, in the Outer Continental Shelf, in the shale oil in the western Federal lands and elsewhere which, by some estimates, could produce as many as 3 million additional barrels of oil each day. Now, that is not a panacea, but it is a lot of help in the near term.

As we develop those natural resources, of course, that means we depend that much less on imported oil. It creates jobs here in America at a time when our economy is softening and unemployment rates are going up, and it would help us be less dependent on some of the folks who wish us harm in this world. To me, it constitutes the kind of emergency Senator DURBIN was talking about earlier, that we ought to—if you won't do it when gasoline is $2.33 a gallon, will you do it when gasoline is $4.05 as it is today? If you won't do it when gasoline is $4.05 a gallon, will you do it when it is $5 a gallon or $8 or how about $10 a gallon? At some point, there has to be a tipping point at which the Congress—and especially the Senate—will wake up and look in the mirror and say: You know what, we need to reassess this. We need to take action on behalf of the hard-working American family to make sure they don't continue to find themselves pinched not only by a rising tax burden, the cost of housing, the cost of health care, but rising food costs and rising transportation costs.

I have to say I was shocked when I saw an interview recently of Senator OBAMA, our colleague from Illinois. He was interviewed by CNBC's John Harwood, who asked him the question: Could these high prices help us? Senator OBAMA said: I think I would have preferred a gradual adjustment.

Well, I am not sure exactly what he means by that. Certainly, we haven't had a gradual adjustment; we have had a radical adjustment upward.

All we have had, frankly, from our friends on the other side of the aisle is a refusal to act in a responsible way to open America's energy resources while they offer what I have to say are misguided nonsolutions which produce no additional energy, things such as raising taxes on oil companies, which we know will only be put on America's privately owned companies and can't be placed on nationally owned oil companies in places such as Venezuela and Iran but also have had the demonstrated experience of actually reducing domestic production rather than increasing it. Hasn't our experience always been that when you increase the cost—especially increase taxes—on the producer, eventually that is going to be passed down to the ultimate consumer? So what it would do is have the effect of decreasing production, increasing dependence on imported oil, and raising the price of gasoline ultimately for the consumer at a time when we ought to be giving the consumer relief from these high prices if we can, and I believe we can by increasing supply.

So I hope our colleagues will reconsider their position because, frankly, I think the only thing standing between lower gasoline prices and the American people is the Congress.

On our side of the aisle, we have offered what we believe to be a commonsense solution that would increase supply, so we can hopefully add to the supply, with rising demand by countries around the world, in a way that will allow us to at least provide some relief to the American consumer as we transition ourselves to new alternative sources of energy that are not going to be immediately able to fill that role currently played by oil.

We know we are going to have to continue to depend on oil and gas for the near term, but as we transition ourselves into a clean energy future by increasing the use of nuclear power to generate electricity; as good, old-fashioned American ingenuity creates things such as plug-in hybrid cars that operate on batteries we can charge overnight and drive in many parts of the country in a way that will provide an alternative to internal combustion engines but which will also help us deal with environmental concerns as well; as we are on this bridge to a clean energy independence, we need to take advantage of the natural resources God has given us.

This is one of the things that has made our country so prosperous—the vast natural resources we have. But only the Congress is so mistaken as to impose a moratorium on the development and production of those natural resources, and it is hurting hard-working American families and the American consumer. We need to do something about it. I hope we do on a bipartisan basis soon.

I yield the floor.

The PRESIDING OFFICER. The Senator from Utah is recognized.

Mr. HATCH. Mr. President, I wish to make a few remarks regarding the recent actions by the Democratic leadership in Congress with regard to oil prices.

I have no problem with Democrats calling in the oil company executives to make sure they aren't violating antitrust laws. I am convinced oil speculation contributes too much to the price of oil and we need to take a serious look at that, but focusing on those concerns alone is no substitute for a realistic energy policy.

There are a number of environmental groups who just plain oppose oil production. What is worrisome is that it seems Democrats controlling Congress have adopted the anti-oil agenda of the environmental movement as an outlet of their own energy policy.

So far, I have heard proposals to tax successful energy production, to investigate the oil futures markets, to ban Canadian oil imports in favor of oil from Venezuela, Russia, and the Middle East, and to call for delay after delay in the commercial production of oil shale. At times, it almost appears that the anti-oil agenda is the only element of the Democratic energy policy. Their policies would not produce one drop of oil. This so-called Energy bill they have will not produce one drop of oil. In fact, they would definitely have the opposite effect—their bills.

Is it so hard to see that less oil means higher prices and economic harm and more oil means lower prices and economic benefits? I am not sure the Democratic leadership in Congress really understands this. They seem to be completely immune to the facts when it comes to energy policy.

They especially don't seem to understand that the price of oil is set by a global market. Unlike electricity, which is handled regionally in the United States, oil prices are set globally. About 75 percent of the price of gasoline is set by the global price for crude oil before it is even refined. U.S. taxes make up another 13 percent of

the cost of a gallon of gas. So that explains 88 percent of the cost of the gasoline. All the refining, distribution, and marketing of the oil has to be made up in the remaining 12 percent of the cost of gasoline.

Some of my colleagues on the other side of the aisle would be surprised to learn that the Federal Government already makes more on gasoline taxes than the oil companies do in profits. That is fine with me, except I think people would be astounded to find that actually happened. That is right. I hope our taxpayers remember that when we point to oil company profits. The Government is already raking in more money from oil than the oil companies are getting.

Yet our Government does not explore for oil. It does not produce one drop of oil. It does not refine one drop of oil. It does not build 1 foot of oil pipeline. Yet some of my colleagues want even more money from the oil company portfolio and profits.

This is where the taxpayers should be paying very close attention. If our taxpayers are smart—and I believe they are, although they are not getting the facts—their hands will be reaching to protect their wallets because guess who is paying all this money to the Government in the form of taxes on oil companies. That is right; it is our taxpayers. It is our consumers. It is Joe Smith going to the gas station. It is a pretty nasty game to tell our citizens we are taking profits from big, bad rich oil companies and then forget to tell the taxpayers they will be the ones who ultimately will bear just about every cent of any new taxes.

Let's talk about these big, bad American oil companies for a minute. I wonder if the Democratic leadership in Congress is aware that 80 percent of the world's oil reserves are owned and controlled by foreign government-run corporations. If you put all the big, bad American oil companies together, they only control about 6 percent of the world's oil. That is a fact. They cannot rebut that fact.

We send more than $600 billion—now approaching $700 billion—each year to countries that are a lot smarter about energy than we are because they are willing to explore and develop their own resources, and we are not.

We have the Chinese coming within a few miles of our shore and taking our oil because they are willing to explore for it and reap the benefits of it—and right off our shores. We are not permitted to do that. What kind of energy policy is that? Think about it. That is $600 billion to $700 billion each year that we will never get back. But my friends on the other side of the aisle don't seem to have a problem with that.

Here we are, one of the biggest energy consumers on Earth, and we send out our small-fry oil companies—with only 6 percent of the world's oil—into the world to compete with these giant national corporations and conglomerates in other countries in a global market controlled by nations that aren't necessarily our friends.

Then we want to stop U.S. companies from developing all the good oil resources available in this country. We try to take away their profits, drag them in front of congressional hearings, and blame them whenever the global price goes up.

I hate to tell you, but Government is one of the biggest reasons why the price of oil is so high right now—our Government.

So far, we don't have actual oil shortages in the world, but we have a very low level of spare capacity. That has done a lot to raise speculation on the futures market. A lack of spare capacity means any serious disruption in the world can lead to real shortages, and the futures markets reflect that fear. Holding hearings on the futures market isn't going to make those fears go away, and it is not going to produce one drop of oil to help us or bring down the price for our consumers or help Joe Smith or Joe Jones to be able to afford gas for their cars.

Investors need to know we are finding a new barrel of oil for every barrel we sell. But that is not what they are seeing. At the same time, they are seeing that ethanol has major limits as a replacement fuel. Ninety-seven percent of transportation fuel is oil. Ethanol is the only real alternative, and it makes up less than 3 percent, as far as liquid fuel goes. I am opposed to mandates for ethanol, but I have been one of the Senate's leading supporters of incentives for ethanol and other alternative transportation fuels. I am the author of the CLEAR Act, which provides economic stimulation to develop hybrid cars, and the author of the Freedom Act, which also leads to economic incentives for plug-in hybrids and other forms of high-mileage vehicles.

I am one of the Senate's leading supporters for ethanol and other transportation fuels. While other folks are just blowing off about it, we have actually put language in law that increased the ability to do these fuels. But even at that, it is only 3 percent of what we need in this country.

I am also a realist about the fact that there is no way ethanol can put a major dent in our need for fossil fuels. So far, it is the only major alternative fuel on which we can currently count.

That may be a fact that liberals and environmentalists wish to ignore, but it is a fact. They can talk all they want about wind, solar, and geothermal, but last time I checked, planes, trucks, and ships don't run on electricity; they run on fossil fuels and so do our cars.

We should be grateful that Canada has now become our largest supplier of energy. They are a friendly, stable partner on whom we can rely. They are our friends, and they are producing more and more oil from oil sands every day. Canada now holds more oil reserves than every country in the world, except Saudi Arabia. They are pumping 1.3 million barrels a day down to us, and what do the liberals in Congress want to do? They pass a law barring the Federal Government from purchasing from the oil sands in Canada. They say it is because oil sands have a big greenhouse gas footprint, but what they forget to say is, shipping fuel all the way from the Middle East also has a big greenhouse gas footprint—and probably more. But liberals would rather be dependent on the Saudis and the Russians and Venezuela than offend environmental groups.

Here in the States, we have as much oil in oil shale in Utah, Colorado, and Wyoming than the rest of the world combined. We have a Federal law that layers on every available environmental protection but also would allow companies to develop this resource that is 10 times richer in oil than a normal oil well.

So what do the liberals do? They put a 1-year moratorium on the release of commercial leasing regulations. Some on the other side say they don't want it to happen too fast. I do. I sure would like to be able to bring these prices down. This would bring them down.

I congratulate the liberals because the existing law, which I sponsored, makes it abundantly clear that each Governor gets to decide how quickly development should move forward in their respective States, and they know that. The Democrats know that. If a Governor doesn't want to move forward on oil shale, that Governor can say no.

What they are doing is making sure the Governor of Utah or Wyoming never gets a chance to make that decision. So now we have companies that have spent tens of millions of dollars in good faith, and they are just plain getting shut down by what I consider a neanderthal approach to energy in the Senate—and in the House of Representatives; let's not leave them out. They are even worse than we are, in some ways. I am talking about the liberals.

How are they supposed to go out—these companies—and attract investors, when Congress is acting to stop regulations for commercial leases so they can do some of these things?

Environmental elitists tend to point to concerns about water usage, land usage, wildlife habitat, and air quality—all very valid concerns. So let's have a look at them.

Corn needs about 780 barrels of water for a barrel of ethanol, and more than 1,000 barrels for the equivalent of a barrel of oil. Then it needs another three barrels to turn the corn into liquid fuel. That is a crazy amount of water, but it works out all right so far because it is grown in rainy areas. But if we want to increase the amount of ethanol available, we are going to have to move toward irrigation, and then there will be major limits to how much we can afford to grow.

On the other hand, to mine, process, upgrade, and do land restoration, DOE estimates that oil shale will require a total of three barrels of water for every

barrel of oil. In terms of water, oil shale is hundreds of times better for the environment.

Let's talk about land use and wildlife habitat.

One acre of corn produces 7 to 10 barrels of ethanol, or the equivalent of 5 to 7 barrels of oil.

One acre of oil shale produces 100,000 barrels to 1 million barrels of oil. Nobody disputes that, that I know. I will repeat that. I hope those concerned about land use and wildlife habitat are listening carefully. One acre of corn produces 7 to 10 barrels of ethanol, or the equivalent of 5 to 7 barrels of oil. One acre of oil shale produces 100,000 barrels to 1 million barrels of oil. In terms of land use, oil shale is at least 20,000 times better for the environment than ethanol. I am for ethanol, don't get me wrong, but think of those facts.

A couple months ago, an article came out how the city of Aspen in Colorado has been besieged with building applications, equating to about $2 million worth of development a day. If we could stem the growth a little in Aspen and save, let's say, a hundred acres of those beautiful forests from all that development, and instead allow development of 100 acres of much less desirable land where the oil shale in Colorado is, we could produce up to 100 million barrels of oil with no net loss of habitat. Ironically, the local governments in Colorado's oil shale areas support oil shale development, but the liberals in the State are stopping the regulations that would allow it.

Some critics of oil shale and tar sands production have raised air quality concerns. Let's be clear; there is no aspect of oil shale development that would exempt industry from any Federal or State air quality laws or regulations. In fact, these industry members plan to comply and even exceed air quality requirements. These companies also express a readiness to address climate change questions on the same schedule that other industries may be required to control carbon emissions.

One Utah company is now building a pilot plant to demonstrate their ability to produce upgraded syncrude from oil shale with little or no carbon emissions.

The poorest Americans spend about 50 percent of their income on energy, and not enough is being said about that. The sad thing is that the poor look to the liberals to make national policies for them, but in this case, they are being sold out.

It is clear the environmentalists have an anti-oil agenda. The question for this Congress is whether we can afford to adopt that agenda as part of a national energy policy. We should be promoting all forms of alternative fuels, and I am for that. But the fact is that when it comes to transportation fuel, which is where our crisis is, we are dependent on oil, and there is no combination of alternatives that can change that right now. It would be nice to pretend we are not dependent on oil, that we can skip immediately to some yet-to-be identified alternative, 30 years down the line. But we can't. Truckers and farmers need diesel today. Moms need to get to soccer and ballet practice tonight. Americans want to visit national parks this summer. The sooner we understand this, the sooner we can address the energy crisis we are facing today.

This is pathetic. We have it within our means to develop our own oil to solve our own problems, to bring these prices down, to be independent, to do the things that keep America strong, to keep our environment and economy strong, and to do it in an environmentally friendly way that is already on the books. Yet when you look at the energy program the Democrats brought up on the floor, it doesn't produce one drop of this oil that is so critical to all these needs. Yet we have it within our power to solve these problems. I hope we wake up around here and get rid of the doggone partisanship and do what we have to do to provide for the energy needs of this country. We can no longer afford to let the whacko, extreme environmentalists—who are in the game for politics, rather than to help the American people—control this country the way they do. I think it is time for our friends on both sides of the aisle to stand and say enough is enough. Let's become energy independent and energy secure.

I thank my colleague from Rhode Island for allowing me this extra time. I did not have anything to do with what happened this morning, nor did I know it was going to happen. Let me say that my colleague has always been gracious and kind to me. I have a great admiration for him. I am sorry I took the extra 2 minutes.

The PRESIDING OFFICER. The Senator from Rhode Island is recognized.

Mr. WHITEHOUSE. Mr. President, I have no objection whatsoever to standing on the Senate floor listening to the Senator from Utah speak. He is an enormously distinguished attorney and has been a great leader of his State and the Senate for a long time.

I understand very well the unfortunate circumstance this morning was not expected by him, was not participated in by him. I think it has put him in an embarrassing position. I regret that, but I know he had nothing to do with it. I have highest regard for him.

I think it also put the very distinguished Senator from Pennsylvania, the ranking member of the Judiciary Committee, in an even more difficult and embarrassing situation because the individual witnesses who were before us when our hearing was interrupted and cut off were Pennsylvanians, people from the ranking member's home State. I am sure if Ranking Member SPECTER had any idea this was going to happen, he would have taken energetic measures to make sure individual witnesses who suffered grievous injury and had come a long way to Washington to testify would not have had their hearing cut off by parliamentary maneuvers by his leadership.

I have the highest regard for both those Senators.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. WHITEHOUSE. Of course.

Mr. HATCH. Mr. President, I am grateful to the Senator for his remarks. I felt particularly bad because I went 4 or 5 minutes over on my questioning, with his agreement, and then he got cut off on his questions. I wanted the Senator to know that. I appreciate his remarks.

Mr. WHITEHOUSE. Mr. President, the goodwill of the Senator from Utah is appreciated.

MEDICARE

Mr. WHITEHOUSE. Mr. President, I wish to speak about the Medicare bill before us. One of the strongest obligations we have in this body is to uphold America's promise to care for those who have worked hard throughout their lives, who have raised their families, and who have helped make this Nation great: our seniors.

President Johnson created Medicare as part of that promise to give seniors all across this country the peace of mind they would have the health care they need as they grow older. Today, we take up legislation that would make this critically important program stronger by ensuring doctors in Rhode Island and across this country are compensated, as they should be, for the care they provide.

The approaching June 30 deadline for resolving this issue certainly makes this legislation particularly urgent. But we all know that there is a far more ominous deadline looming over us in health care, and that is when the Medicare trust fund will become insolvent in 2019. As Chairman CONRAD of the Budget Committee so often says, there is a tsunami of costs bearing down on us. We are now facing a 75-year shortfall in Medicare of $33.9 trillion. It is my belief that we as Senators have a fundamental obligation to begin to take steps now that will lower these looming overwhelming costs. If we fail to act now, we will be left with only the cold, harmful, and, frankly, cruel fiscal options of raising taxes, reducing benefits and eligibility, or cutting further provider payments. What a sad day that would be, especially since it is completely avoidable.

This afternoon, I commend Senators BAUCUS, ROCKEFELLER, SNOWE, and SMITH for offering a bill that not only addresses the looming cut in Medicare reimbursements to physicians, but takes a broader look at the problems in our Medicare system and in the health care system generally.

This bill includes a number of reforms that begin to address the flaws in our broken health care system and lead us down a path of more efficient, effective care for seniors today and into the future.

As my colleagues know, I am an enthusiastic supporter of the limitless

potential of health information technology to support a transformation of our health care system. For many providers, e-prescribing, electronic prescribing of pharmaceuticals, is the gateway technology to larger health information technology adoption because the startup investment is relatively low and the benefits are quite high. E-prescribing is expected to eliminate over 2 million adverse drug events on Americans per year, to avoid 190,000 hospital admissions, and 1.3 million outpatient visits annually, and to produce an estimated yearly savings of $44 billion.

To quote Department of Health and Human Services Secretary Leavitt:

> The benefits [of electronic prescribing] are unchallengeable. E-prescribing is not only more efficient and convenient for consumers, but widespread use would eliminate thousands of medication errors every year. . . . E-prescribing needs faster implementation. We have been through all the public processes necessary to develop standards. The technology is readily available and widely distributed. Electronic prescribing will enhance the safety and convenience for patients.

This bill provides important incentives for practitioners who choose to e-prescribe, and it eventually requires all doctors to e-prescribe. This is a vital step forward for health care in this country and a farsighted component of this legislation. I thank Senator KERRY for crafting this important language, but also all the Senators on the other side of the aisle who have supported e-prescribing in Medicare, including Senators ALEXANDER, COLEMAN, CORKER, CORNYN, ENSIGN, GRASSLEY, MARTINEZ, SNOWE, and SUNUNU. The need to promote health information technology is a truly bipartisan issue, and I am delighted to see it included in this important bill.

The measure before us also makes important reforms for private fee-for-service Medicare. In light of this fiscal health care tsunami coming down on us, I am deeply concerned that private fee-for-service Medicare Advantage plans cost roughly 119 percent of the cost of covering the same individual in traditional fee-for-service Medicare. This is a program that was sold to Congress as more efficient, a cost-cutting alternative to traditional Medicare.

History has proven those assertions to have been false, and now we should learn from that mistake. It has added about $1,000 in costs for each beneficiary in a private plan. Medicare Advantage will cost the Federal Government $54 billion over the next 5 years and $149 billion over the next 10 years, according to the Congressional Budget Office. These excess costs have caused a rise in Part B premiums for those seniors enrolled in traditional Medicare of $2 per month. These excess costs will cause the Medicare hospital insurance trust fund to become insolvent 2 years earlier than otherwise expected.

I understand some Medicare Advantage plans offer benefits that are not covered in fee-for-service Medicare. Unlike traditional Medicare, Medicare Advantage plans can strategically attract healthier seniors by offering better coverage for low-cost care and worse coverage for intensive services. Groups, including the Medicare Rights Center, the Commonwealth Fund, the Kaiser Family Foundation, and MedPAC, have determined that private plan beneficiaries either pay more or receive fewer services for hospital and home care than do seniors in traditional Medicare.

Medicare Advantage, and particularly fee-for-service Medicare Advantage, costs this system money it simply does not have. Seniors deserve better, and this bill does better for them.

Seniors also deserve better when it comes to their Medicare Part D plans. Some of the very saddest stories that Rhode Islanders share with me as I host community dinners around my State concern their experiences with the Part D prescription drug program.

An example is a young man named Travis who came to one of my community dinners in Woonsocket, RI. Travis told me of his 90-year-old great-grandmother who is living independently in a walkup apartment building in Woonsocket. She signed up for her Part D plan and was taking a number of prescription medications. One day she arrived at her pharmacy, went to the pharmacy window, only to be told that she had no coverage. She had fallen in what we preposterously call the doughnut hole, a massive gap in the coverage, a trap for seniors. She was turned away from the window because she had not brought the money to pay for her prescriptions. She didn't have it. She went home and called her great-grandson Travis in tears. She would no longer be able to afford her apartment or the independence she had maintained for 90 years.

No American should be forced to choose between their dignity and their health, and it is a tragedy when this is an unnecessary choice.

The Congressional Budget Office concludes that privatizing that drug benefit instead of simply adding the drug program to the established Medicare benefit costs almost $5 billion a year. The Center for Economic and Policy Research reveals that the combined cost of privatization and failure to negotiate prices is more than $30 million a year.

Mr. President, I cannot look Travis in the eye and tell him the reason his great-grandmother cannot afford her independence any longer is because the Government needed to take the side of the pharmaceutical industry in this contest. In 2004, the pharmaceutical industry was three times more profitable than the median for all Fortune 500 companies, and from 1995 to 2002, it was the most profitable industry in the entire country.

Since the passage of the Medicare Modernization Act, companies have engaged in outrageous, egregious marketing practices. This legislation prohibits door-to-door sales, cold calling, and free meals. It puts limits on co-branding, gifts and commissions and other hard-sell practices of both Part D and Medicare Advantage plans.

Our Nation's elderly have given much to this country as parents, as grandparents, as teachers, as soldiers, as mentors, and as patriotic American citizens. They deserve respect, they deserve protection, and this bill affords them both.

I close by saying the bill also recognizes that mental health coverage should be on par with any other illness seniors face, reducing the copayment from the current staggering rate of 50 percent to a 20-percent copay by 2014. Senior citizens commit suicide at a higher rate than any other age group. Mental health services are critically important for our elderly population. I am proud to support changes to mental health coverage in Medicare. I particularly wish to acknowledge the leadership of my colleague in the Rhode Island delegation, Representative PATRICK KENNEDY, who has been such a leader on mental health parity. He is the chief sponsor of that legislation in the House, and I look forward to larger reforms in the area of mental health parity with Congressman KENNEDY at the helm.

In closing, I thank Senator BAUCUS and particularly his staff for their tireless work in putting this measure together. I look forward to working with him and this entire body to pass this bill and then to work to enact future health care reforms to bring our system under control.

I appreciate the courtesy of Senator ROBERTS. I yield the floor.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. ROBERTS. Mr. President, I rise today to speak about energy prices, as have many of my colleagues, and their impact on my constituents and, for that matter, the constituents of all of us nationwide.

Over the last 2 weeks, the leadership of this body has decided to bring two bills to the floor that would have tremendous effects on the pocketbooks of the American people. Unfortunately, after you take a hard look at these bills, you find out that neither bill would really reduce the price of energy. In fact, both would increase prices. But I want to take time to highlight the impacts of the climate change legislation, albeit somewhat late in the debate, and to make a few commonsense points or observations.

At a time when Americans are suffering from high fuel prices and high energy costs, and when fertilizer prices have increased by their largest amount in the history of fertilizer prices, it is not in America's best interest for the Senate to compound the problem. But that is precisely what the climate change bill would do. By capping the amounts of carbon emitted by coal-fired plants and natural gas processing

facilities and energy-intensive manufacturing facilities, this legislation is flawed. It passes the costs of meeting these requirements down to the consumer.

Kansans will be particularly hard hit. Experts at the American Council for Capital Formation—again, the American Council for Capital Formation, and I urge all of my colleagues to pay attention to this organization—State by State they can tell you what will happen. They predict that Kansas will lose 36,900 jobs over about a decade or two, and that is equal to 2.5 percent of the total workforce, if we enact this bill.

Kansans would also lose $7,283 in disposable income each year because of this legislation. You say how? Certainly higher utility rates, higher gas prices, and all manufacturing and farm equipment costs due to the increase of the cost of inputs. A combine now out in western Kansas, if you go to the dealer, will cost you, if you have the top rate combine, $350,000. Goodness knows what it would cost after this bill was passed and on down the road.

Anyone filling up with gasoline in the State of Kansas can expect to pay 140 percent more for each gallon of gas. Yesterday the lowest rate in the State was Emporia, KS, home of William Allen White and the Emporia Gazette, very famous in Kansas history. In Emporia it was $3.70 per gallon. This bill would raise that to $5.18. This doesn't make any sense. Let me repeat that. It would raise the cost of gas for Kansans by 140 percent.

We have had a $1.71 increase in the average price of gas since the majority took over in the Congress. My goodness, we don't need to be going over $5. I know there was a lot of rhetoric at that time that we were going to fix that, hopefully in a bipartisan way, but obviously that has not occurred.

Heating and cooling an apartment, a home, or an office building will cost 153 percent more in Kansas. Lawrence, KS, has some of the lowest electricity rates in America. However, the average household spending $200 on electric bills for the month will now pay $306—$306.

This proposed legislation will have a particularly unfair impact on America's heartland. Under this legislation, the Great Plains, the Midwest, and southern States pay more compared to those living on the west coast or in the Northeast. I am sure that is true in Arkansas, the State the distinguished Presiding Officer represents so well in this body.

It should also be noted that the Great Plains, the Midwest, and the South are home to some of the most fertile and highest producing areas of cash crops in the world.

Now, why would I mention that? This is the land that grows the crops necessary to feed not only the United States and the American consumer but a troubled and hungry world. As a matter of fact, our producers back in Kansas are servicing their combines now, as I speak, and getting ready to begin wheat harvest, to fertilize their corn crop and meet with their bankers to discuss how on Earth they can pay for it, and how much money is needed to purchase fertilizer and seed for next year's crop.

Our Nation enjoys but unfortunately does not appreciate—if you pay much attention to the national media—the modern-day miracle known as U.S. agriculture, or maybe we should call it production agriculture. This modern miracle provides the cheapest and the highest quality food supply in the world, and the most inexpensive, even with the rise in food prices and farm prices we have seen. This miracle is possible because of better breeding techniques combined with the availability of manmade fertilizers. These fertilizers increase the yields per acre and help keep the world from going hungry.

Rather than thanking our producers, this bill tells them basically they are not important. Rather than increasing domestic natural gas production, which is roughly 90 percent of the cost to produce synthetic nitrogen, this bill forces natural gas facilities to regulate the amount of emissions they emit.

A recent Doane agriculture study shows this legislation will add $6 billion to $12 billion to total crop production costs. If it is enacted, it is likely to cost a Kansas wheat farmer an additional $31.87 per acre. That same producer would see his sorghum cost increase $43.56 per acre, corn $78.80 per acre, and soybeans $20.41 per acre.

(Ms. CANTWELL assumed the Chair.)

I want to be clear. Throughout the climate change debate, I have supported the role agriculture can play in a voluntary system or, for that matter, any manufacturer that does business in Kansas wishes to play to certainly decrease the amount of CO_2 emissions we emit into the atmosphere.

In fact, I introduced legislation some years ago and was able to secure funding for a carbon sequestration research program at Kansas State University. What is that? That is carbon in the ground, good; carbon in the air, bad. If you can sequester carbon in your normal cropping practices, you are being very helpful in regard to CO_2 emissions and carbon in the air. This legislation was reauthorized in the 2008 farm bill, which is now the law, or will be the law when we finally finish voting on it.

Unfortunately, the legislation before us now, the climate change bill, provides little incentive for agriculture to play a role in any climate change debate. This legislation leaves the decision as to which agricultural practices are eligible for the offset market to the Environmental Protection Agency. The EPA is also designated to prepare the operation and qualification methodology for agricultural offsets. All right, that is fine. But the USDA already has the expertise, the background, and the ability to assist our producers, our farmers, and ranchers with best management practices. That should reside with the USDA, but it is not. In this bill, it is with the EPA.

I might add that the partnership between the USDA and the farmers and ranchers measures quite a bit higher in regard to acceptability in farm country than the EPA, which sometimes—sometimes—and they have a role to play—tends to think of regulations as their fondest responsibility.

The legislation requires agricultural projects to be completed and reduction verified before the EPA decides whether to approve the offset allowance. This gives no assurance to which, if any, agricultural projects will be accepted. So you have a climate change bill that basically rules out agriculture, and that makes no sense at all.

The Wall Street Journal calls this legislation, the climate change legislation, the largest income redistribution scheme since the income tax. That is quite a statement. This bill will hit Kansans where it matters most, in their pocketbooks. I cannot support legislation that will exponentially increase the cost of their food, their electric, and their fuel bills, so I urge my colleagues to oppose this ill-conceived idea.

I want to indicate to the Presiding Officer that I received letters of concern in opposition from the following: the Kansas Farm Bureau, the Frontier Farm Credit folks, the National Sorghum Producers, the Kansas Soybean Association, the Kansas Independent Oil and Gas Association, the Air Transport Association, the National Business Aviation Association, the Kansas City Power and Light, Weststar Energy, and Kansas Electric Cooperatives.

I commend the Fertilizer Institute and the Doane Advisory Services for the analysis they completed on the relationship between energy prices and crop reduction costs.

I also thank Troy Dumler, an agricultural economist at Kansas State University, for analysis on Kansas crop production costs.

I yield back the remainder of my time.

UNANIMOUS-CONSENT AGREEMENT—S. 3101

Mr. REID. Madam President, I ask unanimous consent that the cloture vote on the motion to proceed to S. 3101 occur at 3 p.m. tomorrow, Thursday, June 12; that following the opening of the Senate on Thursday, the Senate resume the motion to proceed to S. 3101, with the time until 3 p.m. equally divided and controlled between the leaders or their designees, with the final 40 minutes prior to the vote controlled as follows: 10 minutes each, Senators GRASSLEY, BAUCUS, MCCONNELL, and REID of Nevada, or their designees, in that order.

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

The Senator from Michigan.

MEDICARE PHYSICIAN PAYMENTS

Ms. STABENOW. Madam President, I rise today in support of S. 3101, the bipartisan effort introduced by our Senate Finance chairman, Senator BAUCUS, and the distinguished Senator from Maine, Senator SNOWE, that will strengthen Medicare. This is a critically important bill that I hope we will have the support of the Senate on tomorrow to be able to proceed to and to pass.

This important legislation not only prevents harmful cuts from jeopardizing patient care, but it also sets the stage for modernizing our health care system through information technology. This is a very exciting part of this bill for me, with Senator SNOWE having worked on this issue, with many other colleagues now for some time, and it is a very important step forward.

First and foremost, though, this legislation protects patients' access to their trusted physicians. If Congress does not act soon, Medicare payments to physicians and health care professionals will be cut by 10 percent—10 percent—as a result of the fatally flawed sustainable growth rate formula or, as we call it, the SGR. It is sad that we are once again going through this exercise. If I could, I would reform the flawed SGR formula once and for all. Personally, I wish to stop this process and create a new one that makes much more sense for physicians and for patients and the Medicare system. It makes no sense for us to go through this ordeal every 6 months or so and risk jeopardizing seniors' access to care when we know the kind of cuts facing physicians under Medicare would be devastating and would, in fact, directly impact access to care for those who rely on Medicare.

Physicians are the foundation of the Medicare system and our Nation's health care system, and patients of all ages depend upon our physicians for their health care services, which they provide in an outstanding way every single day. Every aspect of our health care system, from hospitals to rural health clinics, relies upon the skills and services of physicians.

When I introduced my bill, S. 2785, earlier this year on stopping the SGR cuts, I heard from countless seniors and physicians, medical group practices, and hospitals in my State, all expressing support for the effort to stop these cuts. For example, one orthopedic practice in southwest Michigan wrote me and said:

> Every year we have to wait until the last minute to see if the rates will be cut or fixed. It makes it impossible to budget and project for the next year. Especially for a practice like ours, with nearly 50 percent of our patients receiving Medicare. With the uncertainty and the increases that we do get not keeping up with the cost of living, we have to err on the side of caution, which leads to job cuts.

That is certainly an ongoing issue all across my State. We certainly don't want to be seeing cuts as they relate to jobs or access under health care, compounding what is already happening in the health care system.

A radiologist in southwest Michigan reported having to close three outpatient x-ray offices over the past 5 years, and they are looking to close another one this year. A surgery center told me it had to put off investing in an EMR and was forced to freeze any wage increases and possibly lay off staff. A medical group in mid-Michigan that staffs two emergency room departments determined that the scheduled reduction would reduce its Medicare payments by nearly $175,000 a year—$175,000 a year.

If the reduction were to go into effect and this legislation is not passed, or similar legislation is not passed, the group wrote me it would be forced to reduce the workforce by either one full-time physician or two full-time physician assistants—cutting back on the availability of health care services for seniors and the disabled in my community. That is truly frightening when our emergency rooms are losing staff.

I have, for too many years, heard from hospitals and others across Michigan about the difficulty in finding physicians who are able to take Medicaid patients because the rates are so low. This is the first year I have been hearing such great concern from hospitals, from hospital emergency rooms, about Medicare, the Medicare rates being so low—without these cuts—and the inability to find physicians who are able to take those patients.

I am hopeful we can add language to S. 3101 similar to a bill I have introduced with Senator SPECTER to begin to address the crises facing our emergency rooms because we have a much broader issue we need to address there as well.

I am very proud of the work that over 20,000 MDs and DOs do in Michigan every single day, providing more than 1.4 million seniors and people with disabilities, and over 90,000 TRICARE beneficiaries in Michigan with high quality medical services under the Medicare Program.

If Senator BAUCUS's bipartisan legislation does not pass, physicians in Michigan will lose some $540 million for the care of seniors and people with disabilities over the next 18 months due to the 10-percent cut in payments for 2008 and the additional 5-percent cut for 2009. Madam President, $540 million of services, Medicare services, health care services that will not be rendered to the people in Michigan is not acceptable.

Michigan physicians are looking at cuts of more than $10 billion by 2016; $10 billion in the next 8 years as a result of this flawed formula, and 9 years of cuts. We certainly can't expect that physicians can continue to provide the same level of care if their payments are cut $540 million over the next 18 months alone. These cuts will be devastating to our seniors and access to care.

Second, the lack of a predictable and equitable Medicare payment system hinders our investment in information technology, which we all know we need to be investing in. We need physicians in hospitals and other providers to be investing in technology that not only allows people to communicate with one another—electronic medical records and e-prescribing—but allows the very latest technology so that we have the very highest quality, the ability to provide the most efficient processes of providing health care that is possibly available.

Health IT is very important to that. This bipartisan legislation recognizes the need for investing in information technology, something, as I indicated before, that I am pleased to have worked on for the last several years with Senator SNOWE. This bipartisan legislation would increase the list of those sites under telehealth that would include skilled nursing facilities and dialysis centers and community mental health centers that would be able to receive reimbursement for telehealth, which is so important. I thank Senator CONRAD for his leadership. I am pleased to be joining with him and others on the whole question of expanding this part of the technology of telemedicine, telehealth. In addition to improving access to care and facilities, we will see significant cost savings achieved by avoiding transporting medically fragile patients from one place to another. I am so proud, among many other advances in Michigan around health IT, telehealth is something that we have been using in rural parts of northern Michigan and the upper peninsula now for years. We have great leadership that has been developed. I am pleased to have had an opportunity to participate and see what is done that allows people in remote parts of Michigan to be able to communicate directly with physicians, with nursing staff, and so on, to receive care they need without traveling long distances. There are wonderful ways this can happen. This legislation expands the ability for people to receive telehealth services. This is important.

Additionally, this bipartisan bill moves us toward e-prescribing, a basic building block for greater adoption of health information technology. There are incentives for doctors who write prescriptions electronically, that improve both quality and efficiency. I thank Senator JOHN KERRY and Senator JOHN ENSIGN for working with me on the whole question of e-prescribing and being in a position to put this forward, and I thank Senator BAUCUS again for his leadership in strong support of this effort.

Again, we in Michigan have been recognized as one of the top five States in e-prescribing. We have had huge success in a regional collaborative in southeastern Michigan called SEMI, the Southeastern Michigan ePrescribing Initiative that has brought together General Motors, Ford,

Chrysler, the UAW, insurers, and providers to work with consumers to be able to electronically create e-prescribing so the physician can in fact communicate directly with the pharmacy in the most accurate way with the most accurate information. We have some 2,500 physicians in southeastern Michigan who are engaged in this.

Last October, a patient safety analysis found that SEMI alerted doctors of potentially incorrect drug prescriptions that resulted in nearly 423,000 prescriptions being changed or canceled because of the information the doctor was able to receive. Possibly the physician was looking at a particular medication that had an adverse drug relationship with something else the patient was on, or maybe there were concerns about allergic reactions or other information that was helpful and gained through this process in the program through e-prescribing. SEMI also sent out more than 100,000 medication allergy alerts. When a formulary alert was presented, so physicians were alerted as to a problem with a particular drug they were thinking of prescribing, 39 percent of the time the physician changed the prescription.

Madam President, I ask unanimous consent for an additional 3 minutes.

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

Ms. STABENOW. Madam President, 39 percent of the time when the physician had more information they changed the prescription and therefore addressed safety concerns or saving the patient or the employer dollars.

In February, a physician satisfaction survey found that 9 out of 10 physicians believed that e-prescribing met or exceeded expectations. This is only one region of Michigan where it has been extremely successful. We have incentives in this bill to be able to support physicians using e-prescribing and being able to have some assistance to be able to purchase the equipment they need. I believe there are a thousand reasons why that is a great idea and one of the reasons I enthusiastically support this bill.

Third, this bill reauthorizes important rural provisions to ensure that all Americans, regardless of where they live, have access to health care. We have, in Michigan, again, many small- and mid-sized providers serving vast rural areas around our State. This is very important, to approve the payments for community health centers and ambulances and other providers who are hit by declining Medicare reimbursement—as well as high gas prices, I might add.

Finally, let me say I am very pleased that an area of the bill addresses gathering more information on health disparities regarding gender or regarding race. It is taken from language in my HEART for Women Act, to be able to gather more information for providers as to gaps where we need to be focusing more on particular kinds of services.

Many organizations such as the American Medical Association and the AARP have endorsed this bill and endorsed it strongly. I again thank Senator BAUCUS, as Finance chairman, for his leadership. I support fully his goal of providing this 18-month fix for physician payments as well as providing other very important incentives for the future.

This bill is very much about the future with e-prescribing and with telehealth and other information gathering. I very much hope that we, on behalf of the 44 million people who rely on Medicare, will have a very strong vote to proceed to this bill and have a strong bipartisan vote to adopt it. I am very hopeful that with a strong vote the President will decide to support this bill and sign this initiative.

It is critically important that we get this done. The physician cut is going to take place very shortly if we do not act. This bill does the right thing and moves us in the right direction as it relates to health care reform.

Mr. LEAHY. Madam President, I am disappointed that those across the aisle would not join with us to move to consider and debate the Consumer-First Energy Act of 2008.

This legislation is designed to protect consumers from artificially high fuel prices, to curtail the massive giveaway of taxpayer resources through the continuing tax breaks to oil companies, and to recapture a portion of the windfall profits they are making at the expense of hard-working Americans. While the presumptive Republican Presidential nominee today recognized that gas prices can be expected to continue to climb, I continue to wonder why so many Republican Senators voted along party lines to ignore one of the biggest problems facing families across the country.

Did they not want to debate why oil and gas companies should not continue to benefit from tax breaks while raking in record profits? Did they not want to debate why members of the OPEC cartel, such as Iran and Saudi Arabia, when acting anticompetitively and fixing output so as to artificially raise oil prices, should be held accountable through laws intended to protect competition, market forces, and consumers? The NOPEC provisions of the bill are drawn from the bill I cosponsored and the Judiciary Committee has reported repeatedly over the last several years, including in May 2007. Or did Republicans not want to debate why the administration has failed to crack down on excessive speculation and manipulation of the oil commodities markets?

I guess none of us should be surprised that so many Senate Republicans voted to prevent debate over these concerns and this legislation. The Bush-Cheney administration opposes it and has already threatened a veto. Senate Republicans are simply doing what they have been doing for the last 7 years—falling in line.

We need a President who will stand with the American people, not with the oil companies and market speculators. I know that both President Bush and Vice President CHENEY have longstanding ties to the oil industry, but over the last 7½ years, American consumers have suffered enough. This administration has stood by and watched as the price of a gallon of gasoline has gone from $1.45 to over $4.00. I would have thought that an oil man who claims to be from West Texas would recognize that when top executives of the oil industry come before the Senate Judiciary Committee and testify under oath that they would make profits if oil were sold anywhere from $55 to $65 a barrel but that it is, in fact, selling for over $130 a barrel, action needs to be taken. I would have hoped that the President who promised the American people when he ran for office that his family's close ties with the Saudi ruling family would help him successfully persuade them to increase oil production and cooperation would recognize that his two recent, unsuccessful trips to the Middle East to beg the Saudis to increase oil production should lead to effective government action by the United States, not a threat to veto legislation. Most of all, I would have hoped that Senators would join together to debate this matter and take action to help the American people.

President Bush's ballyhooed statement in his State of the Union a couple of years ago that we must end the oil addiction was nothing more than empty words. They rank with his space travel initiative that went nowhere and more tragically with his hollow promise to rebuild New Orleans.

Their votes against debating the Consumer-First Energy Act ranks with their votes against debating the bill to correct the Supreme Court's Ledbetter decision that locked American workers out of the courts, their votes against debating the restoration of habeas corpus, their votes against debating comprehensive bipartisan legislation to begin to confront global climate change, their vote against debating congressional voting rights for the District of Columbia, and their votes on so many matters that Republican Senators have acted to block. I hope that when the majority leader moves for reconsideration of the vote on the Consumer-First Energy Act, Senators will search their consciences and do the right thing by voting to allow Senate consideration of that legislation in the best interest of the American people.

Mrs. FEINSTEIN. Madam President, I rise to speak in support of the Consumer-First Energy Act, and in particular title V, which would increase oil market transparency and accountability.

Oil prices continue to set records. Last week the price of oil hit $138 per barrel. Not too long ago $38 seemed like an unheard of price, not $138.

Gasoline prices now average above $4 per gallon nationwide. Some gas stations have to charge by the half gallon.

Their pumps cannot calculate in prices this high.

And there seems to be no relief in sight for consumers as we enter the summer travel season.

Energy markets are not working—and speculation is adding an extra $20–$25 per barrel to the price of oil. We must protect these markets from manipulation, excessive speculation and fraud.

In the farm bill Congress finally closed the ''Enron loophole,'' and placed all major electronic trades that could drive energy prices under the watchful eye of the CFTC.

However, I remain concerned that there are no comparable protections in place when U.S. energy futures are traded on international markets—presenting yet another regulatory loophole for energy traders to exploit. So title V of this bill would close that loophole and ensure that the trading of all U.S. energy futures—whether on foreign or domestic markets—is done with transparency and with an audit trail.

Title V is based upon the Oil Trading Transparency Act, which I introduced recently with Senator CARL LEVIN.

The Oil Trading Transparency Act would close the London loophole, whereby traders of West Texas Intermediate Crude Oil execute trades on an electronic exchange ''located in'' London, England, outside the jurisdiction of American regulators.

Specifically: the bill directs the Commodity Futures Trading Commission, CFTC, to ensure that any foreign exchange operating a trading terminal in the United States for the trading of a U.S. energy commodity meets two regulatory requirements that currently apply to U.S. exchanges: (1) It must impose speculative trading limits to prevent price manipulation and excessive speculation, and (2) It must publish daily trading information to ensure market transparency.

The bill would also require the CFTC to obtain information from the foreign exchange to enable it to establish an audit trail and determine how much trading in U.S. energy commodities is due to speculation.

Today the CFTC's weekly publication of speculation data for U.S. markets lacks any information about the oil trading conducted in London which makes up approximately 30 percent of the trading volume in West Texas Intermediate Crude Oil.

Let me explain why this provision is necessary. The United States places limits on speculative energy trades that contribute to high prices.

But traders of U.S. crude oil know that they can avoid U.S. limits and transparency requirements by trading crude oil futures on the London's ICE Futures Europe instead of the NYMEX exchange in New York.

CFTC acknowledged in a June 2 letter to me that traders can even use London as a refuge from U.S. speculation limits. CFTC's acting chairman wrote:

> If CFTC instructed an oil trader to reduce the size of his NYMEX West Texas Intermediate crude oil position, the trader would not be prohibited, under either the [Commodity Exchange Act] or the Commission's regulations, from establishing a similar position in the ICE Futures Europe WTI crude oil contract.

That regulatory disparity means U.S. traders trading U.S. oil on the London exchange can engage in excessive speculation that affects U.S. prices and not report their trades.

The traders can do it by using computer terminals in the United States with direct access to the London exchange. The contracts in London settle on the price in New York, so they are functionally equivalent ''look alike'' contracts.

According to CFTC, every single week since 2006 at least one trader has held positions in London above the NYMEX spot month speculative limit of 3 million barrels of oil.

Most weeks, five to eight traders have been above these limits, and at one point 22 traders were above the NYMEX limit.

And its not only contracts in the spot month. Sixty-four percent of the time since 2006, at least one trader in London has exceeded out month position accountability levels that are set at 20 million barrels of oil in New York. CFTC reports that 48 different traders have been above these limits at one time or another since 2006.

This legislation is necessary in order to close this loophole and require that foreign boards of trade that operate trading terminals in our country comply with the same speculation trading limits and reporting requirements that apply to U.S. trades.

What is Traded in London? Trading in London is regulated by the British, so some might wonder why we would ask our friends in London to impose American regulatory standards.

I believe some of London's contracts matter more to America than England, and we need to make sure they are subject to our position limit system.

For example, ICE Futures Europe lists U.S. crude oil—West Texas Intermediate—New England heating oil, and U.S. gasoline contracts.

West Texas Intermediate crude oil is produced here, used here, and never leaves the United States.

Heating oil and gasoline are refined and used within our borders.

ICE Futures Europe is a wholly owned subsidiary of an American company, Atlanta based Intercontinental Exchange, or ICE.

Since buying ICE Futures Europe, ICE has shut down the trading floor in London and replaced it with a virtual, electronic floor.

Their American and British systems are so integrated that trading ''in London'' recently shut down because an ICE data center in Chicago, IL, lost power.

And most importantly, British regulators are accountable to the British people who would naturally prefer that their government use its resources to prevent manipulation in markets that affect British people, not Americans.

The British only have 80 people monitoring market abuses, investigating, and enforcing rules in all of their financial markets—including stocks, bonds, futures, swaps, and currency. Not one of these 80 people is specifically assigned to monitor trading of West Texas Intermediate, American Gasoline, or New England heating oil.

This may explain why the CFTC tells me that British regulators are yet to bring a single manipulation case against traders in any of the contracts for U.S. delivery.

That is why the audit trail established by this legislation is so important.

If CFTC gets trading data from London, it can pursue manipulation and fraud cases under their existing authority. But CFTC needs the records. It needs the data to monitor markets that impact the price of energy in the United States.

Bottom Line: CFTC needs this legislation in order to protect American oil markets from manipulation and excessive speculation.

In the farm bill we took a major step in closing the Enron loophole. It took us 7 years to close it, and millions of consumers paid the price.

This legislation is needed to close a new loophole that opened in 2006 when ICE Futures Europe began listing a U.S. based energy commodity on its exchange in London. If we vote to pass the Oil Trading Transparency Act, we will close the London loophole in only 2 years.

Today's markets evolve quickly, and we need to make sure our market oversight responds just as quickly. Let us not wait 6 years to close a loophole so large you could drive an oil tanker through it.

The PRESIDING OFFICER. The Senator from Oklahoma is recognized.

Ms. STABENOW. Excuse me, Madam President, if I might ask my friend, who has already been patient, to suspend for a moment. I have been asked to read a unanimous consent request.

Mr. COBURN. I am happy to yield to the Senator.

Ms. STABENOW. Thank you ever so much. I am here talking about physicians and ''the physician'' is on the floor. Certainly I would not presume to know more about medicine than my colleague from Oklahoma. I appreciate very much his allowing me to do this.

MORNING BUSINESS

Ms. STABENOW. Madam President, I ask unanimous consent the Senate proceed to a period for morning business, with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Is there objection?

Mr. COBURN. Reserving the right to object, I plan on speaking longer than that, so I will ask for unanimous consent after the fact.

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

HONORING OUR ARMED FORCES

SERGEANT ERIC MOSER

Mr. VITTER. Madam President, today I stand to recognize Army SGT Eric Moser, the son of Ken and Karen Moser of Lake Charles, LA, and to commend his courage and service to our Nation and his brothers in arms.

On May 22, 2008, Sergeant Moser was awarded the Distinguished Service Cross, the U.S. Army's second highest military decoration, making him one of only nine soldiers to have received this decoration since September 11, 2001.

Sergeant Moser, I know how proud your parents are of you, and all of Louisiana shares in their pride. Your actions truly exemplify patriotism, service to country, and spirit of the Army's famous 82nd Airborne Division, a unit that has distinguished itself on countless occasions from the beaches of Normandy, the jungles of Vietnam, to the sands of Iraq and the mountains of Afghanistan.

On August 26, 2007, while serving with the 82nd's Charlie Company, Sergeant Moser was attached to a sniper team that also included SGT Josh Morley of North Carolina, SP Tracy Willis of Texas, and SP Chris Corriveau from Maine.

The team was tasked with securing a defensive perimeter around a block in Samarra, Iraq, while members of Charlie Company's 3rd Platoon conducted search operations on a location that was suspected of being used to manufacture improvised explosive devices.

Soon after their arrival on their positions, Sergeant Moser and his team found themselves under attack, their presence having been alerted to by an al-Qaida informant. Pinned down from fire from multiple terrorists, Sergeants Moser and Morley held their positions and returned fire until Sergeant Morley was killed while crossing a building rooftop in search of the team's radio.

Sergeant Moser and the remaining team members fought off the insurgents who were attempting to make off with Sergeant Morley's body. Despite struggling with a weapon that repeatedly jammed, Sergeant Moser was able to return fire and protect Sergeant Morley's body during a firefight that ultimately claimed the life of a second team member, SP Tracy Willis.

The two remaining members of the sniper team, Sergeant Moser and Specialist Corriveau, continued to fight off the terrorists and were able to protect the bodies of their fallen comrades. As they established contact with another Airborne outpost, the insurgents fell back and began to retrieve their dead.

Sergeant Moser and Specialist Corriveau then directed a GPS-guided bomb to the position where the surviving insurgents were hiding. It was later confirmed that more than 15 of an established 40 al-Qaida terrorists were killed during the fight.

We honor Sergeant Morley and Specialist Willis for their ultimate sacrifice, and we pay tribute to their families. SGT Josh Morley is survived by his wife, his family, and a daughter whom he never had the chance to meet. And SP Tracy Willis leaves behind a loving family of his own.

We also honor SP Chris Corriveau for his heroism. He was also awarded the Distinguished Service Cross for his gallantry on August 26, 2007. His actions also exemplify that of a hero and a paratrooper.

In the face of death and without regard to his personal safety, Sergeant Moser brought great distinction on himself, the U.S. Army, and the 82nd Airborne Division. I am sure he would be hesitant to acknowledge himself as a hero, and he does not need to do so. His actions distinguished him as such when on a rooftop in Iraq, he risked his own life to ensure that no man was left behind.

Sergeant Moser, thank you for your service and heroism and God bless you and your entire family.

TRIBUTE TO BETSY REIFSNYDER

Mr. REID. Madam President, I rise today to recognize Betsy Reifsnyder, a dedicated public servant who is retiring in July after nearly 25 years of service to the U.S. Congress.

Ms. Reifsnyder came to the Library of Congress in 1984 as part of an intern program and then moved on to the Congressional Research Service in 1985 as a reference librarian. She has worked in a number of challenging roles, and will retire as the data architect of the Congressional Research Service.

Throughout her years at CRS, Ms. Reifsnyder has performed complex and institution-supporting duties. Her leadership, sound judgment, and creative work, coupled with her technical expertise and her positive approach to any project or problem were keys to the early and continued success of the Legislative Information System, LIS. Her dedication and ability to find solutions have earned her a trust, and confidence, that echoes throughout the legislative branch.

An expert in the legislative process, data structures, and online search systems, she was instrumental in moving legislative data into the Internet age. Ms. Reifsnyder has played an active role in the development of improvements and advanced features for LIS retrieval and display to meet the needs of congressional staff.

Both Congress and the general public have benefited greatly from her work on the THOMAS and LIS, systems which have allowed access to reliable and timely legislative information. Congressional Members and staff will continue to benefit from her work, due to her major contributions to the plans for LIS 2.0. Her vision and leadership have shaped the data-entry system for legislative summaries and other resources that have made it easier for all of us to have access to reliable legislative information.

Although, Betsy Reifsnyder will be retiring, her many accomplishments will stand as a fitting tribute to her career and her person. Ms. Reifsnyder's presence will be greatly missed, and I wish her and her family all the best as she enters the next phase of her life.

PSORIASIS AND PSORIATIC ARTHRITIS RESEARCH, CURE, AND CARE ACT OF 2007

Mr. DODD. Madam President, I rise today in support of S. 1459, the Psoriasis and Psoriatic Arthritis Research, Cure, and Care Act of 2007, and to encourage my colleagues to lend their support to this important legislation. Psoriasis is a chronic, inflammatory, painful, and debilitating disease that affects as many as seven and a half million Americans. Ten to 30 percent of people with psoriasis also suffer from psoriatic arthritis, which causes pain, stiffness and swelling in and around the joints. The National Psoriasis Foundation estimates that in the state of Connecticut as many as 89,000 adults live with psoriasis, psoriatic arthritis, or both.

No one knows exactly what causes psoriasis. With very few effective treatments and no cure, this disabling disease often strikes between age 15–25, marking the beginning of a lifelong struggle for psoriasis sufferers. Psoriasis is often minimized and undertreated because treatments are considered ''not medically necessary'' or ''cosmetic''. If a patient is accurately diagnosed, the search for an appropriate treatment can prove exasperating because treatments vary widely in effectiveness, can have serious adverse side effects, and can stop working without warning.

Often misunderstood to be contagious or due to poor hygiene, psoriasis causes many patients to experience social discrimination and stigma. Studies have shown that psoriasis causes as much disability as other major medical diseases. In fact, lost productivity and forgone future earnings create an estimated burden of $114 million annually for Americans with psoriasis.

Unfortunately, research on psoriasis and psoriatic arthritis has not been made the priority it should be. S. 1459 would direct the National Institute of Arthritis and Musculoskeletal and Skin Diseases to expand biomedical research on psoriasis and psoriatic arthritis and to coordinate research efforts across the NIH. The bill would also direct the Centers for Disease Control and Prevention to develop a national patient registry for collection and analysis of longitudinal data on psoriasis and psoriatic arthritis. Without such a resource, we will remain limited in our ability to evaluate the usefulness—and side effects—of the therapies that patients must endure throughout their lifetimes.

Those suffering with psoriasis are also at an increased risk for numerous other serious, chronic and life-threatening conditions such as heart disease, diabetes and mental health conditions. These co-morbidities inflict a significant economic and social burden on society in addition to the individuals with psoriasis. This legislation would direct the Secretary of Health and Human Services to convene a summit of researchers, public health professionals, patient advocacy organizations, academic institutions, and Federal and State policymakers on the current research, treatment, education, and quality-of-life activities conducted or supported by the Federal Government with respect to psoriasis and psoriatic arthritis, including psoriasis and psoriatic arthritis related comorbidities. A comprehensive report from this summit would provide a roadmap for future activities necessary to address current gaps and better our chances of finding a cure. Lastly, the bill would require a study and report by the Institute of Medicine to address health insurance and prescription drug coverage as they relate to medications and treatments for psoriasis and psoriatic arthritis. We must ensure that these patients receive the best regimen and most appropriate care for their disease.

In closing, I would like to commend the National Psoriasis Foundation for their more than four decades of leadership and work to improve quality of life for people with psoriasis and psoriatic arthritis. I would also like to extend great thanks to my constituents, John and Vivian Latella, who have shared their personal stories of the difficulties of living with psoriasis. For them, and for the millions of Americans suffering from this disease, I urge my colleagues to join me in cosponsoring the Psoriasis and Psoriatic Arthritis Research, Cure, and Care Act.

PAXIL

Mr. GRASSLEY. Madam President, for the last few years, I have been looking at how drug companies try and influence medical care in America. Companies can do this by, for example, creating studies favorable to their drugs, by hiring doctors to promote their products, and in some cases even intimidating critics of their drugs.

Today, I would like to talk about a different tactic by drug companies hiding data. I don't mean that they actually hide the data. But they make these numbers so difficult to find that they might as well be invisible.

Last February, I asked GlaxoSmithKline to turn over a couple of reports on Paxil, a drug used to treat depression. These reports were written by Dr. Joseph Glenmullen, a professor of psychiatry at Harvard.

Based on the review of documents uncovered in litigation, Dr. Glenmullen concluded that GlaxoSmithKline knew for almost two decades that Paxil is associated with an increased risk of suicide. He submitted these reports as an expert witness in several lawsuits now pending around the country.

So what did GlaxoSmithKline do with these reports? Well, the company tried to hide them. They went to the judge and asked to have Dr. Glenmullen's report and all the confirming documents placed under seal—that means that no member of the public could see them. In fact, Glaxo has been doing everything possible to ensure that this information remains under court seal.

It seems to me that GlaxoSmithKline tried to hide these reports because they seem to demonstrate what the company knew—that Paxil was associated with an increased risk of suicide based on the company's own studies. In fact, Dr. Glenmullen argues that GlaxoSmithKline knew this when they submitted the New Drug Application to the Food and Drug Administration back in 1989.

Essentially, it looks like GlaxoSmithKline bamboozled the FDA.

How did GlaxoSmithKline get away with this? Easy, they just moved around numbers in their studies to make it look like Paxil was safe. Here is how Dr. Glenmullen says they did it. GlaxoSmithKline ran several studies comparing people on Paxil against people on a placebo, in other words, a sugar pill.

If a patient attempted suicide before a study began—let me emphasize this: Before the study began—that person was automatically put into the placebo group. That means the company was comparing Paxil users against patients who were already prone to suicide. So when you compared the placebo numbers to the Paxil numbers, it looked like Paxil was the same as the placebo.

But, when Dr. Glenmullen re-analyzed the data, he found that Paxil WAS associated with a risk for suicide. And it looks like this is what GlaxoSmithKline was trying to hide from the American public.

Thankfully, a judge in Kansas made one of Dr. Glenmullen's reports public.

Finally, I would like to address GlaxoSmithKline's responses to my questions about whether it hid data on Paxil. I am unhappy to say that Glaxo's answers were a little more than word games. I don't wish to use the word ''lie'' but let me say this: their answers were less than candid.

Let me give you one example. In a letter to GlaxoSmithKline, I asked them when they learned that Paxil was associated with suicide risk. They wrote back that they ''detected no signal of any possible association between Paxil and suicidality in adult patients until late February 2006 . . .''

So GSK claims to a U.S. Senator they knew nothing about suicidality in adults until February 2006. But in the United Kingdom, government investigators found that the company had the data back in 1998.

Two weeks after I received the letter from GSK, England's Medicines and Healthcare products Regulatory Agency released a report on Paxil.

The report concluded that data from GlaxoSmithKline's own clinical trials confirmed that patients under 18 had a higher risk of suicidal behavior. This report involved 4 years of investigation by this agency which is England's counterpart to our FDA. It was the largest most thorough report in the history of that agency.

According to the Medicines and Healthcare products Regulatory Agency, the only reason that criminal charges were not filed in the UK is because ''the legislation in force at the time was not sufficiently strong enough . . .'' So the company didn't get off because it didn't do anything wrong. It got off because the laws in UK did not address such situations.

Today, I am asking the FDA to take a look at the same information that was examined in the UK. And I am asking the FDA if we need to change any laws here in the United States.

We cannot live in a nation where drug companies are less than candid, hide information and attempt to mislead the FDA and the public. These companies are selling drugs that we put in our bodies, not sneakers. When they manipulate or withhold data to hide or minimize findings about safety and/or efficacy, they put patient safety at risk. And with drugs like Paxil, the risks are too great.

The CEO of GlaxoSmithKline, Jean-Pierre Garnier, is resigning. I hope that the company's new leadership will do right by the public and be more open about side effects of their products.

What happened with Paxil, as well as, in my investigations involving the painkiller Vioxx and the antibiotic Ketek are only a few examples of why it is important that bad actors be held accountable when they withhold data, submit questionable or fraudulent data, or attempt to mislead the FDA, the medical community, and the public.

That is why I am also working on legislation that would require that companies certify to the FDA that they gave the FDA complete and accurate data related to the safety and efficacy of their products and that the information is not false or misleading. If a company knowingly violates those certifications, it could be subject to civil and possibly criminal penalties.

NEUROFIBROMATOSIS AWARENESS

Mr. COBURN. Madam President, I rise today to highlight the difficulties caused by neurofibromatosis, NF, the work currently being done by the Federal Government to address this difficult disease, and the importance of awareness about NF.

NF is a genetic disorder of the nervous system, which causes tumors to form on the nerves anywhere in the body at any time. NF is a progressive disorder and is one of the most common genetic disorders in the United

States. An estimated 100,000 Americans have a neurofibromatosis disorder. About half of those affected with NF have a prior family history of the disease.

NF has two distinct forms, NF1 and NF2. NF1 is the more common version, occurring in 1 of nearly every 4,000 individuals in the U.S. It has varying manifestations and degrees of severity resulting from a mutation of the NFI gene. Symptoms include common skin abnormalities and are often evident at birth or shortly afterwards. NF1 can cause learning disorders, bone deformities, and may even be associated with cancer. NF2 is a much more rare condition, resulting from a mutation of the NF2 gene, that is most frequently associated with hearing loss and visual impairment.

The National Institutes of Health, NIH, supports critical research to fight NF, investing approximately $13 million a year. At NIH, the $1.5 billion National Institute of Neurological Disorders and Stroke, NINDS, supports research and clinical trials to understand normal and abnormal development of the brain and nervous system to improve our understanding of the disease and our ability to prevent, treat, and ultimately cure the NF disorders. Researchers have been able to locate the exact NF1 gene, which they found normally works as a ''molecular brake'' to keep cells from overmultiplying, and the NF2 gene, which they found normally helps suppress tumors. It is the mutations of these genes that cause the difficulties associated with NF. According to NINDS:

> Understanding the molecular pathways and mechanisms that govern these key proteins and their activities will offer scientists exciting opportunities to design drugs that could replace the missing proteins in people who have neurofibromatosis and return their cell production to normal.

NINDS is currently researching how NF1 can also cause abnormal fetal development that can cause learning disabilities and cognitive deficits for children. NINDS also supports research aimed at developing improved methods of diagnosing NF and identifying factors that cause the wide variations of symptoms and severity of the disorders.

As a practicing physician, I am encouraged that NINDS is performing research to help doctors equip parents for their child's education by pinpointing associations between brain abnormalities and specific cognitive disabilities. This will help parents to develop and implement early intervention programs.

Having treated patients with NF, I know firsthand the pain and suffering associated with the disease and the difficulties it can cause for parents. The ongoing Federal research activities though NIH are critical toward fighting NF. I also applaud the tremendous efforts of private foundations and the thousands of NF volunteers and advocates across the country. It is my sincere hope that public-private partnerships will continue to provide medical breakthroughs that can prevent, treat, and cure NF and other painful diseases.

ADDITIONAL STATEMENTS

HONORING JACKLYN H. LUCAS

• Mr. BURR. Madam President, I wish to honor the life of Jacklyn Harrell Lucas. Mr. Lucas was born in Plymouth, NC, to Louis Harold and Margaret Lucas on February 24, 1928. He was in the eighth grade at Edwards Military Institute when the Japanese bombed Pearl Harbor. Lucas felt an obligation to serve the country and refused to let age get in his way.

Ten months after Pearl Harbor, Jack Lucas joined the Marine Corps Reserve at the age of 14. He listed his age as 17 and joined without his mother's consent. Lucas soon reported to Parris Island for basic training, where he qualified as a sharpshooter.

He was assigned to a machine gun crew and moved to Pearl Harbor at the end of 1943 where he was promoted to PVT first class. A year later, Lucas and his unit had not been deployed, so Lucas decided to deploy himself. He stowed away on the USS *Duel*, which was carrying the 5th Marine Division to battle in the Pacific.

A month into the journey he came out of hiding. Despite being reported as AWOL a month earlier and having been reduced in rank, PVT Jack Lucas was assigned to the 5th Marine Division. He was assigned to a rifle team and longed to get into the fight.

On February 19, 1945, Lucas finally got his wish as he and 30,000 other marines stormed the beaches of Iwo Jima. On the second day of the invasion, Lucas was pinned down with three members of his rifle team when two grenades landed in their foxhole.

His Medal of Honor citation describes best what happened next. Private Lucas ''unhesitatingly hurled himself over his comrades upon one grenade and pulled the other one under him, absorbing the whole blasting force of the explosions in his own body in order to shield his companions from the concussion and murderous flying fragments.'' He saved the lives of his fellow marines by an act that would almost surely result in death, but Lucas survived.

Seven months and twenty-one surgeries later, Lucas was medically discharged from the Marine Corps. He left the service with over 200 pieces of shrapnel in his body. A month later he was awarded the Medal of Honor. Private Lucas was only 17 years old. He was one of 27 marines given the medal for their heroic actions at Iwo Jima. Eight-two marines were awarded the Medal of Honor during World War II, and almost a third received the medal for their heroism during this historic battle. Lucas is the youngest person ever to receive this Nation's highest military honor.

This Nation lost one of its best on June 5, when Jacklyn Harrell Lucas succumbed to cancer. He is survived by his wife Ruby C. Clark Lucas; 4 sons—William, Jimmy, Louis, and Kelly; a daughter, Peggy; 3 stepdaughters, Joan, Debbie, and Melinda; a brother, Louis; 15 grandchildren; and 16 great-grandchildren.

Madam President, the determination, patriotism, and selflessness of Jack Lucas should be admired by all. He was a fine North Carolinian and a great American.•

HONORING HORACE P. AXTELL

• Mr. CRAPO. Madam President, I am pleased to recognize an extraordinary honor bestowed upon Horace P. Axtell, elder of the Nimiipu, more commonly known as the Nez Perce Tribe. Horace is a 2008 recipient of the National Endowment for the Arts, NEA, National Heritage Fellowship, an annual fellowship that honors American folk artists for contributions to American culture. The highest federal honor in the folk and traditional arts, only 10 NEA National Heritage Fellowships are awarded every year.

Horace is a Nez Perce tribal historian, storyteller, singer and drum maker. In fact, he is a spiritual leader of the Seven-Drum religion, a traditional religion of the tribes of the plateau region that requires practitioners to memorize songs and accompany them on handmade drums. He still builds these drums in the traditional way, curing hides and stretching them over wooden frames. Spending his youth listening to stories of the tribal elders, some of whom survived the 1877 war against the Nez Perce by the United States, Horace is now a respected elder himself and a pipe carrier for his tribe, a position of great honor. He is the author of a memoir, the first one printed in over half a century by a Nez Perce elder. He has received numerous awards including the President's Medallion from the University of Idaho, an honorary doctorate from Lewis-Clark State College and the Washington State Historical Society Peace and Friendship Award.

It is an honor for me to publicly recognize the remarkable achievements of Horace P. Axtell.•

300TH ANNIVERSARY OF RIDGEFIELD, CONNECTICUT

• Mr. DODD. Madam President, today I recognize a significant milestone for one of the towns in my home State of Connecticut. This year, the town of Ridgefield is celebrating the 300th anniversary of its founding.

Ridgefield's heritage dates back to the founding of this country and the American Revolution. A small militia force led by Generals David Wooster and Benedict Arnold faced off here against a larger British force at the Battle of Ridgefield on April 27, 1777. Whether it's the graves of the soldiers

on both sides of the conflict who were killed and are now buried together in a cemetery on Main Street, or the cannon ball that remains lodged into the side of the Keeler Tavern, landmarks of this battle can still be found throughout Ridgefield.

This beautiful colonial town of approximately 24,000 people has historically been known as a farming community. Today it is regularly recognized not only for the high quality of its schools and tranquility but for its world class restaurants and inns. Considered right after World War II as a potential location for the United Nations secretariat building, Ridgefield has managed to retain its small town, New England charm to this day.

The residents of Ridgefield are rightfully proud of the town's rich cultural and agricultural heritage and have organized a number of activities to celebrate this momentous occasion. I ask my colleagues to join with me in congratulating my many friends among the good people of Ridgefield as they gather this year to celebrate their town's three centuries of history.●

TRIBUTE TO ARTHUR SCHUT

● Mr. HARKIN. Madam President, I would like to take this time to recognize Arthur J. Schut, a fellow Iowan who has dedicated more than 30 years of his life to serving the disfranchised in Iowa communities with his care, counsel and work to help individuals struggling with substance abuse. Arthur Schut, or Art as many people know him, has gone above and beyond the call of duty, devoting his life to substance abuse treatment in Iowa. And I would like to wish him all the best in his future endeavors as he moves on from Iowa to continue his efforts in other parts of the country.

Art has worked tirelessly to provide substance abuse care and council throughout the State of Iowa. He has fought to minimize the negative stigma surrounding those struggling to overcome their substance abuse by educating families, lawmakers, and the public. He has worked with great effort towards securing funding and resources for those with addiction and mental health issues. His deep passion for his vocation has led him to travel all across our great State and Nation for his cause, fighting on a local, State, and national level.

Art earned his psychology degree from Central College in Pella, IA, and obtained his master's in clinical psychology from the State University of New York at Albany. After obtaining his degrees, he devoted all his time to administering substance abuse care throughout Iowa. He has held positions as treatment director, clinical director, child psychologist, and community programming director in substance abuse agencies. He served as adjunct faculty at the University of Iowa, where he gave guest lectures and taught substance abuse courses. He administers agency operations and programs in three regions of Iowa including outpatient offices in 16 Iowa counties, a prevention unit, an employee assistance program, residential treatment programs and a detoxification unit. In addition, Art has been the president and chief executive officer of the Mid-Eastern Council on Chemical Abuse, MECCA, in Iowa City and Des Moines for the past 16 years.

It is clear that Art Schut has a deep passion for treating and supporting those who struggle with substance abuse and deserves our recognition. His dedication and perseverance to his cause deserve immense respect and honor. Art will be deeply missed. He is an amazing role model, not only for his humanitarian efforts, but for his passion and zeal that can be seen in his devotion to his work.

Iowa is losing a great leader, but we can rest assured that Art's commitment to his cause will never waver and he will continue to make leaps and bounds to provide substance abuse care and treatment no matter what obstacles may stand in his way.●

HONORING HONOR GROUNDS LLC

● Ms. SNOWE. Madam President, today I celebrate an inventive Maine small business that is helping to support our country's National Guard and Reservist families. Honor Grounds LLC distributes its own brand of high-quality coffee to convenience stores and supermarkets, and a portion of the sales go to helping some of our country's most deserving citizens.

Honor Grounds LLC is an enormously innovative project of Dan Boudreau, who is a longtime coffee distributor, as well as Catherine and John Salterio, principals at Consolidated Services, a beverage distribution consulting firm in Minot. Several years ago, Mr. Boudreau, who is a Maine Army National Guard veteran himself, sought a unique avenue to give back to the Guard. Mr. Boudreau, together with the Salterios, developed a program to sell specially packaged Honor Grounds coffee and to donate some of the profits to assist military families.

They launched the company earlier this year and report that retailers have demonstrated immense support for the initiative. In fact, Hannaford Brothers, one of the supermarket chains participating in the program, generously waived its usual stocking fee for Honor Grounds in recognition of the program's significance. They offer three military-themed flavors of coffee—Reveille Dark, Five Star Joe, and D-Day Decaf.

All donated proceeds from Honor Grounds go specifically to The Patriot Fund, which was designed to concentrate money in the hands of groups that aid America's military personnel and their families. Already, Honor Grounds has succeeded in funding several organizations nationwide, including the Maine Department of Veterans Affairs, as well as Tee It Up For The Troops, a golf fundraising nonprofit that supports the families of disabled and fallen servicemembers.

Honor Grounds coffee consists of choice 100 percent roasted Arabica beans, which translates to an exceptional cup of coffee. But more notably, each bag of Honor Grounds coffee includes the story of a member of the National Guard or Reserves. Each biography details the life of one of our Nation's defenders, the heroes among us. More than just a nice touch, these narratives provide a link between soldier and civilian, which makes the purchase of Honor Grounds coffee all the more meaningful.

To expand the scope of its reach, supplement its retail sales, and ultimately generate more funds for the Nation's military families, Honor Grounds recently implemented a fundraising partnership program. Schools, veterans and civic organizations, as well as other groups sell Honor Grounds coffee with their association's logo on the box, thereby promoting both the group and Honor Grounds. Notably, Honor Grounds donates an extra $1.50 to that club's home State military families for each box sold.

Honor Grounds is not only a patriotic small business, but it also represents a truly creative approach to bolstering our Nation's support of those who serve. With the motto of ''Helping Military Members and Their Families, One Cup at a Time,'' Honor Grounds is seeking to reinvigorate the gratitude our country's finest citizens have earned. I thank Mr. Boudreau and the Salterios for their selfless efforts, and wish them continued success in their magnificent achievement.●

TRIBUTE TO LELAND ROBICHAUX

● Mr. VITTER. Madam President, I wish to acknowledge Councilman Leland Robichaux of Houma for his dedicated service to Louisiana and the United States of America. I would like to take some time to make a few remarks on his accomplishments.

Mr. Robichaux started his career in oilfield services in 1964, traveling the world with his family as a result. He helped found the South Central Industrial Association 10 years ago, serving as the business organization's president from 2003 to 2004. Also active from the beginning in membership initiatives and infrastructure issues, he earned the SCIA's Tillman Esteve Award last year for his contributions. Outside his job as a salesman for Oil States, an offshore oil-and-gas manufacturer, he traveled annually with the Houma-Terrebonne Chamber of Commerce to Washington, DC, to lobby for hurricane protection for the past 8 years.

Mr. Robichaux was elected to the Terrebonne Parish Council District 6 seat last fall. He represented the parishes of southwest Terrebonne, Donner, Gibson, parts of Bayou Black and

neighborhoods between La. 311 and Bayou Black Drive. The week before he was sworn into office, Mr. Robichaux learned he had two tumors on his brain, caused by cancer that started in his lungs. Despite his illness, he continued to serve his constituents and was open about his cancer diagnosis, and when asked about his progress, he shared information about his treatments and his determination to press on.

Leland Robichaux passed away Sunday, June 1. In his roughly 4 months on the council, he helped work on coastal-restoration and levee projects. He is survived by not only family members but also the grateful city of Houma and council who have lost a great man and great leader.

Thus, today, I rise to honor a fellow Louisianan, Leland Robichaux, and thank him and his family for his dedicated service to our State and Nation.●

MESSAGE FROM THE HOUSE

At 4:52 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House has passed the following bills, without amendment:

S. 254. An act to award posthumously a Congressional gold medal to Constantino Brumidi.

S. 682. An act to award a congressional gold medal to Edward William Brooke III in recognition of his unprecedented and enduring service to our Nation.

The message also announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 2268. An act to require the Secretary of the Treasury to mint coins in commemoration of the centennial of the establishment of Mother's Day.

H.R. 3229. An act to require the Secretary of the Treasury to mint coins in commemoration of the legacy of the United States Army Infantry and the establishment of the National Infantry Museum and Soldier Center.

H.R. 6028. An act to authorize law enforcement and security assistance, and assistance to enhance the rule of law and strengthen civilian, institutions, for Mexico and the countries of Central America, and for other purposes.

The message further announced that the House has agreed to the following concurrent resolutions, in which it requests the concurrence of the Senate:

H. Con. Res. 318. Concurrent resolution supporting the goals and ideals of the International Year of Sanitation.

H. Con. Res. 332. Concurrent resolution recognizing the 60th anniversary of the Universal Declaration of Human Rights.

H. Con. Res. 336. Concurrent resolution honoring the sacrifices and contributions made by disabled American veterans.

H. Con. Res. 337. Concurrent resolution honoring Seeds of Peace for its 15th anniversary as an organization promoting understanding, reconciliation, acceptance, coexistence, and peace in the Middle East, South Asia, and other regions of conflict.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 2268. An act to require the Secretary of the Treasury to mint coins in commemoration of the centennial of the establishment of Mother's Day; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 3229. An act to require the Secretary of the Treasury to mint coins in commemoration of the legacy of the United States Army Infantry and the establishment of the National Infantry Museum and Soldier Center; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 6028. An act to authorize law enforcement and security assistance, and assistance to enhance the rule of law and strengthen civilian institutions, for Mexico and the countries of Central America, and for other purposes; to the Committee on Foreign Relations.

The following concurrent resolutions were read, and referred as indicated:

H. Con. Res. 332. Concurrent resolution recognizing the 60th anniversary of the Universal Declaration of Human Rights; to the Committee on Foreign Relations.

H. Con. Res. 336. Concurrent resolution honoring the sacrifices and contributions made by disabled American veterans; to the Committee on Veterans' Affairs.

MEASURES PLACED ON THE CALENDAR

The following concurrent resolution was read, and placed on the calendar:

H. Con. Res. 318. Concurrent resolution supporting the goals and ideals of the International Year of Sanitation.

MEASURES READ THE FIRST TIME

The following bill was read the first time:

S. 3118. A bill to amend titles XVIII and XIX of the Social Security Act to preserve beneficiary access to care by preventing a reduction in the Medicare physician fee schedule, to improve the quality of care by advancing value based purchasing, electronic health records, and electronic prescribing, and to maintain and improve access to care in rural areas, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC–6548. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Consolidation of the Fruit Fly Regulations'' (Docket No. APHIS–2007–0084) received on June 9, 2008; to the Committee on Agriculture, Nutrition, and Forestry.

EC–6549. A communication from the Under Secretary of Defense (Comptroller), transmitting, pursuant to law, the report of violations of the Antideficiency Act within the Department of the Army which have been assigned case number 06–08; to the Committee on Appropriations.

EC–6550. A communication from the Principal Deputy, Office of the Under Secretary of Defense (Personnel and Readiness), transmitting the report of (11) officers authorized to wear the insignia of the grade of rear admiral (lower half) in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC–6551. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of General Michael B. Hayden, United States Air Force, and his advancement to the grade of general on the retired list; to the Committee on Armed Services.

EC–6552. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of General Richard A. Cody, United States Army, and his advancement to the grade of general on the retired list; to the Committee on Armed Services.

EC–6553. A communication from the Federal Liaison Officer, Office of the Secretary, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''TRICARE; Certain Survivors of Deceased Active Duty Members; and Adoption Intermediaries'' ((RIN0720–AB07)(DoD–2006–HA–0194)) received on June 9, 2008; to the Committee on Armed Services.

EC–6554. A communication from the Deputy Chief of Legislative Affairs, Department of the Navy, transmitting, pursuant to law, notification of the department's decision to convert to contract the bulk fuel storage and distribution functions at Marine Corps Air Station Miramar; to the Committee on Armed Services.

EC–6555. A communication from the Deputy Chief of Legislative Affairs, Department of the Navy, transmitting, pursuant to law, notification of the performance decision to convert to the Most Efficient Organization (MEO) information technology services currently performed at the Fleet Numerical Meteorology Oceanography Center; to the Committee on Armed Services.

EC–6556. A communication from the Under Secretary of Defense (Acquisition, Technology, and Logistics), transmitting, pursuant to law, a report entitled, ''Federally Funded Research and Development Center's Estimated FY 2009 Staff-years of Technical Effort (STEs) and Estimated Funding''; to the Committee on Armed Services.

EC–6557. A communication from the Secretary of Defense, transmitting, pursuant to law, a certification that the retirement of a U–2 aircraft located at Palmdale, California, will not adversely impact intelligence, surveillance, and reconnaissance capabilities; to the Committee on Armed Services.

EC–6558. A communication from the Secretary of Commerce, transmitting, pursuant to law, a six-month report on the national emergency that was originally declared in Executive Order 13159 relative to the risk of nuclear proliferation created by the accumulation of weapons-usable fissile material in the territory of the Russian Federation; to the Committee on Banking, Housing, and Urban Affairs.

EC–6559. A communication from the Chairman, National Credit Union Administration, transmitting, pursuant to law, a report entitled, ''2007 Annual Report of the National Credit Union Administration (NCUA)''; to the Committee on Banking, Housing, and Urban Affairs.

EC–6560. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a report on the national emergency with respect to the risk of nuclear proliferation created by the accumulation of weapons-usable fissile material in the territory of the Russian Federation; to the Committee on Banking, Housing, and Urban Affairs.

EC–6561. A communication from the Deputy Assistant Administrator for Regulatory

Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Correcting Amendment to Correct Metric Conversion Errors in Guideline Harvest Levels for the Guided Recreational Halibut Fishery'' (RIN0648–AW82) received on June 9, 2008; to the Committee on Commerce, Science, and Transportation.

EC–6562. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Area 2C Charter Halibut Fishery GHL Management Measures'' (RIN0648–AW23) received on June 9, 2008; to the Committee on Commerce, Science, and Transportation.

EC–6563. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Correcting Amendment of the 50 CFR 680.40 (J)(3)(i) and (J)(3)(ii)'' (RIN0648–AS47) received on June 9, 2008; to the Committee on Commerce, Science, and Transportation.

EC–6564. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Final Rule to Amend the Crab Rationalization Program to Implement the Magnuson-Stevens Fishery Conservation and Management Act of 2006 and the Coast Guard and Maritime Transportation Act of 2006'' (RIN0648–AV19) received on June 9, 2008; to the Committee on Commerce, Science, and Transportation.

EC–6565. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Annual Specifications for the 2008 Pacific Sardine Fishing Season'' (RIN0648–XG22) received on June 9, 2008; to the Committee on Commerce, Science, and Transportation.

EC–6566. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Economic Exclusive Zone off Alaska; Shallow-Water Species Fishery by Vessels Using Trawl Gear in the Gulf of Alaska'' (RIN0648–XI13) received on June 9, 2008; to the Committee on Commerce, Science, and Transportation.

EC–6567. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Yellowfin Sole by Vessels Participating in the Amendment 80 Limited Access Fishery in Bycatch Limitation Zone 1 of the Bering Sea and Aleutian Islands Management Area'' (RIN0648–XI14) received on June 9, 2008; to the Committee on Commerce, Science, and Transportation.

EC–6568. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Inseason Trip Limit Reduction for the Commercial Fishery for Golden Tilefish for the 2008 Fishing Year'' (RIN0648–XI05) received on June 9, 2008; to the Committee on Commerce, Science, and Transportation.

EC–6569. A communication from the Deputy Assistant Administrator for Operations, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Rescind Longline Pot Gear Closure in Bering Sea During June; Allow Temporary Military Transfers of Individual Fishing Quota'' (RIN0648–AV64) received on June 9, 2008; to the Committee on Commerce, Science, and Transportation.

EC–6570. A communication from the Associate Bureau Chief, Public Safety and Homeland Security Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Improving Public Safety Communications in the 800 MHz Band: New 800 MHz Band Plan for U.S.-Canada Border Regions'' (WT Docket No. 02–55) received on June 9, 2008; to the Committee on Commerce, Science, and Transportation.

EC–6571. A communication from the Legal Advisor, Wireless Telecommunication Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Implementation of Sections 309 (j) and 337 of the Communications Act of 1934 as Amended; Promotion of Spectrum Efficient Technologies on Certain Part 90 Frequencies'' (WT Docket No. 99–87) received on June 9, 2008; to the Committee on Commerce, Science, and Transportation.

EC–6572. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''47 C.F.R. Section 73.622(i)—DTV Table of Allotments'' (DA 08–1185) received on June 9, 2008; to the Committee on Commerce, Science, and Transportation.

EC–6573. A communication from the Director, Office of Congressional Affairs, U.S. Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Regulatory Improvements to the Nuclear Materials Management Safety and Safeguards System'' (RIN3150–AH85) received on June 9, 2008; to the Committee on Environment and Public Works.

EC–6574. A communication from the Chief of the Trade and Commercial Regulations Branch, Customs and Border Protection, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Articles Assembled Abroad: Operations Incidental to the Assembly Process'' (RIN1505–AB90) received on June 9, 2008; to the Committee on Finance.

EC–6575. A communication from the Chief of the Trade and Commercial Regulations Branch, Customs and Border Protection, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Dominican Republic—Central America—United States Free Trade Agreement'' (RIN1505–AB84) received on June 9, 2008; to the Committee on Finance.

EC–6576. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, the presidential determination required to suspend the limitation on the obligation of State Department Appropriations contained in the Jerusalem Embassy Act of 1995, along with an accompanying report; to the Committee on Foreign Relations.

EC–6577. A communication from the Acting Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other than treaties (List 2008–84—2008–93); to the Committee on Foreign Relations.

EC–6578. A communication from the Deputy Director for Operations, Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the report of a rule entitled ''Bylaws of the Pension Benefit Guaranty Corporation'' (29 CFR Part 4002) received on June 9, 2008; to the Committee on Health, Education, Labor, and Pensions.

EC–6579. A communication from the Deputy Director for Operations, Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the report of a rule entitled ''Benefits Payable in Terminated Single-Employer Plans; Allocation of Assets in Single-Employer Plans; Interest Assumptions for Valuing and Paying Benefits'' (29 CFR Parts 4022 and 4044) received on June 9, 2008; to the Committee on Health, Education, Labor, and Pensions.

EC–6580. A communication from the Assistant General Counsel for Regulating Services, Office of Special Education and Rehabilitative Services, Department of Education, transmitting, pursuant to law, the report of a rule entitled ''Rehabilitation Training—Rehabilitation Continuing Education Program'' (73 FR 5179) received on June 9, 2008; to the Committee on Health, Education, Labor, and Pensions.

EC–6581. A communication from the Acting Administrator, General Services Administration, transmitting, pursuant to law, the Office of Inspector General's Semiannual Report for the period of October 1, 2007, through March 31, 2008; to the Committee on Homeland Security and Governmental Affairs.

EC–6582. A communication from the Director, Office of Personnel Management, transmitting, pursuant to law, the Office of Inspector General's Semiannual Report for the period of October 1, 2007, through March 31, 2008; to the Committee on Homeland Security and Governmental Affairs.

EC–6583. A communication from the Secretary of Education, transmitting, pursuant to law, the Office of Inspector General's Semiannual Report for the period of October 1, 2007, through March 31, 2008; to the Committee on Homeland Security and Governmental Affairs.

EC–6584. A communication from the Chairman and President, Export-Import Bank of the United States, transmitting, pursuant to law, the Office of Inspector General's Semiannual Report for the period of October 1, 2007, through March 31, 2008; to the Committee on Homeland Security and Governmental Affairs.

EC–6585. A communication from the District of Columbia Auditor, transmitting, pursuant to law, a report entitled, ''Review of the District's Cash Advance Fund''; to the Committee on Homeland Security and Governmental Affairs.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. WICKER (for himself, Mr. BROWNBACK, Mr. BUNNING, Mr. BURR, Mr. DEMINT, Mr. ENZI, Mr. INHOFE, Mr. MARTINEZ, Mr. THUNE, Mr. VITTER, and Mr. VOINOVICH):

S. 3111. A bill to implement equal protection under the 14th article of amendment to the Constitution for the right of life of each born and preborn human person; to the Committee on the Judiciary.

By Mr. ENZI:

S. 3112. A bill to reauthorize the Javits-Wagner-O'Day Act and the Randolph-Sheppard Act, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. DOLE (for herself and Mr. BURR):

S. 3113. A bill to reinstate the Interim Management Strategy governing off-road vehicle use in the Cape Hatteras National Seashore, North Carolina, pending the issuance of a final rule for off-road vehicle use by the National Park Service; to the Committee on Energy and Natural Resources.

By Mr. LIEBERMAN (for himself, Mr. BROWNBACK, Mr. KENNEDY, and Mr. HAGEL):

S. 3114. A bill to provide safeguards against faulty asylum procedures, to improve conditions of detention for detainees, and for other purposes; to the Committee on the Judiciary.

By Mr. LAUTENBERG (for himself and Mr. BROWN):

S. 3115. A bill to amend title I of the Employee Retirement Income Security Act of 1974, title XXVII of the Public Health Service Act, and the Internal Revenue Code of 1986 to prohibit preexisting condition exclusions for children in group health plans and health insurance coverage in the group and individual markets; to the Committee on Health, Education, Labor, and Pensions.

By Mr. VITTER:

S. 3116. A bill to amend title XVIII of the Social Security Act to stabilize and modernize the provision of partial hospitalization services under the Medicare program, and for other purposes; to the Committee on Finance.

By Mr. VITTER (for himself and Ms. LANDRIEU):

S. 3117. A bill to apply an alternative payment amount under the Medicare program for certain graduate medical education programs established to train residents displaced by natural disasters; to the Committee on Finance.

By Mr. GRASSLEY (for himself, Mr. MCCONNELL, Mr. KYL, Mr. HATCH, Mr. SUNUNU, Mr. BUNNING, Mr. CRAPO, Mr. BURR, Mr. ENSIGN, and Mr. ENZI):

S. 3118. A bill to amend titles XVIII and XIX of the Social Security Act to preserve beneficiary access to care by preventing a reduction in the Medicare physician fee schedule, to improve the quality of care by advancing value based purchasing, electronic health records, and electronic prescribing, and to maintain and improve access to care in rural areas, and for other purposes; read the first time.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. BROWN:

S. Res. 591. A resolution recognizing the National Aeronautics and Space Administration (NASA) for the historic touchdown of the Phoenix Mars Lander during its 50th anniversary year; to the Committee on Commerce, Science, and Transportation.

By Mr. BURR (for himself, Mr. BYRD, Mr. SPECTER, Mr. CRAIG, Mrs. DOLE, and Mr. ISAKSON):

S. Con. Res. 89. A concurrent resolution authorizing Frank Woodruff Buckles to lie in honor in the rotunda of the Capitol upon his death; to the Committee on Rules and Administration.

ADDITIONAL COSPONSORS

S. 1418

At the request of Mr. COLEMAN, his name was added as a cosponsor of S. 1418, a bill to provide assistance to improve the health of newborns, children, and mothers in developing countries, and for other purposes.

S. 1437

At the request of Ms. STABENOW, the name of the Senator from Louisiana (Mr. VITTER) was added as a cosponsor 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. 1810

At the request of Mr. BROWNBACK, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. 1810, a bill to amend the Public Health Service Act to increase the provision of scientifically sound information and support services to patients receiving a positive test diagnosis for Down syndrome or other prenatally and postnatally diagnosed conditions.

S. 1921

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

S. 1995

At the request of Mr. SALAZAR, the name of the Senator from New Mexico (Mr. DOMENICI) was added as a cosponsor of S. 1995, a bill to amend the Internal Revenue Code of 1986 to reduce the tax on beer to its pre-1991 level.

S. 2059

At the request of Mr. CASEY, his name was added as a cosponsor 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. 2279

At the request of Mr. BIDEN, the name of the Senator from Illinois (Mr. OBAMA) was added as a cosponsor of S. 2279, a bill to combat international violence against women and girls.

S. 2319

At the request of Mrs. MURRAY, the name of the Senator from North Carolina (Mrs. DOLE) was added as a cosponsor of S. 2319, a bill to ensure the continued and future availability of life saving trauma health care in the United States and to prevent further trauma center closures and downgrades by assisting trauma centers with uncompensated care costs, core mission services, and emergency needs.

S. 2465

At the request of Ms. CANTWELL, her name was added as a cosponsor of S. 2465, a bill to amend title XIX of the Social Security Act to include all public clinics for the distribution of pediatric vaccines under the Medicaid program.

S. 2544

At the request of Mr. KENNEDY, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 2544, a bill to provide for a program of temporary extended unemployment compensation.

S. 2630

At the request of Mr. KERRY, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 2630, a bill to amend the Public Health Service Act to establish a Federal grant program to provide increased health care coverage to and access for uninsured and underinsured workers and families in the commercial fishing industry, and for other purposes.

S. 2668

At the request of Mr. KERRY, the names of the Senator from Nebraska (Mr. NELSON) and the Senator from Kansas (Mr. BROWNBACK) were added as cosponsors of S. 2668, a bill to amend the Internal Revenue Code of 1986 to remove cell phones from listed property under section 280F.

S. 2708

At the request of Mrs. BOXER, the name of the Senator from California (Mrs. FEINSTEIN) 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. 2838

At the request of Mr. MARTINEZ, the names of the Senator from Wisconsin (Mr. FEINGOLD) and the Senator from Vermont (Mr. LEAHY) were added as cosponsors of S. 2838, a bill to amend chapter 1 of title 9 of United States Code with respect to arbitration.

S. 2907

At the request of Mr. INOUYE, the names of the Senator from Massachusetts (Mr. KERRY), the Senator from Mississippi (Mr. WICKER) and the Senator from Alaska (Ms. MURKOWSKI) were added as cosponsors of S. 2907, a bill to establish uniform administrative and enforcement procedures and penalties for the enforcement of the High Seas Driftnet Fishing Moratorium Protection Act and similar statutes, and for other purposes.

S. 2932

At the request of Mrs. MURRAY, the name of the Senator from Connecticut (Mr. LIEBERMAN) 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. MCCAIN, the name of the Senator from Kansas (Mr. BROWNBACK) was added as a cosponsor 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. 2955

At the request of Mr. SPECTER, the name of the Senator from Minnesota (Mr. COLEMAN) was added as a cosponsor of S. 2955, a bill to authorize funds

to the Local Initiatives Support Corporation to carry out its Community Safety Initiative.

S. 2979

At the request of Mr. KERRY, the names of the Senator from Wisconsin (Mr. FEINGOLD) and the Senator from Maryland (Mr. CARDIN) were added as cosponsors of S. 2979, a bill to exempt the African National Congress from treatment as a terrorist organization, and for other purposes.

S. 3038

At the request of Mr. GRASSLEY, the name of the Senator from West Virginia (Mr. ROCKEFELLER) was added as a cosponsor of S. 3038, a bill to amend part E of title IV of the Social Security Act to extend the adoption incentives program, to authorize States to establish a relative guardianship program, to promote the adoption of children with special needs, and for other purposes.

S. 3070

At the request of Mr. SESSIONS, the names of the Senator from Iowa (Mr. GRASSLEY) and the Senator from Maine (Ms. SNOWE) were added as cosponsors of S. 3070, a bill to require the Secretary of the Treasury to mint coins in commemoration of the centennial of the Boy Scouts of America, and for other purposes.

S. 3098

At the request of Mrs. DOLE, her name was added as a cosponsor of S. 3098, a bill to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes.

At the request of Mr. CORNYN, his name was added as a cosponsor of S. 3098, supra.

S. 3101

At the request of Mr. BAUCUS, the name of the Senator from New Mexico (Mr. BINGAMAN) was added as a cosponsor of S. 3101, a bill to amend titles XVIII and XIX of the Social Security Act to extend expiring provisions under the Medicare program, to improve beneficiary access to preventive and mental health services, to enhance low-income benefit programs, and to maintain access to care in rural areas, including pharmacy access, and for other purposes.

S. 3103

At the request of Mr. BIDEN, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. 3103, a bill to amend the Iran, North Korea, and Syria nonproliferation Act to allow certain extraordinary payments in connection with the International Space Station.

S. 3108

At the request of Mr. KERRY, the names of the Senator from New York (Mrs. CLINTON) and the Senator from Vermont (Mr. SANDERS) were added as cosponsors of S. 3108, a bill to require the President to call a White House Conference on Food and Nutrition.

S.J. RES. 37

At the request of Mrs. FEINSTEIN, the names of the Senator from Illinois (Mr. DURBIN) and the Senator from New Jersey (Mr. MENENDEZ) were added as cosponsors of S.J. Res. 37, a joint resolution expressing the sense of Congress that the United States should sign the Declaration of the Oslo Conference on Cluster Munitions and future instruments banning cluster munitions that cause unacceptable harm to civilians.

S. CON. RES. 82

At the request of Mrs. LINCOLN, the names of the Senator from Georgia (Mr. ISAKSON) and the Senator from Oklahoma (Mr. INHOFE) were added as cosponsors of S. Con. Res. 82, a concurrent resolution supporting the Local Radio Freedom Act.

S. RES. 273

At the request of Ms. MIKULSKI, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. Res. 273, a resolution expressing the sense of the Senate that the United States Postal Service should issue a semipostal stamp to support medical research relating to Alzheimer's disease.

S. RES. 300

At the request of Mr. MENENDEZ, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. Res. 300, a resolution expressing the sense of the Senate that the Former Yugoslav Republic of Macedonia (FYROM) should stop the utilization of materials that violate provisions of the United Nations-brokered Interim Agreement between FYROM and Greece regarding ''hostile activities or propaganda'' and should work with the United Nations and Greece to achieve longstanding United States and United Nations policy goals of finding a mutually-acceptable official name for FYROM.

S. RES. 576

At the request of Mr. HATCH, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. Res. 576, a resolution designating August 2008 as ''Digital Television Transition Awareness Month''.

S. RES. 580

At the request of Mr. BAYH, the name of the Senator from North Dakota (Mr. CONRAD) was added as a cosponsor of S. Res. 580, a resolution expressing the sense of the Senate on preventing Iran from acquiring a nuclear weapons capability.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. ENZI:

S. 3112. A bill to reauthorize the Javits-Wagner-O'Day Act and the Randolph-Sheppard Act, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. ENZI. Mr. President, I rise today to introduce the Javits-Wagner-O'Day and Randolph-Sheppard Modernization Act of 2008. This legislation was drafted after thousands of hours were spent listening to the concerns of persons with disabilities and other affected parties.

The Randolph-Sheppard Act, enacted in 1936, gives persons who are legally blind training, support and contracting priority to fulfill certain Government food service contracts.

The Wagner-O'Day Act, enacted in 1938, required the Federal Government to make certain commodities purchases from organizations, 75 percent of whose direct laborers were blind. In 1971, Senator Jacob Javits fought to include individuals with other severe disabilities in the law. The amended law—the Javits-Wagner-O'Day Act—now requires the Federal Government to purchase over 11,000 commodities from organizations, 75 percent of whose workers have a severe disability.

Javits-Wagner-O'Day and Randolph-Sheppard are the two main Federal employment and training programs for persons with significant disabilities. Congress has paid them little attention, and has not revised them, since their creation.

Beginning in 2003, Randolph-Sheppard and JWOD stakeholders approached Congress to seek our attention and help. Each group complained the other was getting too big a share of lucrative military dining contracts.

In 2003 and 2004, the offices of Senators GREGG, KENNEDY, ENSIGN and DODD tried to informally mediate. Neither the blind vendors nor the JWOD vendors would budge. The dispute intensified in the courts and in Congress, with each side accusing the other of waste, fraud and abuse.

When I assumed the chairmanship of the HELP Committee in 2005, I decided to honor the stakeholders' longstanding request, and investigate their claims. My staff's initial findings were troubling, so I worked with my good friend Senator KENNEDY to hold a bipartisan oversight hearing.

Our hearing, in October 2005, documented several troubling facts. First and foremost, we discovered that the programs had produced bad quantitative results for persons with disabilities. There are about 15 million unemployed persons with disabilities between the ages of 16 and 64. Javits-Wagner-O'Day and Randolph-Sheppard together had created only about 48,000 jobs. Clearly we can—and must—do much better.

Second, the programs had stayed the same while the law, technology, commercial customs and social norms had changed dramatically over the past decades. Since JWOD was enacted, Congress, through the Americans with Disabilities Act, ADA, Individuals with Disabilities Education Act, IDEA and Rehabilitation Act reauthorizations of 1992 and 1998, had mandated equal access, inclusion, choice, anti-discrimination and control by individuals with disabilities over their own lives. The Supreme Court in its Olmstead decision held that the unnecessary segregation of individuals with disabilities was an impermissible form of discrimination. Corporate good citizens such as Marriott had taken a leadership role in

the community to employ persons with severe disabilities in integrated work settings. New technologies made it possible for persons who were legally blind to use the Internet. These and countless other examples highlight how Randolph-Sheppard and JWOD had become ancient statutes. The world had changed dramatically since 1971. Persons with disabilities needed and deserved better treatment than the law was providing.

Third, regulatory neglect had given rise to waste, fraud and abuse. The Randolph-Sheppard program was supposed to create good jobs and increased opportunities for the many persons who are blind. Instead, we found that 38 blind vendors were taking the lion's share of profits from huge military cafeteria contracts with an approximate total dollar value of $1.203 billion. Just as troublesome was the fact that less than 5 percent of the employees hired to fulfill those contracts were actually blind. In addition, we found nonprofit executives were using JWOD to exploit persons with disabilities for improper financial gain. The FBI and other Federal law enforcement officials raided a Texas JWOD nonprofit and discovered some shocking abuses that underscored the need for Congress to act.

In 2006, I worked with Senators KENNEDY, ENSIGN, DODD, BURR, CLINTON, ISAKSON, REED, HATCH, HARKIN, ROBERTS, MIKULSKI, COBURN, BINGAMAN, COLLINS, and OBAMA to develop solutions to these problems. The HELP Committee staff spent thousands of hours meeting with hundreds of stakeholders, and listening to their ideas about how to fix these programs. Then we drafted this legislation.

In 2007, the momentum we had set in motion for a reauthorization bill stalled and other priorities began to take precedence. I continued to talk to and work with all of the stakeholders we could find, including those representing small business.

Recent events put these issues back on the front burner where they belong. On April 15, the Department of Defense and Department of Education Inspectors General collaborated on a report, ''Assessment of Contracting With Blind Vendors and Employers of Persons Who Are Blind or Have Other Severe Disabilities.'' In addition, the Committee for Purchase From People Who Are Blind or Severely Disabled—the principal regulator of the JWOD program—proposed modest tweaks to its authorizing statute. I sincerely applaud the Committee for their hard work in coming up with consensus fixes, but its proposal does not go nearly far enough.

As an alternative, I have updated the bill that the bipartisan HELP Committee produced in collaboration with stakeholder groups in 2006. It fulfills the promise I made to the disability community to try to solve the problems we found. The bill vitalizes and expands both programs. It creates much more flexibility to provide real job training and real skill development so persons with disabilities can develop marketable skills and make meaningful career choices. The bill also empowers a strong regulator to police both programs and make sure workers are no longer exploited.

Finally, I have tried to stay out of the military dining facility debate for years. But it has become a significant distraction to our military. Accordingly, this bill establishes an even playing field in a way that will be clear and easy for the military to administer and participants in the process to understand.

Our main goal here is to create more and better jobs for persons with disabilities. My bill moves us in the direction Congress should take to modify these two important programs. I look forward to continued discussions with my colleagues and the stakeholders on all these issues.

By Mr. GRASSLEY (for himself, Mr. MCCONNELL, Mr. KYL, Mr. HATCH, Mr. SUNUNU, Mr. BUNNING, Mr. CRAPO, Mr. BURR, Mr. ENSIGN, and Mr. ENZI):

S. 3118. A bill to amend titles XVIII and XIX of the Social Security Act to preserve beneficiary access to care by preventing a reduction in the Medicare physician fee schedule, to improve the quality of care by advancing value based purchasing, electronic health records, and electronic prescribing, and to maintain and improve access to care in rural areas, and for other purposes; read the first time.

Mr. GRASSLEY. Mr. President, I am pleased to introduce today the Preserving Access to Medicare Act of 2008.

If we do not act very quickly, the physicians who treat Medicare patients will face a 10.6 percent pay cut, effective July 1.

It is not in the best interest of America's seniors who depend on Medicare for their doctors to take such a significant cut.

Such a dramatic cut will affect access that seniors have to their doctors.

The bill we are introducing today provides a 0.5 percent physician update for the remainder of 2008 and a 1.1 percent update for 2009.

This increase is identical to the one the majority is looking to proceed to tomorrow.

Preserving access to health care for Medicare beneficiaries is a first priority, but it is not the only thing we are accomplishing in this bill.

The bill will also improve the quality of care in Medicare. It increases the physician quality reporting bonus from 1.5 percent to 2 percent for 2009 and 2010.

The bill retains the Physician Assistance and Quality Improvement (PAQI) fund to specifically help avert future physician cuts.

It promotes value-based purchasing, e-prescribing, and electronic health records.

It includes a responsible rural package, including a rural home health add-on payment.

It returns the ownership of oxygen equipment to the supplier, not the beneficiary.

The bill extends section 1011 of the Medicare Modernization Act for two years at a total of $400 million.

It phases out the duplicative Indirect Medical Education payments from Medicare Advantage.

The bill makes reforms to Medicare Advantage marketing practices to curb abusive activities. It requires all MA plans to report on quality.

I also want to devote a moment to what the bill we are introducing today does not do.

Unlike the bill the majority wants to proceed to tomorrow, the bill we are introducing today does not make cuts to payments for power wheelchairs.

Unlike the bill the majority wants to proceed to tomorrow, the bill we are introducing today does not reduce payments for oxygen.

Unlike the bill the majority wants to proceed to tomorrow, the bill we are introducing today does not make large, unwarranted cuts to Medicare Advantage, altering policy decisions designed to maximize patient choice.

Unlike the bill the majority wants to proceed to tomorrow, the bill we are introducing today does not eliminate the PAQI fund, which Congress specifically created to help avert future physician cuts.

Unlike the bill the majority wants to proceed to tomorrow, the bill we are introducing today does not expand eligibility for low-income Medicare programs, which would increase long-term entitlement spending and expand coverage under an already unsustainable program.

While well intentioned, this is not the right time for entitlement expansions like this.

The Medicare program is headed for a fiscal crisis that demands comprehensive reform.

Many would also like to add income-relating Part D subsidies to this bill as well. That change would make high income seniors shoulder a greater share of their Part D premium just like already happens today with premiums under Part B of Medicare.

These kind of changes need to be done. The other side has told us that they cannot support increasing premiums on high income seniors in order to provide greater assistance to lower income seniors.

Many on our side are disappointed by their position.

So it seems we will need to reserve those reforms on premiums until we are working on comprehensive Medicare reform in some future bill.

Finally, let me turn to the most critical difference between the bill we are introducing today and the bill the majority wants to proceed to tomorrow.

The bill we are introducing today can be signed into law. The President will sign our bill.

The bill the majority wants to proceed to tomorrow—if it somehow were

to make it to the President's desk—will be vetoed.

Republicans were not the ones that walked away from the negotiations and put a timely outcome of this effort in jeopardy.

I am ready to sit down on a bipartisan basis to find a compromise that protects seniors' access to Medicare and that can be signed into law.

Today we are introducing a bill that accomplishes that.

Tomorrow we are voting to proceed to a bill that does not.

I hope we can move beyond this political exercise soon to accomplish what seniors are counting on us to do.

Mr. President, I ask unanimous consent that a bill summary be printed in the RECORD.

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

PRESERVING ACCESS TO MEDICARE ACT OF 2008

TITLE I—MEDICARE IMPROVEMENTS

Subtitle A—Craig Thomas Rural Hospital and Provider Equity Act of 2008

SEC. 101. TEMPORARY IMPROVEMENTS TO THE MEDICARE INPATIENT HOSPITAL PAYMENT ADJUSTMENT FOR LOW-VOLUME HOSPITALS

In FY2009 hospitals that are located more than 15 road miles from another comparable hospital and have 2,000 discharges of individuals entitled to or enrolled for Medicare Part A benefits would receive a low-volume payment adjustment for Medicare inpatient hospital services. The Secretary would determine the applicable percentage increase using a linear sliding scale ranging from 25 percent for low-volume hospitals below a certain threshold to no adjustment for hospitals with greater than 2,000 discharges of individuals with Medicare Part A benefits.

SECTION 102. IMPROVEMENT TO THE MEDICARE DEPENDENT HOSPITAL (MDH) PROGRAM

For discharges in FY 2009, MDH payments would not be adjusted for area wages unless it would result in improved payments.

SECTION 103. AMBULANCE SERVICES

Provides for an add-on payment for ground ambulance services of 3 percent in rural areas and 2 percent in urban areas for the period July 1, 2008–December 31, 2009. Provides an 18 month hold harmless for air ambulance areas previously designated as rural and clarifies the medically necessary requirement for air ambulance services.

SECTION 104. EXTENSION AND IMPROVEMENT OF MEDICARE FLEX PROGRAM

The provision would extend the Medicare Rural Hospital Flexibility Grant Program through FY2010, increases authorization for appropriations and provides for grants for quality improvement and performance measurement activities.

SECTION 105. REBASING FOR SOLE COMMUNITY HOSPITALS (SCHS)

Starting for discharges on January 1, 2009, SCHs would be able to elect payment based on their FY2006 hospital-specific payment amount per discharge.

SECTION 106. EXTENSION AND EXPANSION OF THE MEDICARE HOSPITAL OUTPATIENT DEPARTMENT HOLD HARMLESS PROVISION FOR SMALL RURAL HOSPITALS

The provision would establish that in CY 2009, small rural hospitals, including Medicare Dependent Hospitals and Sole Community Hospitals under 100 beds, would receive 85 percent of the difference between payments made under the Medicare Hospital Outpatient Prospective Payment System and those made under the prior reimbursement system.

SECTION 107. CLARIFICATION OF PAYMENT FOR CLINICAL LABORATORY TESTS FURNISHED BY CRITICAL ACCESS HOSPITALS (CAHS)

Under this provision, clinical diagnostic laboratory services furnished by a CAH starting in July 1, 2009 would be reimbursed at 101 percent of costs as outpatient hospital services without regard to whether the specimen was collected from a patient of the CAH so long as the individual from whom the specimen was collected was in the same county as the CAH.

SECTION 108. EXTENSION OF FLOOR ON WORK GPCI

Extends for eighteen months the work geographic index (GPCI) floor of 1.0 through December 31, 2009.

SECTION 109. EXTENSION OF TREATMENT OF CERTAIN PHYSICIAN PATHOLOGY SERVICES

Extends for eighteen months the provision that allows independent laboratories to continue to bill Medicare directly for the technical component of certain physician pathology services provided to hospitals as authorized by the Balanced Budget Act of 1997 through December 31, 2009.

SECTION 110. ADDING HOSPITAL-BASED RENAL DIALYSIS CENTERS AS ORIGINATING SITES FOR TELEHEALTH SERVICES

The provision would permit a hospital-based or critical access hospital-based renal dialysis center (including satellites) to be an originating site for the provision of telehealth services as of January 1, 2009.

SECTION 111. ADDING SKILLED NURSING FACILITIES AS ORIGINATING SITES FOR TELEHEALTH SERVICES

The provision would permit otherwise qualifying skilled nursing facilities to be an originating site for the provision of telehealth services as of January 1, 2009.

SECTION 112. APPLYING RURAL HOME HEALTH ADD-ON POLICY FOR 2009

Reinstates the five percent home health add-on payment for rural home health agencies in 2009.

Subtitle B—Other Provisions Related to Part A

SECTION 121. EXTENSION OF RECLASSIFICATION OF CERTAIN HOSPITALS UNDER THE MEDICARE PROGRAM

Extends until September 30, 2009, provisions that have allowed certain hospitals to be eligible for wage index reclassification that were otherwise unable to qualify for administrative wage index reclassification.

SECTION 122. INSTITUTE OF MEDICINE STUDY AND REPORT ON POST-ACUTE CARE

Requires the Secretary would enter into a contract with the Institute of Medicine (IOM) of the National Academy of Sciences to conduct a study on short-term and long-term steps to reform Medicare's current post-acute care payment and delivery system.

SECTION 123. REVOCATION OF UNIQUE DEEMING AUTHORITY OF THE JOINT COMMISSION

This provision would revoke the unique statutory authority granted to the Joint Commission of Healthcare Organizations (JCAHO) to accredit hospitals for participation in Medicare. Hospitals, like other Medicare provider entities, would be accredited by national accrediting organizations approved by the Secretary. The Secretary would have the authority to recognize JCAHO as a national accreditation body.

SECTION 124. MEDPAC STUDY AND REPORT ON HOSPICE CARE

The provision would require the Medicare Payment Advisory Commission (MedPAC) to submit a report to Congress on payments for hospice services. The report should include recommendations for potential changes in payment methodologies, including revisions to the aggregate cap.

SECTION 125. INTRODUCING THE PRINCIPLES OF VALUE-BASED HEALTH CARE INTO THE MEDICARE PROGRAM

The provision would require the Secretary to design and implement a system under which a portion of Medicare provider payments for hospitals would be based on the quality of provider performance.

Subtitle C—Other Provisions Relating to Part B

SECTION 131. PHYSICIAN PAYMENT UPDATE

Replaces the scheduled 10.1 percent cut to the Medicare physician reimbursement rate with an 18-month update. Continues the 0.5 percent increase through December 31, 2008 and provides an additional 1.1 percent update for 2009 as recommended by the Medicare Payment Advisory Commission (MedPAC). Revises the Physician Assistance and Quality Initiative fund in 2013 and deposits excess savings to help fund a physician update in subsequent years.

QUALITY IMPROVEMENTS

Extends and improves the physician quality reporting system through 2010 and increases PQRI incentive payments to 2.0 percent in 2009 and 2010. Requires Secretary to accept aggregate data from group practices on PQRI measures that target high-cost chronic conditions and preventive care. Includes changes enacted in MMSEA to allow reporting on groups of measures for certain conditions, alternative reporting periods, and reporting via registries. Includes audiologists as eligible professionals for PQRI. Requires the Secretary to establish a confidential physician feedback program regarding resource use as of 2009. Requires the Secretary to develop a value-based purchasing plan for physicians and other professionals and submit a report to Congress.

SECTION 132. INCENTIVES FOR ELECTRONIC PRESCRIBING

Provides positive incentive payments for the use of a qualified e-prescribing system by eligible professionals from 2009 through 2013. Requires the use of a qualified e-prescribing system in 2010 and reduces payment for eligible physicians who fail to use e-prescribing beginning in 2011. Incentive payments are based on allowed charges for all covered Medicare services. Allows for significant hardship exceptions, such as professionals in rural areas without sufficient Internet access, and excludes those who write a small number of prescriptions.

SECTION 133. INCREASING THE NUMBER OF SITES FOR ELECTRONIC HEALTH RECORDS DEMONSTRATION

Provides funding for a demonstration project on electronic health records.

SECTION 134. PRIMARY CARE IMPROVEMENTS

Establishes new Physician Scarcity Area incentive payments for primary care services furnished in Physician Scarcity Areas, as of January 1, 2011. Expands the Medicare Medical Home Demonstration Project established in the Tax Relief and Health Care Act of 2006. Authorizes the Secretary to expand the duration and scope of the project if certain quality of care or spending conditions are met and provides additional funding. Reapplies the budget-neutrality adjustment to the conversion factor rather than to work relative value units with respect to the most recent 5-year review of work RVUs, effective January 1, 2009.

SECTION 135. MEDICARE ANESTHESIA TEACHING PROGRAM IMPROVEMENTS

Eliminates the 50 percent teaching rule and requires CMS to provide 100 percent payment for teaching anesthesiologists. Requires payment for teaching certified registered nurse anesthetists to be consistent with adjustments made for teaching anesthesiologists.

SECTION 136. MEDICARE COORDINATED CARE PRACTICE RESEARCH NETWORK DEMONSTRATION

Requires the Secretary to establish a demonstration project to test best practices and innovative coordinated care projects for Medicare beneficiaries with multiple chronic conditions, no later than October 1, 2009. Sites include organizations which were participants in the Medicare Coordinated Care Demonstration project and may include other organizations as determined by the Secretary.

SECTION 137. IMAGING ACCREDITATION, APPROPRIATENESS, AND DISCLOSURE REQUIREMENTS

Requires that facilities and other providers who furnish the technical component of advanced diagnostic imaging services (MRI, CT, and nuclear medicine, including PET) be accredited as of January 1, 2012. Establishes an accreditation process and requires the Secretary to designate accreditation organizations as of January 1, 2010.

Establishes a two-year demonstration project to be implemented by January 1, 2010 to assess the appropriate use of advanced diagnostic imaging services by collecting data regarding physician compliance with clinical appropriateness criteria. Requires referring physician to disclose ownership interest and provide beneficiary with a list of providers.

SECTION 138. ACCOMMODATION OF PHYSICIANS ORDERED TO ACTIVE DUTY IN THE ARMED SERVICES.

Makes permanent a provision permitting physicians in the armed services to engage in substitute billing arrangements for longer than 60 days when they are ordered to active duty.

SECTION 139. EXTENSION OF EXCEPTIONS PROCESS FOR MEDICARE THERAPY CAPS

Ensures Medicare beneficiaries access to therapy services through December 31, 2009.

SECTION 140. SPEECH-LANGUAGE PATHOLOGY SERVICES

Allows speech-language pathologists practicing independently to bill Medicare directly for their services.

SECTION 141. COVERAGE OF ITEMS AND SERVICES UNDER CARDIAC PULMONARY REHABILITATION PROGRAMS

The provision would provide coverage for items and services furnished under a cardiac rehabilitation program or under a pulmonary rehabilitation program within the definition of covered medical and other health services, as of January 1, 2009.

SECTION 142. REPEAL OF TRANSFER OF OWNERSHIP OF OXYGEN EQUIPMENT

Repeals title transfer after 36 months and allows oxygen suppliers to retain ownership of oxygen equipment, effective January 1, 2009.

SECTION 143. EXTENSION OF PAYMENT RULE FOR BRACHYTHERAPY AND RADIOPHARMACEUTICALS

Extends the current ''charges to cost'' methodology which provides a separate payment for brachytherapy services and therapeutic radiopharmaceuticals.

SECTION 144. CLINICAL LABORATORY TESTS

Repeals the competitive bidding demonstration program for clinical laboratory services. Reduces payments for clinical laboratory tests by −0.5% for 2009–2013.

SECTION 145. SENSE OF THE SENATE ON DELAYED IMPLEMENTATION OF DMEPOS COMPETITIVE BIDDING PROGRAM

Implementation of competitive bidding for durable medical equipment, prosthetics, orthotics, and supplies should be delayed by 18 months to address concerns and ensure beneficiaries continued access to quality medical equipment and supplies.

Subtitle D—End Stage Renal Disease Program Reforms

SECTION 151. KIDNEY DISEASE EDUCATION AND AWARENESS PROVISIONS

Establishes pilot projects to increase awareness of chronic kidney disease in at least three states. Provides coverage of kidney disease patient education services furnished by qualified providers to those requiring dialysis or a kidney transplant consisting of comprehensive information on managing comorbidities, preventing complications, and explaining options for renal replacement therapy, including home dialysis.

SECTION 152. RENAL DIALYSIS PROVISIONS

Provides a 1.0 percent update to the composite rate for renal dialysis services as of January 1, 2009, and another 1.0 percent update as of January 1, 2010. Creates a site-neutral composite rate for dialysis services furnished on or after January 1,2009 to equalize payments for hospital outpatient departments providing dialysis services and freestanding dialysis facilities.

Establishes a fully bundled payment system for renal dialysis services, effective January 1, 2011, for dialysis and related drugs, laboratory tests, and other items and services furnished to individuals for the treatment of end stage renal disease (ESRD). Establishes an annual update for providers and renal dialysis facilities (of MB minus 1.0 percent) as of 2012. Requires case mix adjusters as well as additional payments for high cost outliers and costs incurred by rural, low volume providers and facilities. Allows other payment adjustments the Secretary determines appropriate, such as pediatric and rural add-on payments. Provides an optional four year phase-in to bundling for providers and facilities, trom 2011 to 2014.

Establishes a quality incentive program for providers and renal dialysis facilities, effective January 1, 2012. Requires that providers of ESRD services and renal dialysis facilities meet performance standards with respect to renal dialysis measures endorsed by a consensus-based organization.

Subtitle E—Provisions Relating to Part C

SECTION 161. PHASE-OUT OF INDIRECT MEDICARE EDUCATION PAYMENTS FROM PAYMENTS TO MEDICARE ADVANTAGE PLANS

Phases out inclusion of payments for indirect medical education (IME) in Medicare Advantage payments. The IME payments are phased out by reducing the Medicare Advantage payment rate by .6 percent each year until the amount accounted for by IME is exhausted.

SECTION 162. REVISIONS TO QUALITY IMPROVEMENT PROGRAMS

Requires Medicare Advantage private fee-for-service (PFFS) plans and MSA plans to submit data for quality analysis and reporting, whether the services are provided under contract or not. Specifies that to the extent services are provided by non-contracted providers, the data required for analysis and reporting on quality is limited to administrative data and beneficiary survey data.

SECTION 163. REVISIONS RELATING TO SPECIALIZED MEDICARE ADVANTAGE PLANS FOR SPECIAL NEEDS INDIVIDUALS

Extends the authority of specialized plans to target enrollment to certain populations through 2009. Lifts the moratorium on new plans and expanded service areas for special needs plans serving institutionalized populations and beneficiaries who are eligible for both Medicare and Medicaid (''dual-eligibles''). All special needs plans must meet additional requirements; 90 percent of new enrollment for all plans would have to be special needs individuals and special needs plans would have to have models of care targeted to the special needs populations they served. Special needs plans for dual Medicare- and Medicaid-eligibles would have three years to reach agreement with the states in which they operated. SNPs targeting dual-eligibles would have to protect enrollees from cost-sharing the state would have covered had these enrollees remained in fee-for-service Medicare. Retains the moratorium for special needs plans serving those with severe or disabling chronic conditions.

SECTION 164. ADJUSTMENT TO THE MEDICARE ADVANTAGE STABILIZATION FUND

Removes $1.3 billion from the stabilization fund for regional preferred provider organizations in 2013.

SECTION 165. ACCESS TO MEDICARE REASONABLE COST CONTRACT PLANS

Extends section 1876 authority for cost contracts through December 31, 2009. Requires that there be two unaffiliated Medicare Advantage plans in an area before the obligation for a cost plan to withdraw is triggered; clarifies that the minimum enrollment requirements for the MA plans would have to be met in the overlapping service area, not the MA plans' entire service area; and clarifies that a Medicare cost plan offered to beneficiaries in one MSA would not be forced to withdraw because of enrollment in Medicare Advantage plans in an adjoining MSA.

SECTION 166. MEDPAC STUDY AND REPORT ON MEDICARE ADVANTAGE PAYMENTS

Instructs MedPAC to study and report to Congress on ways to reimburse Medicare Advantage plans that do not rely on county-level Medicare payment area equivalents.

SECTION 167. MARKETING OF MEDICARE ADVANTAGE PLANS AND PRESCRIPTION DRUG PLANS

Prohibits Medicare Advantage and prescription drug plans from: paying cash for enrollment; offering gifts to potential enrollees; door-to-door sales, cold-calling, or other such personal contact; marketing non-health related products to potential enrollees; conducting a marketing appointment without an advance agreement; marketing in healthcare-provider offices; or any marketing activity prohibited by the Secretary. In addition, MA and prescription drug plans must confirm that individuals have enrolled in and understand the plan. MA and prescription drug plans must use state-licensed and appointed marketing representatives. MA and prescription drug plans must comply with state requests for information about licensed agent or brokers. Requires the Secretary to issue rules governing commissions and other compensation. Requires training and testing of marketing representatives. Effective for marketing for plan year 2009 and on.

Subtitle F—Other Provisions

SECTION 171. CONTRACT WITH A CONSENSUS-BASED ENTITY REGARDING PERFORMANCE MEASUREMENT

Requires the Secretary to contract with a consensus-based standards setting organization such as the National Quality Forum for four years to develop priorities for performance measurement, endorsement of measures, and maintenance of measures, and provides funding from 2009 through 2012.

SECTION 172. USE OF PART D DATA

Gives the Secretary authority to use Medicare Part D data for improving public health and conducting congressional oversight.

SECTION 173. INCLUSION OF MEDICARE PROVIDERS AND SUPPLIERS IN FEDERAL PAYMENT LEVY AND ADMINISTRATIVE OFFSET PROGRAM

Allows Treasury Department to levy a proportion of a Medicare provider's reimbursement against outstanding tax debt.

TITLE II—MEDICAID

SECTION 201. EXTENSION OF TRANSITIONAL MEDICAL ASSISTANCE AND ABSTINENCE EDUCATION PROGRAMS

Extends the Transitional Medical Assistance program (TMA) through September 30, 2009. This program helps low-income individuals transition from welfare to work by maintaining healthcare for their children. Extends the current abstinence-only education program until September 30, 2009.

SECTION 202. EXTENSION OF QUALIFYING INDIVIDUAL (QI) PROGRAM

Provides assistance through Medicaid for low-income seniors and individuals who need help meeting their Medicare premiums. Extends this program through September 30, 2009 to continue serving current populations.

SECTION 203. MEDICAID DSH EXTENSION

Extends authority for disproportionate share hospital funding under section 1923 of the Social Security Act for Tennessee and Hawaii through December 31, 2009.

SECTION 204. EXTENSION OF SUPPLEMENTAL SECURITY INCOME (SSI) WEB-BASED ASSET DEMONSTRATION PROJECT TO THE MEDICAID PROGRAM

Extends the existing SSI Web-based asset demonstration program to Medicaid to all 50 States.

SECTION 205. APPLICATION OF MEDICARE PAYMENT ADJUSTMENT FOR CERTAIN HOSPITAL-ACQUIRED CONDITIONS TO PAYMENTS FOR INPATIENT HOSPITAL SERVICES UNDER MEDICAID

Requires states to develop Medicaid payment systems that reduce payments for certain hospital-acquired conditions consistent with the payment system used in Medicare.

SECTION 206. ELIMINATION OF DUPLICATIVE ADMINISTRATIVE COSTS

Reduces payments for Administrative costs to prevent duplication of payments under Title IV (the Temporary Assistance for Needy Families)

SECTION 207. CLARIFICATION OF TREATMENT OF REGIONAL MEDICAL CENTER

Clarifies that a regional medical center located on the border of multiple States may receive Medicaid reimbursement from any of those States.

SECTION 208. OUTREACH AND ENROLLMENT IN MEDICAID

Provides $25 million for outreach efforts to enroll eligible but uninsured children into Medicaid

TITLE III—MISCELLANEOUS

SECTION 301 EXTENSION OF TANF SUPPLEMENTAL GRANTS

Extends the Temporary Assistance for Needy Families (TANF) supplemental grants through September 30, 2009

SECTION 302. EXTENSION OF SPECIAL DIABETES PROGRAM

Extends the Special Diabetes Program through September 30, 2011 to fund type 1 diabetes research and type 2 treatment and prevention programs for Native Americans and Alaska Natives

SECTION 303. MEDICARE ENROLLMENT ASSISTANCE

Provides $19 million for grants to states for state health insurance assistance programs and $6 million for grants to states for area agencies on aging and to Aging and Disability Resource Centers. Such funds will be allocated to states based on a combination of the state's low-income beneficiaries and the state's rural beneficiaries. Most of the grant money must be used to provide outreach to beneficiaries who may be eligible for Medicare savings programs or low-income subsidies.

SECTION 304. EXTENSION OF FEDERAL REIMBURSEMENT OF EMERGENCY HEALTH SERVICES FURNISHED TO UNDOCUMENTED ALIENS

Extends Federal reimbursement of emergency health services furnished to undocumented aliens under section 1011 of the MMA through FY 2010 for $200 million per year.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 591—RECOGNIZING THE NATIONAL AERONAUTICS AND SPACE ADMINISTRATION (NASA) FOR THE HISTORIC TOUCHDOWN OF THE PHOENIX MARS LANDER DURING ITS 50TH ANNIVERSARY YEAR

Mr. BROWN submitted the following resolution; which was referred to the Committee on Commerce, Science, and Transportation:

S. RES. 591

Whereas the Phoenix Mars Lander (Phoenix) touched down successfully on Mars on May 25, 2008;

Whereas the Phoenix landing was the first successful soft landing on Mars in over 30 years;

Whereas this achievement occurred during the National Aeronautics and Space Administration's (NASA) 50th year of scientific and technological excellence, and 47 years to the day after President Kennedy challenged the Nation to put a man on the moon;

Whereas the successful Phoenix landing is the result of years of planning, analyzing, and testing conducted by the dedicated men and women of NASA;

Whereas less than 50 percent of all previous lander missions have made it safely to the Mars planetary surface;

Whereas Phoenix is the first mission in NASA's Mars Scout program, a series of innovative and lower-cost spacecraft that will complement major missions;

Whereas Phoenix will be the first mission to collect meteorological data in the Martian arctic;

Whereas the mission will study the history of the planet in its water and ice, monitor weather of the polar region, and investigate whether the subsurface environment in the far-northern plains of Mars has ever been favorable for sustaining microbial life;

Whereas this data will allow scientists to accurately model Mars's past climate and predict future weather processes;

Whereas this data will increase our knowledge of the existence and nature of habitable zones on Mars;

While this data is instrumental in achieving the science goals of NASA's long-term Mars Exploration Program;

Whereas NASA Glenn Research Center's support to past Mars missions has enabled the continuing scientific exploration of Mars; and

Whereas the Glenn Research Center's contributions to NASA's Human Research Program play a vital role in providing solutions to critical problems that place human exploration missions and their crews at risk: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the National Aeronautics and Space Administration (NASA) for 50 years of scientific and technological excellence;

(2) recognizes NASA for the historic landing of the Phoenix Mars Lander;

(3) recognizes the importance of the Phoenix mission to NASA's long-term Mars Exploration Program;

(4) recognizes the importance of contributions made by NASA Glenn Research Center to the NASA space program, including to Mars and moon missions; and

(5) recognizes the importance of NASA's Human Research Program, and Glenn Research Center's contributions to such program, to the health and safety of all NASA astronauts.

SENATE CONCURRENT RESOLUTION 89—AUTHORIZING FRANK WOODRUFF BUCKLES TO LIE IN HONOR IN THE ROTUNDA OF THE CAPITOL UPON HIS DEATH

Mr. BURR (for himself, Mr. BYRD, Mr. SPECTER, Mr. CRAIG, Mrs. DOLE, and Mr. ISAKSON) submitted the following conurrent resolution; which was referred to the Committee on Rules and Administration:

S. CON. RES. 89

Whereas the veterans of the First World War fought bravely and made heroic sacrifices for the Allied forces; and

Whereas past resolutions have sought authorization for American heroes to lie in honor in the rotunda of the Capitol upon an individual's passing, it is the Nation's collective desire to express its gratitude for the service of all World War I veterans by making it known to that war's last American survivor the honor it wishes to bestow on him before he passes: Now, therefore, be it

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

SECTION 1. HONORING FRANK WOODRUFF BUCKLES.

(a) IN GENERAL.—In recognition of the historic contributions of United States veterans who served in the First World War, Frank Woodruff Buckles, the last surviving United States veteran of the First World War, shall be permitted to lie in honor in the rotunda of the Capitol upon his death, so that the citizens of the United States may pay their last respects to this great American.

(b) IMPLEMENTATION.—The Architect of the Capitol, under the direction and supervision of the President pro tempore of the Senate and the Speaker of the House of Representatives, shall take the necessary steps to implement subsection (a).

Mr. BURR. Mr. President, I have sought recognition today to introduce a resolution honoring the last surviving member of a heroic group, the American World War I veterans. When the U.S. entered the First World War in 1917, 4.7 million Americans donned a military uniform and fought with the Allies struggling in an imperialistic battle of trench warfare. Now, 90 years after America's entry into the war, only one veteran remains.

Corporal Frank Woodruff Buckles, born in 1901, was sent to England and France during the First World War after exaggerating his age on Army paperwork. Eager to join the action, Buckles trained in the ambulance services and acted as a driver, remaining

after the armistice to escort prisoners of war back to Germany.

Mr. Buckles now stands as the last representation of the Americans that served in the Great War. Though now distanced by the following economic depression, subsequent World War and more recent conflicts, World War I still remains a critical part of our history, symbolizing the emergence of our country as a superpower and demonstrating the willingness and selflessness of those who serve in our military. These men, 90 years later, still deserve the recognition and admiration of a grateful nation.

In honor of Frank Buckles and the millions of veterans he stands for, I am introducing a resolution authorizing Mr. Buckles to lie in honor in the rotunda of the Capitol upon his passing so that citizens may pay tribute to the last member of this faithful group of Americans. After a period of repose, Mr. Buckles will receive final burial at the Arlington National Cemetery, a privilege offered earlier this year. I introduce this resolution now, so that Mr. Buckles will be aware of the respect we wish to pay to him and his fellow veterans.

We should not allow this generation to fade from our society without showing our appreciation of their service. As Ranking Member of the Veterans' Affairs Committee, and on behalf of Senator BYRD, I ask my colleagues to join us in extending this honor to Mr. Buckles.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Ms. KLOBUCHAR. 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 Wednesday, June 11, 2008, at 3 p.m., in room 253 of the Russell Senate Office Building.

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

COMMITTEE ON FOREIGN RELATIONS

Ms. KLOBUCHAR. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Wednesday, June 11, 2008, at 9:30 a.m.

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

COMMITTEE ON THE JUDICIARY

Ms. KLOBUCHAR. 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 a hearing on Judicial nominations on Wednesday, June 11, 2008, at 2 p.m., in room SD–226 of the Dirksen Senate Office Building.

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

PRIVILEGES OF THE FLOOR

Mr. CRAIG. Mr. President, I ask unanimous consent that for the next 30 minutes, an energy intern from my office, Carolyn Jones, be granted the privilege of the floor.

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

MEASURES INDEFINITELY POSTPONED EN BLOC

Ms. STABENOW. I ask unanimous consent that the following calendar items be indefinitely postponed en bloc: Calendar Nos. 35, 37, 42, 46, 47, 48, 49, 50, 51, 52, 143, 224, 227, 228, 230, 231, 232, 233, 234, 235, 236, 245, 248, 250, 251, 252, 254, 255, 256, 267, 285, 354, 360, 361, 362, 364, 367, 372, 373, 375, 377, 378, 379, 385, 424, 425, 436, 437, 546, 572, 639, 640, 643, 655, 658, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, and 724.

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

MEASURE READ THE FIRST TIME—S. 3118

Ms. STABENOW. I understand that S. 3118, introduced earlier today by Senator GRASSLEY, is at the desk. I ask for its first reading.

The PRESIDING OFFICER. The clerk will read the bill by title.

The assistant legislative clerk read as follows:

A bill (S. 3118) to amend titles XVIII and XIX of the Social Security Act to preserve beneficiary access to care by preventing a reduction in the Medicare physician fee schedule, to improve the quality of care by advancing value based purchasing, electronic health records, and electronic prescribing, and to maintain and improve access to care in rural areas, and for other purposes.

Ms. STABENOW. I ask for a second reading and object to my own request.

The PRESIDING OFFICER. Objection is heard.

The bill will receive its second reading on the next legislative day.

ORDERS FOR THURSDAY, JUNE 12, 2008

Ms. STABENOW. Madam President, I ask unanimous consent that when the Senate completes its business today, it stand adjourned until 9:30 a.m. tomorrow, Thursday, June 12; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day; that the Senate resume the motion to proceed to S. 3101, the Medicare Improvements for Patients and Providers Act, as under the previous order.

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

PROGRAM

Ms. STABENOW. Madam President, also under the previous order, the cloture vote on the motion to proceed to the Medicare bill will occur at approximately 3 p.m. tomorrow afternoon.

ORDER FOR ADJOURNMENT

Ms. STABENOW. I ask unanimous consent that following the remarks of Senator COBURN and Senator INHOFE, if there is no further business to come before the Senate, it stand adjourned under the previous order.

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

The Senator from Oklahoma is recognized.

MEDICARE IMPROVEMENTS FOR PATIENTS AND PROVIDERS ACT

Mr. COBURN. We heard some reasons we should support the Baucus doctor fix. I happen to have been practicing in 2004 when the Senate did exactly what they are doing right now. This bill is going to guarantee the doctor fix is not done by July 1. That is what is going to happen with this bill.

Let me tell you, we are eventually going to fix the problem for the doctors for 18 months. There is no question. Everybody agrees to that. But what we are doing is, we are making sure we are going to add hundreds of thousands if not millions of dollars of cost in every State for every private physician that is practicing.

And the reason is because the bill is not going to get changed by July 1, and they are going to be under the 10.9-percent cut. Then they are going to come back, whenever we finally get it done. They are going to have to refile all of that, and Medicare is going to have to repay all of this.

So this exercise in political gamesmanship, of working only with one side of the aisle, not working with Senator GRASSLEY, to truly get this done in a way that the President will not veto it and accomplish the purposes for which we all say we want, to eliminate the 10.9-percent cut for physicians, that is something we are going to lose grasp of, and we are going to create a hardship on every physician in this country because we are playing a political game with this rather than fixing the problem.

That brings me to my next point. Why is it every 18 months the physicians in this country have to come and beg Congress not to cut their fees when we are not cutting the fees for the rest of the providers throughout the Medicare Program?

What we have decided is that doctors make too much money. We have decided that when they work 80 hours a week, one and a half to two times what everybody else works in this country, they spend their time away from their families making great sacrifices, that we are going to fund increases in the care for our elderly and seniors in this country on the backs of physicians.

Now, I will not dispute the fact that there are some disparities in physician

pay in this country, with some physicians making too much and far too many making too little, especially primary care pediatricians, psychiatrists, and the like, those who are on the front lines. But this idea that we are going to fix temporarily, again, for 18 months, a problem that we have to fix, which is the other problem with the Baucus bill, the only thing great about Medicare that will get us out of the long-term costs is this idea of creating markets associated with choice and responsibility to give greater health care, greater choice, and greater benefits to Medicare beneficiaries through competition.

I am the first to say that the Medicare Advantage Program has lots of problems. But to get the Medicare Advantage Program, which is the one thing that tries to go toward market-oriented reform in Medicare, to pay for this is ludicrous.

Senator GRASSLEY has a competing bill—we just heard the second reading objected to by the Senator from Michigan so we cannot have a side-by-side vote on it—does all of the things that the Baucus bill does except it does not gut Medicare Advantage.

Well, why do we want to take the one factor in Medicare that is based on markets, that is based on transparency, that is based on some personal responsibility, and throw it out and have another program that right now every family in this country is on the hook for over $300,000 in unfunded Medicare obligations, and the Baucus bill guts the only thing that helps us solve that?

So the President is right to veto this bill. Even if it passes, this bill will not be overridden. So we are ensuring the fact that doctors will experience, on July 1, a 10.9-percent cut. We do not have to do that. They know we cannot do this and have it go to the President and get it vetoed and come back and get everything else down before July 1.

So by voting for the Baucus bill, what you are actually doing is ensuring that every physician in this country that cares for Medicare patients is going to spend thousands and thousands of extra dollars, and that CMS is going to spend thousands and thousands and millions, perhaps $100 million, to come back and deal with the paperwork once this is finally fixed.

Nobody thinks about that around here. We are playing political games. How can you make Republicans look bad as they vote against a Baucus Medicare doctor fix? Everybody in this body wants to fix this payment system for doctors. There is one real reason we do; we want our seniors to be able to have physicians. And we know if an 11-percent cut goes through, many doctors will no longer be able to afford to care for Medicare patients, they will not be able to afford to. They cannot do it.

So if you cut 11 percent of their fees on Medicare, which are already almost as low as Medicaid everywhere, which is about 40 percent less than they get paid for anything else, you are asking them to serve Medicare at half price. And what they are going to do is they are going to make a choice. They are going to say: I cannot take care of Medicare patients.

So what we are going to ensure with the Baucus bill is that doctors are going to get a pay cut, maybe for a short period of time, but the inconvenience of that, the cost of that for political gamesmanship, we ought to be ashamed of what we are doing. And it is exactly the reason we have a low rating with the American people.

We know Senator GRASSLEY and Senator BAUCUS can work this out. We know it can happen. But the fact is, it was chosen to make it an issue, not work in a bipartisan fashion, not come up with something that the President can sign, but instead to slow down the works. And what they will do is markedly decrease availability of Medicare for seniors in this country because the doctors, when they first see this, if they see a 10.9-percent cut, some of them are going to abandon the Medicare Program, and you are ensuring, if you vote for the Baucus bill, that doctors will get a 10.9-percent cut for a short period of time.

You are ensuring that, in fact, what they are going to do is, they are going to have a whole lot more overhead because they are going to get a bill from the time it starts to the time it ends and finally gets corrected, they are going to bill it twice, once for the primary at a 10.9-percent cost, then they are going to get a bill again because it is going to be retroactively fixed. They are going to have to bill it all again. That is pure waste. That is typical government.

Why would we do that? What are we thinking? What we are thinking is short-term partisanship. And we ought to be ashamed of ourselves.

GLOBAL WARMING

Now I want to spend a few minutes talking about the climate bill. I have been listening for 10 days on this issue. And I want to share some observations.

It was said on the Senate floor that nobody has scientifically disputed the underlying facts associated with climate change.

We cannot dispute underlying facts on climate change because climate changes. It always changes. We have a history of knowing it changes. We know that every 1,500 years we have global warming, whether we like it or not. It happens.

What we do not have is common sense and scientific methods looked at. I hear my friends, even on my side of the aisle, talk about anecdotal observations that things are different. Sure they are different.

As a matter of fact, we heard the leading German scientists on climate change saying we are going to have a 10-year break on global warming. So I guess that means for the next 10 years CO_2 input is not going to have any effect on global warming. So we have conveniently changed the terms from global warming to climate change.

Well, I want Americans to ask themselves, what is climate change? The climate changes all the time. Last week, the majority leader, on the Senate floor, said the tornados that were in this area were related to climate change.

Like saying anecdotally we can prove there must be climate change because we saw tornadoes in the Washington, DC, area last week—do you know how many times there have been tornadoes in this month in Washington, DC, throughout the years? Hundreds. But now we are anecdotally, because we see something new to our experience, associating it with some phenomena. That is not science. That is ignorance. That is using science in a way that bastardizes it.

The second point is, if we really want to know how we affect climate, it takes a lot of years to find that out. There are retrospective studies we can do. As a matter of fact, they have been done. We have ice core drilling that goes back about 3,500 years. We know exactly what the temperatures were in the north and in the south based on both ice core drillings and ocean sediment drillings. We know that because we know that isotopes of both oxygen and nitrogen decay at different rates. When those are measured, we can have a pattern of what the Earth's temperatures were and what the cycles of climate were. Nobody wants to embrace that. That is real science. But we ignore that. That doesn't fit with the emotion that allows us to relate a policy that we want to enact in a way that disproves it.

There is so much yet to be known about climate. We can't even predict what the weather is going to be tomorrow. Yet we have this supposed settled science. The science isn't settled. The rhetoric is settled, but the science is far from settled.

What do we know? Here is what we know. The most recent examples of 1,500-year cycles are these: The Roman warming started in 200 B.C. Pared with its other half, the Dark Ages, it ended in 900 A.D. We know that historically. We know there was this warming cycle that came and went. The medieval warming period, the little ice age period cycle, lasted that period of time from A.D. 900 to 1850. The modern warming cycle, which started about 1850 to present, is probably the first half of the change. What happened during the medieval warming period? The Norse populated Greenland. They fished from its coast. They had over 60,000 cattle. They raised hay on what is now majority covered with ice.

So we have been there before. We don't like to look at the historical fact because it doesn't fit either our populace viewpoint or give us a reason to enact a bill which, in my estimation, is the greatest—will be, if we pass it—loss of freedom this country has ever experienced.

Freedom is directly related to the level and the amount of government we have. Under the climate bill Senator BOXER has put out, you can guarantee a loss of your liberty. Anybody with any common sense knows that. We are going to put all sorts of decision-making in the hands of bureaucrats. They are going to be deciding for you. So when bureaucrats start deciding for you, that means you don't. If you don't like the results, you have to prove your innocence. The onus becomes on you.

The unique thing about the American experience is that freedom is our basic model. Liberty is ours. When we grow the Government, through $6.4 to $6.9, all the way up to supposedly $10 trillion in a tax structure that is implemented through a great number of Government programs, Government boards, Government regulations, you can bet your freedom is going to be markedly limited.

The last thing I want to talk about is the very fact that we are talking about not using resources we have. Even if you buy everything that the alarmists with climate change and global warming would have you, and let's assume they are all right, everybody agrees it is going to take us 20 to 30 years to get off of hydrocarbons as a method of energy production, as a source of energy. We know that. If we were to start building nuclear plants today, we would have every alternative energy that we had, and it would still take us 15 to 20 years to start to begin to do that. So what is it that we fear about utilizing our own energy resources?

My senior Senator sitting on the floor—and I can tell you that both of us, coming from Oklahoma, love our land. We love our streams. We love our lakes. We love the wildlife that is everywhere you turn in Oklahoma. We drill all over the place. We don't contaminate our environment at all. But we have a level of ignorance about what exploration is for energy in this country. It is done in a fabulous, sophisticated way. We now drill 1 hole and create 8 to 20 wells out of 1 hole because the technology allows you to drill any direction you want at almost any depth you want. So what happens is, we allow people who are not aware of the technology of exploration to create a picture that says exploration can't be done in an environmentally friendly way. That is not true. We do it all the time in Oklahoma. Come visit.

Behind my home is a gas well. It was drilled 25 years ago. When they plugged it, everything about that was remediated. Do you know what is growing there right now is the most fabulous wild blackberries you ever tasted in your life. That is exactly the opposite picture that the alarmists want you to have about energy exploration.

The point I am making is, we have a hundred years, at a minimum, of hydrocarbons available to us that we could utilize in the next 5 to 10 years and not utilize foreign imported oil from people who have vowed to take away our freedoms. The fact is, that gets blocked all the time on the Senate floor on the basis of an irrationality that says you can't do it.

We have two of the largest domestic natural gas producers in the world in Oklahoma. In the Gulf of Mexico, you can't even see the rigs. In 8,500 feet of water, 20,000 feet below the surface of the ocean, they are drilling oil in a platform that is floating that moves less than 8 inches based on gyroscopes. They have not once in all the years had an environmental spill when they were doing that. That is how great the technology is. Yet we have this fear that you can't do something.

At the same time that we have this fear, what we are doing is embracing $4.35 gasoline. We are embracing the funding of terrorists by our purchase of oil moneys that then go to fund terrorists. We have become schizophrenic. We have lost it. When we would deny the ability to use resources in this country that would stop the upward trend on the price of oil, that would utilize oil shale to conversion for jet aviation fuel, that would utilize oil shale for heating oil, that we would not allow that, we will not allow the utilization of our own resources at our own negative benefit, what is the purpose of that?

I get written to all the time by constituents from Oklahoma about gas prices. Do you know what I tell them? I say: You should blame us. You should blame the Congress. It is absolutely our fault we are in the position we are in. We didn't act. From 1995 up through this year, every time we have had a chance to increase exploration in a safe, environmentally friendly way in this country, it has been blocked. So now we sit with the hardest of the hardest hit, the poor and less fortunate, trying to make a choice of whether they can even get to work, let alone buy their groceries, because gas now and their energy needs are such a large component of their family budget.

It is our fault, and we are going to sit around. We are going to dither, and gasoline is going to be $5.50 a gallon. The American public is going to react to that, and they are going to say: Maybe we ought to take another look at these good energy companies that do it environmentally well and supply us power and energy and do not fund the very people who want to take away our freedoms.

It is coming. This is part of the same rumble from the American public that says we do not get it on spending. I was enlightened today on a new bill that is getting ready to be introduced that I am going to try to keep from coming to the floor that is a yearly authorization for the Coast Guard. There is a 25-percent increase in it, but of that 25 percent, 80 percent is earmarks. We almost doubled the Coast Guard when we created the Department of Homeland Security. Yet this year we are going to come close to a trillion-dollar deficit—$3,000 for every man, woman, and child—and we still do not get it.

So the idea that Congress will not act to raise the level of supplies, that Congress will not take off the tariff on imported ethanol, refuses to take off the tariff on imported ethanol to protect a false economy associated with corn ethanol—when, in fact, we have a shortage, as manifested by the price of the fuels that drive our energy and yet we will not act—the American people have a right to be disgusted.

We are the reason gasoline is over $4. It is not the oil companies. It is not the Middle East. It is us. Because we could have done something. We still can do something. But we heard political speeches all today because what we want to do is sue OPEC and create an excess profits tax, and eventually a Btu tax, rather than increase the supply. What we should do is increase supplies. The American people get it. Somehow we do not.

My hope is that America will let us know. I think they are going to. My hope is we will listen.

With that, Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Madam President, I came down to the floor for a totally different purpose. But my junior Senator was talking, and I am so impressed with some of the things he has shared with us today. He is being too kind in one area, though.

Sooner or later we have to say who is at fault in terms of the increase. While he is right, it is us, I have and I would invite anyone to go to my Web site or go to the Environment and Public Works Committee Web site—it is epw.senate.gov—in there I have listed all the bills, I say to my good junior Senator from Oklahoma, that have come up since 1995 where we have tried to expand the supply of oil and gas in America, even the bills when we were a majority, when the Republicans were a majority.

In October of 1995, we voted to implement a competitive leasing program for oil and gas exploration. That was within the coastal plain of ANWR, as well as offshore. It passed 52 to 47. Of that vote, 52 were Republicans, 46 were Democrats—right down party lines. Then, the very next month, on November 17—I remember that because that was my birthday—the Senate voted on a motion to adopt a conference report on the same thing—for a competitive leasing program for oil and gas exploration—and again it passed by almost the same margin. All the Republicans voted for it. All the Democrats voted against it.

Now, those two bills were up there. And, of course, what happened? The President at that time, Bill Clinton, vetoed those bills.

I could go from there all the way up to the present day.

In March of 2005, the Senate voted on an amendment to allow us to vote on ANWR—right down party lines: every Democrat opposed it; every Republican

supported it. On November 3, 2005, the same thing happened.

In June of 2007, the same thing happened. That was a better one, actually. That was the Gas Price Act. The Gas Price Act I am particularly fond of because that was mine. We could have all the oil and gas production in the world that we need to bring down the price of gas, but if we cannot refine it, we are not going to be able to use it. So as to refineries, right down party lines, the Democrats opposed any new refineries in America.

This one was more difficult to oppose because I think most people who are understanding of what happens during a BRAC process—that means Base Realignment and Closing Commission—when that happens, the communities close by a major military installation that is closed suffer economically, greatly.

What this would do is take those closed, BRACed out, military bases and turn them into refineries. That saves millions of dollars of Government money because otherwise they have to be cleaned up to playground standards. You do not have to do that if there is going to be a refinery on it. So it is something everybody wanted.

We arranged for EDA grants for communities to apply for to attract refineries. We could have had a refinery in every area of America where we closed military bases. But it was killed. On June 13, 2007, it was killed—right down party lines. It was 43 to 52. Of that, 43 Republicans voted for it; 48 Democrats voted against it.

In 2008, we had a similar vote on ANWR. The same thing happened; then again on May 15 of this year.

I am saying this only to correct that one thing my junior Senator said, in that he was right, it is our fault, but this is strictly partisan. I think people are going to have to realize that. Until people realize that, the same thing is going to happen. Until people write in, and the imagination is captured of the American people, and they understand what is causing the high price at the pumps—it is a very simple concept. As many have said, you should learn this concept in econ 101; that is, supply and demand—if you decrease the supply, the price does not go down; it goes up. What they are trying to do with the Energy bill to decrease the supply would cause the same thing.

That is not why I came to the floor. I am glad to join with my junior Senator and talk a few minutes about what he said about the science behind this thing. This whole thing started back when they were trying to pass Kyoto. Like a lot of the cruddy things that happen in this country, it started with the United Nations.

The IPCC, the National Academy of Sciences—these people are policymakers, not scientists—came out and said the science is here, the science is settled, the science is settled, the science is settled; and they kept saying it louder and louder, and they were backed up by a very liberal media. So the people actually believed the science was settled. But the fact is, the science was not settled.

My junior Senator, Mr. COBURN, is right because time and time again, we talked about the medieval warm period. We talked about the cooling periods. Let's keep in mind that the climate has always changed in this country. God is still up there, and we are going to have these changes. They have taken place.

The interesting thing right now is, as scientists will tell you, it has been cooling ever since 2001. Also, another interesting thing is, they talk about global warming, when, in fact, all during the 1990s, supposedly it was getting warmer, the southern hemisphere was getting cooler. The Antarctic was getting cooler. The last time I checked, the southern hemisphere was part of the globe. So we did not have global warming.

Now all these people who were saying that was true—and I think probably the best example I used to use—it has been a while since I have used it—is when Al Gore was the Vice President of the United States and he decided to try to build a case whereby we would be ratifying the Kyoto treaty. So he hired a guy named Tom Wigley, a top scientist in America, to put together a study. This is the charge he gave him. He said: Let's assume that every developed nation—not developing; not China, not Mexico, not India—every developed nation signed on to and ratified the Kyoto treaty and lived by its emission standards, which they would not. Look at western Europe; 15 countries signed on to it, and only 2 of the 15 have met the emission requirements. But let's assume that is true, that they all do. How much, then, I say to you, Dr. Wigley, would this reduce the temperature after 50 years? His result was this: If all developed nations joined in and ratified the Kyoto Treaty and lived by the emission requirements, it would lower the temperatures by seven one-hundredths of 1 degree—not even measurable. So we go through all this economic pain.

I have never been as proud, I don't believe, of the Senate as I was last week because when I compare what happened in 2005 when they had the McCain-Lieberman bill, a very similar bill—not nearly as bad as this bill but a similar bill; it was cap and trade, the concept was the same—I was down here on this floor standing at this podium for 5 consecutive days. I was the only one willing to voice the opposition. We had a total of two Senators to come down in 5 days to give me support. However, last week, in only 3 days, 25 Senators came down.

It shows that this huge financial power base that is over there in the far left environmentalist community—I am talking about the George Soreses and the Michael Moores and the various other groups that are out there in California; I call them the Hollywood elitists—those individuals have all the money that they dump into all of these campaigns. We were willing to take them on, and we won. The most votes Senator BOXER had with this change that took place in 2006—it is supposed to be a much more liberal Senate, and it is—she could only get 44 votes, not a majority of 51, certainly not the 60 votes that were necessary but only 44. I was just really pleased at that, in the fact that people are waking up. People recognize science is mixed. Some people say the science is real, some say it is not, but one thing that is not confused is the amount of money it would cost.

We talked about this bill that we defeated—hopefully we didn't defeat it. I hope it comes up so we can debate it longer. Let me make this message right now to the Senate majority leader, Senator REID: I want you to bring this back to the floor so that we can talk about it more and more and more and talk about the fact that this is a $6.7 trillion tax increase. Senator BOXER would argue that, no, this has a built-in system whereby poor people are getting some money back. When you analyze the bill, that amount comes to $800 billion. In other words, if we raise the taxes on the American people, for every $8 we raise the taxes, we are going to give them back $1. That is not a very good deal, but that is in this bill; to make us less competitive and less able to be reliant upon our own reserves—huge reserves that we have out there, that we could become energy independent overnight, that we were going exactly the wrong way.

I saw a couple of editorials such as the Wall Street Journal which said that with gasoline selling at $4 a gallon, the Democrats picked the worst possible time to bring up cap and trade. The issue is starting to feel like the Hillary health care plan.

Anyway, I would even argue with some of the people who put in an analysis as to how much that bill we defeated last week would have increased the price of gas at the pump. They say 53 cents a gallon. However, that 53 cents a gallon is predicated—

The PRESIDING OFFICER. The Senator has used 10 minutes.

Mr. INHOFE. Madam President, it is my understanding that we are in a period of morning business; is that correct?

The PRESIDING OFFICER. That is correct.

Mr. INHOFE. All right. I would like to continue my statements, then.

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

Mr. INHOFE. The fact that it would increase by 53 cents a gallon I think is conservative because that is assuming we would have 268 new nuclear plants. Now, the very people who are promoting this bill and want to stop us from drilling, from exploring for oil and for gas, are the same ones who are opposed to nuclear energy. So they say

in that period of time, by 2030, the most nuclear plants we could have would be 64. I think everyone agrees with that, so instead of 268 new plants, there will be 64. So you could say that—if you use the same percentages—it would raise the price of gas by $2, not just 53 cents.

Well, we defeated the largest tax increase ever this last Friday. As I saw the majority leader coming through, he was smiling, and I hope that means he is going to bring it up so we can debate it more. I just get very excited about the fact that there has been a wake-up call in America. After all of those lonely years over the last 7 years, now people realize this is something that is not good for America. It took $4-a-gallon gas to make that wake-up call become a reality. So I am very thankful it happened. I congratulate the Senate on its wisdom.

With that, I yield the floor.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

The PRESIDING OFFICER. (Mrs. MCCASKILL.) Under the previous order, the Senate stands adjourned until 9:30 a.m. tomorrow.

Thereupon, the Senate, at 7:05 p.m., adjourned until Thursday, June 12, 2008, at 9:30 a.m.

EXTENSIONS OF REMARKS

IN RECOGNITION OF AMERISKA DOMOVINA

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 11, 2008

Mr. KUCINICH. Madam Speaker, I rise today in recognition of Ameriska Domovina, one of the oldest Slovenian papers in the world and Northeast Ohio's oldest ethnic newspaper, as it ceases publication this August after one-hundred and ten years in circulation.

Ameriska Domovina was first published in Cleveland, Ohio in 1898, making it the Ohio's oldest ethnic newspaper. James V. Debevec inherited the newspaper from his father, James E. Debevec, who assumed responsibility of the paper in the 1930's with the intention of preparing new immigrants from Slovenia for their citizenship tests. James V. changed the content of the newspaper with the changing needs of the community, using it as a forum to teach and preserve Slovenian culture and traditions to the growing community of Slovenian-Americans. The paper, like all ethnic newspapers, has been vital in connecting the Slovenian community with their roots and as well as with other Slovenian communities in North America. Debevec printed news from Slovenian communities in the United States and Canada in the newspaper.

Ameriska Domovina has over two-thousand subscribers; each newspaper is printed using Debevec's own printing press, at an office located on St. Claire Avenue in Downtown Cleveland. The last issue of Ameriska Domovina will be distributed to its subscribers on August 21, 2008, following the retirement of Debevec, his wife, and their colleague.

Madam Speaker and colleagues, please join me in recognition of Ameriska Domovina, Northeast Ohio's oldest ethnic newspaper, and in recognition of the contributions of the Slovenian-American community in the Greater Cleveland area.

IN HONOR OF NORMAN LONGFELLOW SMITH

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 11, 2008

Mr. WOLF. Madam Speaker, I rise today to honor the life of Norman Longfellow Smith, a dedicated and outstanding public servant from the 10th Congressional District of Virginia. Mr. Smith passed away on May 26 at his home in Middleburg.

Mr. Smith, the former deputy chief of operations in the CIA's counterintelligence services, committed 27 tireless years to the Agency as an analyst, missile specialist, and counterintelligence officer. Mr. Smith also served in the United States Army and achieved the rank of colonel in his tenure along with a Bronze Star and a Purple Heart.

I am inserting, for the record, the obituary which appeared in The Washington Post on June 7. Mr. Smith was an exemplary public servant and a fine example of devotion and allegiance to his country and family.

NORMAN LONGFELLOW SMITH, 83; CIA OFFICIAL

(By Patricia Sullivan)

Norman Longfellow Smith, 83, a former deputy chief of operations in the CIA's counterintelligence service, died of congestive heart failure and complications of Guillain-Barre Syndrome on May 26 at his home in Middleburg.

Mr. Smith, who joined the CIA in 1951, analyzed Soviet armaments and, after the Soviets launched Sputnik, specialized in ballistic missiles and space vehicles. In 1960, he chaired an intelligence community task force to monitor missile activity outside the Soviet Union.

Dino Brugioni, an imagery analyst with the CIA's National Photographic Interpretation Center who worked with Mr. Smith, described him as a defensive-missile specialist in the agency's Office of Scientific Intelligence who focused on surface-to-air missiles.

Brugioni, who wrote ''Eyeball to Eyeball: The Inside Story of the Cuban Missile Crisis'' (1990), said others in the interpretation center spotted surface-to-air missile sites in spy satellite photographs taken over Cuba in fall 1962. The short, pipe-smoking Mr. Smith was called in, and he began writing daily reports, concluding that construction was rushing forward and that some sites would be operational in two weeks, Brugioni said.

A short time later, when a U.S. U-2 spy plane was shot down over Cuba and low-altitude spy flights came under fire, Mr. Smith did the analysis about how and why it happened, Brugioni said in an interview. Intercepted radio traffic was in Russian, so it was clear that the Soviets were involved. The information sparked what came to be known as the Cuban missile crisis.

Mr. Smith was reassigned in 1968 to the CIA's counterintelligence staff. He rose to the top ranks of the division, which handles clandestine operations overseas. He held that job until the CIA was reorganized in 1975 and 1976, in the wake of newspaper and Senate investigations over revelations that the agency had assassinated foreign leaders and conducted surveillance on thousands of American citizens active in the antiwar movement.

Mr. Smith then became executive director of a task force to modernize and reform management procedures in the Directorate of Operations, and he retired in 1978. He worked 10 more years as a consultant for several defense contractors.

Born in Brooklyn, N.Y., he was drafted into the Army during World War II and spent several years at Purdue University in Indiana until he was sent to Europe with an infantry division. He became an officer in the Army Reserve and retired in 1980 as a colonel. Among his military awards were a Bronze Star and a Purple Heart.

He graduated from Colgate University and in the 1950s completed a doctoral degree at the London School of Economics. He also attended the National University of Mexico, Heidelberg University in Germany, New York University and Georgetown University.

He was past president of the International Order of the Knights of the Round Table in Arlington and treasurer of the Arts Club of Washington. He was a member of the Diplomatic and Consular Officers, Retired, the Central Intelligence Retirees' Association, the Association of Former Intelligence Officers, the Fairfax Hunt Club and the Evergreen Country Club.

He was a Republican Party precinct chairman in Fairfax County and a member of the Emmanuel and Trinity Episcopal churches in Middleburg and Upperville.

His marriage to Deana Browne Smith ended in divorce.

Survivors include his wife of 22 years, Carolyn L. Tillotson-Smith of Middleburg.

HONORING WORLD WAR II VETERANS PRIVATE THURMAN MCMILLEN, PRIVATE FIRST CLASS J.B. BURKS, CORPORAL LELAND WHITEHORN, AND PRIVATE FIRST CLASS JAMES KNIGHTON

HON. TRAVIS W. CHILDERS

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 11, 2008

Mr. CHILDERS. Madam Speaker, I proudly rise to welcome a group of World War II veterans from Mississippi's First District to Washington, DC. I am honored to welcome these members of the greatest generation to Washington to visit the National World War II Memorial. Built to honor the 16 million Soldiers, Sailors, Marines, Airmen, Coast Guardsmen, and Merchant Mariners who served our Nation during World War II, the National World War II Memorial serves as a reminder of their sacrifice and service to millions of visitors.

The members of this special group are some of the few remaining survivors of the Battle of Iwo Jima. This battle was strategic to American success in the Pacific Theater and marked the first attack by U.S. troops on the Japanese home islands. Iwo Jima saw some of the fiercest fighting and lasted more than a month as American service members bravely fought against the heavily fortified positions of the Japanese Imperial Army.

After landing on the third day of pitched battle, Private Thurman McMillen fought courageously for thirty three days.

Private First Class J.B. Burks stayed on Iwo Jima for twenty nine days after his arrival on the first day of battle.

Corporal Leland Whitehorn arrived on the islands on the first day of the fight and was wounded on his third day.

Private First Class James Knighton also served honorably during the Battle of Iwo Jima.

On behalf of Mississippi's First District, I am honored to offer our deepest appreciation to these brave men. During the current time of

war it is most appropriate to recognize both today's troops and their forefathers. Our community is proud to be home to veterans who have defended our freedom in the past and to our soldiers who continue to fight for freedom today. I know that my colleagues will join me in welcoming these courageous warriors to our Nation's capital and thanking them, these soldiers of the greatest generation, for their invaluable service to our country.

THE DAILY 45: 2 LITTLE GIRLS KILLED IN A SMALL OKLAHOMA TOWN

HON. BOBBY L. RUSH

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 11, 2008

Mr. RUSH. Madam Speaker, the Department of Justice tells us that, every day, 45 people, on average, are fatally shot in the United States. I grieve, daily, in solidarity with those I serve in Chicago over the senseless loss of life from guns, especially among our children. There are thousands of other communities across our Nation that, likewise, see their children cut down by perpetrators wielding the merciless barrel of a gun.

Today, it's my sad responsibility to extend my condolences to the family and friends of 13-year-old Taylor Paschal-Placker and her 11-year-old best friend, Skyla Whitaker, who lost their lives on Sunday, June 8. Both were shot while walking not far them their homes in the small, rural town of Weleetka, Oklahoma. As law enforcement officials continue to investigate this crime, these children's families and their close knit community of 1,000 are grieving and frightened while a murderer remains at large.

Americans of conscience must come together to stop the senseless death of "The Daily 45." When will we say "enough is enough, stop the killing!"

RECOGNIZING DR. ROBERT DIXON—SCOTTSDALE HEALTHCARE'S "SALUTE TO MILITARY" HONOREE

HON. HARRY E. MITCHELL

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 11, 2008

Mr. MITCHELL. Madam Speaker, I rise today in recognition of Dr. Robert Dixon, Scottsdale Healthcare's "Salute to Military" Honoree for June 2008. Scottsdale Healthcare is recognizing Dr. Dixon and other physicians with a connection to the Armed Services for their dedication to saving lives and securing our freedom.

Since the program's inauguration in 2004, Scottsdale Healthcare has provided over 300 medical personnel with outstanding trauma skill training. The program is offered in partnership with Maricopa Integrated Health System and has focused on the Air National Guard, Luke Air Force Base, and Davis Monthan Air Force Base.

Dr. Robert Dixon is a deserving recipient of Scottsdale Healthcare's tribute. He is a Lieutenant Colonel in the U.S. Air Force, stationed at the 56th Medical Group of Luke Air Force Base in Arizona since 2004. Dr. Dixon will be deployed to Iraq in May of 2008, which will be his fourth deployment to the Middle East and Southwest Asia.

He was the first surgeon to participate in Scottsdale Healthcare's Military Training Program in preparation for deployment to the Gulf. The Military Training Program is designed to maintain trauma skills and integrates trauma surgery, neurosurgery, burn trauma, and other critical skills. He played a prominent role in the development and testing of the pilot project at Scottsdale Healthcare, in conjunction with Dr. Michael Foley and Dr. Ken Ransom.

Madam Speaker, please join me in recognizing Dr. Robert Dixon's tireless service and sacrifice to this country.

TRIBUTE TO CHIEF DEPUTY DENNIS POLLEY

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 11, 2008

Mr. LATHAM. Madam Speaker, I rise today to recognize the diligent and steadfast service by Chief Deputy Dennis Polley and congratulate him on his retirement from the Marshall County Police department. During Dennis's tenure as Chief Deputy he has consistently demonstrated commitment to his position, his co-workers and his community.

For the last 32 years, Chief Deputy Polley served Marshall County faithfully and honorably. Chief Deputy Polley's daily courage goes above and beyond what we are asked of as citizens of this country. His service in providing safety to his community earns him respect and honor and for this I offer him my utmost respect, congratulations and thanks.

I commend Officer Dennis Polley for his many years of loyal service in protecting Iowans. It is an immense honor to represent Officer Polley in the United States Congress, and I know that my colleagues join me in wishing him a long, happy, and healthy retirement.

SAINT CATHERINE HOSPITAL 80TH ANNIVERSARY

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 11, 2008

Mr. VISCLOSKY. Madam Speaker, it is with great sincerity and appreciation that I stand today to recognize the 80th anniversary of Saint Catherine Hospital in East Chicago, Indiana. For the past 80 years, Saint Catherine Hospital has served the city of East Chicago and the citizens of northwest Indiana by offering quality care to those in need.

In the 1920s, recognizing the need for a healthcare facility in the heavily industrialized city of East Chicago, Indiana, community and business leaders began investigating the possibility of building a hospital within city limits. With the guidance of the Manufacturers Association of East Chicago and the Poor Handmaids of Jesus Christ (Ancilla Domini Sisters), a committee was appointed, led by Colonel Walter J. Riley. Due to the tireless efforts of these community and business leaders to formulate plans and raise money, Saint Catherine Hospital opened its doors on May 17, 1928.

Over the years, with the continued support of the Riley family and the Inland Steel Ryerson Foundation, the hospital flourished, increasing not only the number of beds but also the depth of its services. The medical staff at this time became well-known for their innovation and medical advancements, eventually creating the first school of x-ray technology in 1936. In addition, Saint Catherine Hospital became a very important location in the fight against polio, and in 1963, was the venue for the first open-heart operation. Expansion of the hospital continued through the years with new wings and remodeling, a new patient tower in 1987, and the Family Birthing Center in 1997.

In 2001, Donald S. Powers, a true visionary and one of northwest Indiana's finest citizens, brought together Saint Catherine Hospital, Community Hospital in Munster, and the Saint Mary Medical Center in Hobart to create the Community Healthcare System. From this vision emerged a partnership that would allow these outstanding hospitals to work together instead of competing with each other, resulting in one of America's best integrated healthcare delivery systems.

Subsequently, a $2.5 million MRI system was added at Saint Catherine Hospital and in 2002, a $2.2 million renovation of the emergency room was completed. In 2005, the CyberKnife Center opened, which brought the Community Healthcare System its most impressive piece of technology to date. Recently, Saint Catherine Hospital was awarded the 2008 HealthGrades Distinguished Hospital Award for Clinical Excellence, making it the third consecutive year that the hospital has received this award.

In honor of the 80th anniversary celebration, Saint Catherine Hospital will recognize the companies and individuals who have aided in the construction and enhancement of the hospital. These honorees are: Donald S. Powers, ArcelorMittal Steel, ASF Keystone, BP, NIPSCO, the Poor Handmaids of Jesus Christ (Ancilla Domini Sisters), the Block family, and the Riley family.

Madam Speaker, at this time I ask that you and my other distinguished colleagues join me in congratulating these honorees, as well as the staff and administration of Saint Catherine Hospital, past and present, who have spent the past 80 years providing quality healthcare services to the people of northwest Indiana. Through their efforts and their standards of excellence, many in the northwest Indiana community have had the opportunity to enhance their lives. It is the compassion and commitment of facilities like Saint Catherine Hospital that make northwest Indiana such a great community, and they are to be commended for their selflessness and dedication.

HONORING THE MEMORY OF MR. DENNIS MIDDLETON

HON. JO BONNER

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 11, 2008

Mr. BONNER. Madam Speaker, I rise today to honor and pay tribute to the memory of an exceptional leader, longtime Scoutmaster, and dedicated family man, Mr. Dennis Middleton.

Dennis owned and operated E. L. Middleton and Son Garage in Loxley, Alabama, for the past 40 years. Dennis, along with his wife, Jean, took in and raised several foster children. He also served as an assistant minister of the First Christian Church of Robertsdale for 30 years. As a member of the church, he worked with the Outreach Minister Program ''Life Connection'' which focused on helping ex-offenders. However, the title for which he was most proud was Scoutmaster of Troop 45 in Robertsdale.

For 33 years, Dennis served as a Scoutmaster of Troop 45. He was recently asked what Scouting meant to him, and his answer was ''everything.'' Dennis never expected his life to revolve around Scouting. When asked by the previous Scoutmaster to take charge of Troop 45, he decided to serve until a replacement could be found. Three decades later, he positively influenced countless young lives and was once described as, ''the backbone of Scouting'' in his area.

Dennis was a selfless individual, always eager to help anyone in need. For example, a few years ago during a Cub Scout campout, Dennis spent an entire day working on a broken water well. The Cub Scouts later found out that it was his birthday, and instead of being home celebrating with friends and family, he was at the campground making sure the Cub Scouts had water. In recognition of his tireless efforts on behalf of the Scouts, a Scout lodge at the Silver Creek Campground was recently dedicated in his honor. Humbly, Dennis requested the new building not be named for him and instead follow the Scout tradition of honoring American Indian cultures. Today, the lodge is named Toknaawa Pahni, meaning ''Silver Creek'' in Muscogee, the native tribal group.

The great contributions made by Dennis as Scoutmaster did not go unnoticed. He was honored with several Scout awards, such as, the Silver Beaver and the Order of the Arrow Vigil Honor. He also received the Who's Who Gulf Coast Award in 1989. Dennis was a member of the Order of the Arrow WOA Cholena Lodge No. 322. He attended the Wood Badge SR 550 and was a member of the respectable ''Bob White'' patrol.

Madam Speaker, I ask my colleagues to join me in remembering a dedicated community leader and friend to many throughout south Alabama. Dennis Middleton will be deeply missed by his family—his wife of 43 years, Jean Middleton; his daughters, Sabrina Middleton and Beverly Middleton; his son, Dennis Wayne Middleton; his foster son, Allen Kittrell; his sister, Mary Sue Archer and her husband David; his brother, Charles David Middleton and his wife Lillie; his 13 grandchildren—as well as the countless friends and fellow Scouts he leaves behind.

Our thoughts and prayers are with them all during this difficult time.

HONORING THE 40TH ANNIVERSARY OF THE TEXOMA COUNCIL OF GOVERNMENTS AND THE SERVICE OF VOLUNTEERS IN THE TEXOMA FOSTER GRANDPARENT PROGRAM

HON. RALPH M. HALL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 11, 2008

Mr. HALL of Texas. Madam Speaker, I rise today to recognize the legacy of leadership within the Texoma Council of Governments, as well as the service of dedicated volunteers in the Texoma Foster Grandparent Program.

The Texoma Council of Governments (TCOG) was formed by the Legislature in 1968, and was designated under the authority of Chapter 391, Local Texas State Government Code, along with 23 other State Planning Regions, to review and comment on Federal and State financial assistance requests. It is a voluntary organization comprised of city and county governments, colleges, school districts, and chambers of commerce, determined to build strength through regional cooperation. TCOG is responsible for evaluating any project that would have an impact on the three-county area of Cooke, Fannin and Grayson Counties, and works to continually improve the economic, social, and educational opportunities for the citizens in these regions.

Due to the large number of senior community servants in the area, TCOG founded the Texoma Foster Grandparent Program. This program is part of a national organization focused on utilizing area seniors, ages 60 or older, to mentor and tutor ''at risk'' youths. These volunteers serve approximately 40,000 hours per year in public settings such as Texoma schools, day care, and community centers. On April 24th, the Program's Advisory Council recognized its dedicated senior volunteers with a 50s themed recognition, fittingly entitled, ''Volunteers Rock,'' at the Sherman First United Methodist Church. Several area businesses donated food, door prizes, and funds to help make the event a success, as all volunteers received awards for hours served during the year. The Texoma Foster Grandparent Program Advisory Council and the program's volunteers are wonderful role models for the community at large, and I wholeheartedly applaud them for utilizing their experience, talents, and energy to serve as a positive influence for special needs children and ''at risk'' youths.

But Texoma's celebration doesn't end there because on June 19, 2008, TCOG will celebrate its 40th Anniversary at Austin College with an event entitled ''Legacy of Leadership.'' Funds generated by business partners and vendors for this event will be returned to Texoma's private sector and donated to the Texoma Senior Citizens Foundation. This is a wonderful opportunity to celebrate TCOG's many accomplishments and legacy of service during the past 40 years. I want to commend current and past members who have contributed their time, talent and resources to make TCOG one of the most effective Councils of Government in the State.

I am confident that the Texoma Council of Governments will continue to meet the challenges of the future and continue to provide outstanding services for those it represents, and I ask my colleagues to join me in congratulating TCOG on its 40th Anniversary.

TRIBUTE TO OLD GLORY

HON. DAVID G. REICHERT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 11, 2008

Mr. REICHERT. Madam Speaker, I rise today in honor of the journey of remembrance our Nation's flag has made over the past 6 months, which culminated on Memorial Day when it flew over the Capitol and specifically the National Moment of Remembrance at 3 p.m. that day.

The flag's journey started December 7, 2007, in Hawaii to mark the 66th anniversary of the attack on Pearl Harbor. The flag made a stop on Christmas Eve in Washington's Eighth District, at Tahoma National Cemetery in Kent, Washington. During its journey, Old Glory traveled to 28 different locations in 20 States, being flown over a significant memorial site at every stop. The journey of our Nation's flag is a wonderful way for this body and for citizens throughout this country to remember the sacrifices of millions of men and women in service to our great Nation.

Ordinary men and women have done extraordinary things time and again to preserve the values and beliefs that make the United States a wonderful country. Their brave sacrifices will never be forgotten or overlooked. As we speak, men and women are fighting for freedom and justice and helping to preserve peace in foreign lands throughout the world. Their remarkable sacrifices are being made not for personal gain or fame, but because of deep-seeded patriotism. That American spirit is alive and well and will preserve this Nation for years to come.

On behalf of my constituents in the Eighth District of Washington, I want to take this moment to honor the service of our many soldiers, sailors, airmen, Marines and Coast Guardsmen. Their sacrifices allow Old Glory to fly. On Memorial Day, citizens throughout this country united to reflect on the valor and sacrifice we honor, and it is my hope that we carry that spirit every day of the year.

PERSONAL EXPLANATION

HON. BILL PASCRELL, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 11, 2008

Mr. PASCRELL. Madam Speaker, I rise to offer a personal explanation. I was unavoidably detained last Thursday, June 5, during the rollcall votes for the following bills: H.R. 5540, Chesapeake Bay Gateways and Watertrails Network Continuing Authorization Act; H.R. 3058, Public Land Communities Transition Act of 2007.

Had I been present, I would have voted:

''No'' on rollcall vote 384, on the Bishop of Utah amendment to H.R. 5540, the Chesapeake Bay Gateways and Watertrails Network Continuing Authorization Act;

''No'' on rollcall vote 385, on Motion To Recommit With Instructions, H.R. 5540, the Chesapeake Bay Gateways and Watertrails Network Continuing Authorization Act;

"Yes" on rollcall vote 386, on Passage of H.R. 5540, the Chesapeake Bay Gateways and Watertrails Network Continuing Authorization Act;

"Yes" on rollcall vote 387, on Motion To Suspend the Rules and Pass, as amended, the Public Land Communities Transition Act of 2007, H.R. 3058.

HONORING THE SERVICE OF CALN TOWNSHIP CHIEF OF POLICE JOHN BENNETT

HON. JIM GERLACH

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 11, 2008

Mr. GERLACH. Madam Speaker, I rise today to honor a dedicated public servant from Chester County, Pennsylvania, who is leaving after a nearly six-year career with the Caln Township Police Department to accept the position of Chief of Police with Paradise Valley, Arizona.

Chief of Police John Bennett joined the Caln Township Police Department as Chief of Police in June 30, 2002, replacing the retiring Chief James Franciscus. Prior to his time as Chief of Police in Caln Township, Chief Bennett served as Deputy Chief of Police of Marple Township in Delaware County, Pennsylvania, and has served in law enforcement for over 36 years in Delaware and Chester Counties.

As Chief of Police, John oversaw a department of 20 officers, with a lieutenant, four sergeants, and two investigators. John's leadership has helped make the Cain Township Police Department a first class law enforcement agency. During his six-year tenure as Chief of Police, Chief Bennett was instrumental in establishing an investigative division, creating a bicycle patrol unit and the Youth Aid Panel. Also during this time, John was responsible for sending two officers to the FBI National Academy.

In addition to his duties as Chief of Police, Chief Bennett also served on several executive boards and committees, notably on the Executive Board of the Chester County Chiefs of Police, the Civil Rights Committee for the International Chiefs of Police, the Legislative Committee for the Pennsylvania Chiefs of Police, and as Committee Chair of the Chester County Major Incident Response Team. Chief Bennett's service and accomplishments will be celebrated on Thursday, June 12, 2008 at the Caln Township Municipal Building.

Madam Speaker, I ask that my colleagues join me today in praising the outstanding service of Chief of Police John Bennett, and all those who take an oath to serve and protect their communities.

HONORING DEBORAH A. YOW

HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 11, 2008

Mr. HOYER. Madam Speaker, I am pleased to congratulate the University of Maryland's Deborah A. Yow on her selection as the next President of the Division 1A Athletic Directors' Association. Ms. Yow is the first woman to fill this national leadership role, responsible for coordinating the efforts of collegiate athletic directors at 1,600 colleges and universities across the United States and Canada.

The Association's Executive Director, Dutch Baughman, praised Ms. Yow as "an extremely capable and effective leader." He added that "She has not only influenced the lives of over 450 athletics administrators over the past seven years, but she has been evaluated by those [fellow administrators] as the best."

After 14 years of success at the University of Maryland, her national role is well-earned. Overseeing 27 sports and more than 700 student-athletes, Debbie Yow has built a reputation as one of America's most accomplished athletic leaders. Under her leadership, Maryland teams have won 17 national championships, while maintaining balanced budgets and a high graduation rate of 85 percent. In fact, last year's graduation rate was the highest in the history of Maryland athletics and the best of any public institution in the Atlantic Coast Conference. Ms. Yow has excelled as an educator, an administrator, and a fundraiser, and has repeatedly been ranked among the 20 most influential people in collegiate athletics. At the same time, she has served in public life as an advocate for women's sports and the protection of Title IX.

Her new position is the capstone on a career dedicated to the highest purposes of college athletics: Debbie Yow's work shows that "student-athlete" is far from an empty expression. I thank her for all that she has done for our State, its flagship university, and its students. And I wish her the best of luck, both in her continuing duties as University of Maryland Athletic Director and as a voice for athletic directors throughout North America.

IN HONOR OF REVEREND DR. OTIS MOSS JR.

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 11, 2008

Mr. KUCINICH. Madam Speaker, I rise today in honor of Reverend Dr. Otis Moss Jr. A profoundly respected and influential member of the Greater Cleveland community and a leader of greater Cleveland's civic culture, Dr. Otis Moss Jr. is this year's recipient of Cleveland's NAACP's Freedom Award.

The Freedom Award is the highest form of recognition awarded by Cleveland's NAACP and is awarded to members of the community who have dedicated their lives to fostering social change and building a society based on the ideals of equality and justice. Dr. Otis Moss Jr., a resident of the Cleveland area for over thirty years, carries with him a rich history of public service and advocacy, especially in the African-American community. Born in rural Georgia and a graduate of Morehouse College in Atlanta, he worked along side Dr. Martin Luther King Jr., leading sit-ins and advocating for desegregation during the civil rights era.

He became a pastor in 1954, serving in various Baptist Churches throughout Georgia until 1961, when he moved to Mount Zion Baptist Church in Cincinnati. In this capacity, he continued fighting for equality locally by challenging discrimination in the workplace. Dr. Otis Moss Jr. left his position at Mount Zion Baptist Church to march once again alongside Martin Luther King Jr. in Alabama and Washington and to serve as Co-Pastor with Martin Luther King Sr. at Alabama's Ebenezer Baptist Church. He later returned to Ohio in 1974, to lead one of Cleveland's largest and most prominent churches, Olivet Institutional Baptist Church. He has served as Senior Pastor of Olivet Institutional Baptist Church for over thirty years, working closely with the greater Cleveland community in continuing the fight for civil rights and access to quality medical care. In the late 1990's, he worked with University Hospitals to create the Otis Moss Jr. Medical Center in the Fairfax neighborhood of Cleveland, bringing desperately needed resources and access to quality health care to its residents.

Dr. Otis Moss Jr's ability to mobilize the community and to advocate for the social welfare of others has been manifested in the various leadership roles he has played. His leadership has served as an undeniable source of inspiration to many who want social justice.

Madam Speaker and colleagues, please join me in recognition of Reverend Dr. Otis Moss Jr., who has dedicated his life to serving his Church and the Greater Cleveland community. Let his advocacy on behalf of the welfare of others serve as inspiration for all those in pursuit of social justice.

TRIBUTE TO BILL KIBBY

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 11, 2008

Mr. LATHAM. Madam Speaker, I rise today to recognize Mr. Bill Kibby and to congratulate him on being inducted into the Iowa Athletic Directors Hall of Fame

Bill Kibby has been a teacher and coach for 44 years, 40 of which he has been an athletic director. His educational career began as a teacher at Bayard Consolidated School. At Bayard he was involved in coaching football, basketball, cross country, and track. He then began his tenure at Johnston High School where, in 1967, he became the school's athletic director. After his service in Johnston, Mr. Kibby moved to Fort Dodge where he was St. Edmond Catholic High School's football coach and athletic director for 21 years. For 16 of those years he also helped coach track, but resigned when he accepted the position of principal at Sacred Heart Junior High School. During his time at St. Edmond and Sacred Heart he also made time to coach basketball and softball.

In 1988, Mr. Kibby took his final position in his stellar educational career at Jefferson-Scranton. Upon his retirement in 2006, Mr. Kibby continued to coach football at Jefferson-Scranton.

In his long and illustrious career Mr. Kibby can boast of many exemplary achievements. During his time as a coach, his football teams combined have claimed over 200 victories, including more than 100 wins at two different schools, and 11 state football play-off contests.

Mr. Kibby has also been bestowed with many noteworthy individual awards. In 2006 he was named IFCA Coach of the Year and

was a finalist in 2004 for Iowa High School Athletic Association Athletic Director of the Year. In 2001 Mr. Kibby received the IHSAA Bernie Saggau Award of Merit.

I would like to express my appreciation to Mr. Kibby for his steadfast dedication to education and congratulate him on the honor of being inducted into the Iowa Athletic Directors Hall of Fame.

HONORING THE MEMORY OF JAMES P. HAYES, JR.

HON. JO BONNER

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 11, 2008

Mr. BONNER. Madam Speaker, the state of Alabama recently lost a dear friend, and I rise today to honor the memory of Mr. James P. Hayes, Jr.

Jim was born in Brewton, Alabama, and graduated from T.R. Miller High School. He then received both his bachelor's and master's degrees in Industrial Engineering from the University of Alabama. While at the university, he was a member of the Tau Beta Pi honor fraternity and the Delta Kappa Epsilon social fraternity.

Jim's many years of public service began when he joined former Alabama Governor Don Siegelman's administration in 1999 and served as revenue commissioner. He later served as director of the Alabama Development Office, executive secretary, land commissioner, and senior advisor to Governor Siegelman. Jim also served as director of planning and acquisitions for the Louisiana Land and Exploration Company, and he was director of First Commercial Bank in Birmingham and BancTrust Financial in Mobile.

Not only was he a dedicated public servant, but Jim was also an active civic leader. He was a past president of the Supporters Board of the UAB Comprehensive Cancer Center. He was a supporter of the Lakeshore Foundation, the Crippled Children's Foundation, the Greater Birmingham Humane Society, and numerous other charitable foundations.

In 2002, Jim became president of the Economic Development Partnership of Alabama and restructured the group. Jim led the EDPA out of debt, while working tirelessly to improve the lives of all Alabama citizens.

The work of Jim Hayes did not go unnoticed. In 1994, the University of Alabama named him its Alumnus of the Year. And, he was recently honored when the University of Alabama's James P. Hayes Moral Forum was endowed in his name. In 2004, the University of Alabama bestowed Jim an honorary doctorate and named him a Distinguished Engineering Fellow. In recognition of all his wonderful work, Jim received the Outstanding Civic Leader Award on National Philanthropy Day in 2007.

Madam Speaker, I ask my colleagues to join me in remembering a dedicated businessman, public servant, husband, and friend to all. Jim Hayes will be deeply missed by his wife, Ann Beauchamp Hayes; his sisters, Margaret Hayes Brunstad and Susan Hayes Curry; his five nieces, and his nephew—as well as the many countless friends he leaves behind.

Our thoughts and prayers are with them all at this difficult time.

MERIDA INITIATIVE TO COMBAT ILLICIT NARCOTICS AND REDUCE ORGANIZED CRIME AUTHORIZATION ACT OF 2008

SPEECH OF

HON. LYNN C. WOOLSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 10, 2008

Ms. WOOLSEY. Mr. Speaker, as Chair of the Workforce Protections Subcommittee, I join U.S. and international labor organizations in their strong concern about this bill.

As introduced, the bill goes a long way to improve upon the President's request. The human rights protections have been strengthened, but must be further improved.

We must ensure that before any agreement is authorized and funded, the most basic human and labor rights have been guaranteed.

I have strong concerns about abuses committed by Mexican and some of the Central American law enforcement agencies.

Labor activists and community leaders have been harassed, arrested, and physically assaulted. Many live in fear for themselves and for their families.

I am concerned that these same law enforcement officials will be receiving military-style training, transportation, and weapons. Do we want to be putting military helicopters and weaponry in their hands?

We must proceed with extreme caution on this proposal. I will have to oppose the legislation in its current form. I hope that we will be able to address the concerns of human and labor rights leaders here at home and in the Merida nations when the bill is in conference with the Senate version.

CLIMATE CHANGE LEGISLATION AND COMMUNITIES OF COLOR

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 11, 2008

Mr. RANGEL. Madam Speaker, I rise today in support of passing meaningful climate change legislation that includes programs to reduce emissions of greenhouse gases. Climate change is one of the most urgent issues of our time and will affect the whole world, but the brunt of the climate burden will undoubtedly be taken by the poorest populations.

Low-lying coastal areas and urban inner cities are particularly vulnerable to the effects of climate change. The construction of interstate highways has concentrated greenhouse gases in urban communities and increased the prevalence of asthma in those areas. 70 percent of African-American people live near environmentally unfriendly industries like coal fired plants. These plants emit greenhouse gases and other pollutants that adversely affect the air quality in the communities around them.

The issue of climate change is not only about African-Americans, but a much broader Black community. The Black Diaspora and Africans are particularly vulnerable to the adverse effects of environmental inaction. It is estimated that 75–250 million Africans can be affected by the stresses that climate change has on water supply and a rapidly changing ecosystem.

The ingenuity of the people of the United States will allow our country to become a leader in curbing global warming by paving the way with well-planned legislation and creating jobs that will boost the economy. Prompt, decisive action is critical, since global warming pollutants can persist in the atmosphere for more than a century.

The most important thing to remember is that the most expensive policy is that of doing nothing. We cannot afford not to take action. The impact that climate change has on our ecosystems, health, and food and energy costs is irreversible. By taking aggressive action on this urgent issue, we are showing our constituents and the world that climate change is highly prioritized by the United States and furthermore, it determines the decisiveness and speed with which we as a country will confront this issue in the future.

IN HONOR OF SAMEER MISHRA, SCRIPPS NATIONAL SPELLING BEE CHAMPION

HON. STEVE BUYER

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 11, 2008

Mr. BUYER. Madam Speaker, on May 30, 2008, Sameer Mishra, an eighth grader at West Lafayette Junior/Senior High School in West Lafayette, Indiana, made his family, school, city and State proud when he won the 2008 Scripps National Spelling Bee in Washington, D.C. Sameer outlasted 287 other competitors to become this year's champion.

In order to become the National Spelling Bee Champion, Sameer had to spell many complex words. The final word that stood between him and his victory was ''guerdon''—meaning a reward. After 3 years of hard work, he finally received his ultimate ''guerdon''.

Before Sameer's spelling bee days, he watched his big sister, Shruti, compete in the National Spelling Bee, and he told his family that one day he would win the Scripps National Spelling Bee. True to his promise, he won the title on the very last opportunity that he was eligible.

This was Sameer's fourth and last year in the competition. In 2005 he tied for 98th place. He made a huge jump in 2006 when he recieved 14th place, and last year he placed a well respected 16th.

When he is not out-spelling middle school students from across the Nation, Sameer loves to read and participates in his school's book club. He enjoys playing computer and video games, as well as board games. Sameer has played the violin for 4 years in his school orchestra. He also likes to ride his bike and hang out with his friends. His favorite subjects are science and math.

Sameer is a competitive student. He participates in contests such as Spell Bowl, Academic Super Bowl and Indiana State School Music Association. With his spelling bee days behind him, Sameer looks forward to high school and lofty goals that include a career as a neurosurgeon.

Sameer Mishra is a remarkable young man. His competitive spirit and drive will take him far in life. His ability to set goals and work

hard to achieve them makes him a shining example that other children can aspire to.

U.S. ARMY RESERVE RETURNS TO LIFE-SAVING AIR AMBULANCE MISSION

HON. C.W. BILL YOUNG

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 11, 2008

Mr. YOUNG of Florida. Madam Speaker, with the delivery of the first two HH–60 Blackhawk helicopters this past Saturday to F Company, 1st Battalion, 159th Aviation Regiment, at the St. Petersburg-Clearwater International Airport in Florida, the U.S. Army Reserve is preparing to resume its life-saving air evacuation mission.

Lieutenant General Jack C. Stultz, the Chief of the Army Reserve, and I joined in ceremonies to accept the delivery of the first of the 12 helicopters that will be assigned to this unit, which officially stands up its operations this September. The Army Reserve stopped flying air evacuation missions in 1993, but General Stultz, realizing the tremendous demand for these operations throughout the world, made it a priority to reestablish this capability.

Given the advancements of armored vehicles, body armor, and medical care administered in the field, we are able to save the lives of servicemembers who in prior conflicts would have died. With the state-of-the-art helicopters like those we received Saturday, we are saving lives and getting those injured men and women to field hospitals quicker than ever so they can receive the care they need and they so richly deserve.

The HH–60 air ambulance helicopters are emergency rooms in the air. They are equipped with the finest possible medical systems to provide critical care for up to six patients. These systems include an electronic patient litter system, on-board oxygen generation system, medical suction system, patient monitors and high intensity night vision goggle compatible lighting.

The aircraft are also equipped with the most advanced avionics and special mission systems to assist the crew in locating and rescuing injured personnel on the battlefield. These include forward looking infrared (FLIR) systems and an external rescue hoist to quickly raise and lower patients and rescue personnel. In addition, the new HH–60s have additional payload and range to allow them to carry more patients and fly longer distances without refueling.

The men and women who fly these missions as pilots, flight engineers, and medics are the best our Nation has to offer. We owe them the finest equipment to perform their mission safely and securely, but the machinery and technology means nothing if we did not have the people willing to fly into harm's way to save a fellow American.

The MEDEVAC crews are defenseless in flying their machines. They have no defensive systems on board and they often fly unaccompanied and must land under hostile fire to pick up their patients. As I said Saturday, it takes a special person to perform this mission and to perform it so well.

They fly with the same spirit as one of the legendary MEDEVAC pilots, Major Charles "Combat" Kelly, who died while flying a mission in Vietnam in 1964. He coined what is now the motto for all MEDEVAC crews: "No compromise. No rationalization. No hesitation. Fly the mission. Now!"

Madam Speaker, let us take time today to honor the MEDEVAC crews that have brought home so many of our heroes to their families and friends. It is my distinct honor to have the privilege to represent the newly formed F Company in Pinellas County, Florida, and I look forward to being with the unit when it officially stands up later this year.

PERSONAL EXPLANATION

HON. BRUCE L. BRALEY

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 11, 2008

Mr. BRALEY of Iowa. Madam Speaker, unfortunately, I was unable to make the following votes yesterday because of a developing crisis in Iowa's 1st Congressional District. Massive flooding is leading to evacuations and it is only expected to get worse. Although I realize how important it is to cast votes in Washington, the well-being of my constituents comes first, and I need to be in the District to assist in any way I can.

On Rollcall 394, H. Res. 1063, I was not present. If I had been there, I would have voted "yea."

On Rollcall 395, H. Con. Res. 318, I was not present. If I had been there, I would have voted "yea."

On Rollcall 396, H. Con. Res. 336, I was not present. If I had been there, I would have voted "yea."

HONORING GOODWILL INDUSTRIES OF SAN ANTONIO, TEXAS

HON. HENRY CUELLAR

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 11, 2008

Mr. CUELLAR. Madam Speaker, I rise today to honor Goodwill Industries of San Antonio, Texas, in its mission of helping change lives through their participation in the AbilityOne Program. In the city of San Antonio, Goodwill has a strong presence, providing over $15,000,000 of services in document management, administration, and custodial maintenance through the AbilityOne Program. The AbilityOne Program provides employment opportunities to those with disabilities.

The AbilityOne Program got its beginning in 1938 in legislation known as the Wagner-O'Day Act, passed by President Roosevelt, which provided employment opportunities for the blind. In 1971, the program was redesignated as the Javits-Wagner-O'Day, JWOD, Program due to the work of Senator Jacob Javits in expanding the program to include people with disabilities and allowing the program to provide services to the Federal Government. Goodwill Industries of San Antonio was the first agency in the Nation to take on a contract provided by the JWOD Program shortly after its expansion in 1971, and continues to do so through the AbilityOne Program today.

Currently, Goodwill employs over 300 people in 40 diverse commercial, Federal and State contracts. Goodwill is the fourth largest contract services provider in the Nation, amongst 170 other Goodwill locations. Its history of success and development of working relationships has earned Goodwill a 90 percent satisfaction rating for multiple years with their customers. I am proud that the employment of people with disabilities has played a large role in the operation of Goodwill Industries in San Antonio, Texas.

Madam Speaker, I am honored to have had this time to recognize the commitment of Goodwill Industries of San Antonio to ensuring the employment of those with disabilities through the AbilityOne Program.

NEW ERA OF REFORM IN MALAYSIA

HON. ADAM SMITH

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 11, 2008

Mr. SMITH of Washington. Madam Speaker, I would like to bring my colleagues' attention to significant political developments in Southeast Asia. Malaysia, which recently held major elections, is embarking on a new set of democratic reforms to deal with some of the serious problems that the country faces. I am pleased to see that Malaysia is moving toward reforms that would support the rule of law and a more open society.

Malaysian Prime Minister Abdullah Badawi has announced a series of initiatives that would help demonstrate Malaysia's commitment to government reform and to moderate and progressive principles of democracy. The actions respond to the call for reform issued by voters in the March 8 elections.

The Malaysian government has proposed a series of judicial reforms to strengthen the independence of judges and improve trust and respect for the Malaysian judicial system, and steps to fight corruption. The government plans to take steps that would provide greater press freedoms as well.

Malaysia is a moderate country of 25 million people in Southeast Asia with a dominant Muslim population. The country is of significant importance to the United States and our interests in the region. Democratic development in Malaysia is important not only to the political stability and economic growth of Southeast Asia but the fight against extremism.

I would like to submit for the RECORD and for the benefit of my colleagues an editorial by the Wall Street Journal Asia that comments on these reforms.

In closing, I encourage my colleagues to take notice of recent developments in Malaysia and to support the government as it works to implement democratic reforms that could benefit Malaysia and help support U.S. interests.

[From The Wall Street Journal, Apr. 24, 2008]

REFORMING MALAYSIA

Malaysia's economy has long been open to competition, but its political system has not. Last month's opposition-party electoral victories changed all that. Now, Prime Minister Abdullah Badawi has started to compete for voters' hearts, based on what the people want.

Mr. Abdullah's announcements over the past two weeks are nothing short of remarkable. Last Thursday, he acknowledged ''perceived corruption'' in the judiciary and announced an independent committee to vet prospective judges. On Monday, he promised to beef up the nation's Anti-Corruption Agency, implement laws to protect whistleblowers, and make changes to government procurement practices—long a source of patronage for his party, the United Malays National Organization, and the coalition it leads, the National Front.

None of these ideas are new. In fact, Mr. Abdullah himself promised better, cleaner governance when he took office in 2004. Malaysia's voters gave him four years to implement his promises. Last month, voters delivered their verdict: They handed opposition parties control of five out of 13 states, up from one—their biggest parliamentary gains since the country's founding.

With that reprimand, Mr. Abdullah now seems to realize that democracy in Malaysia matters. And he's ripped reform ideas straight from the opposition parties' playbooks. Anwar Ibrahim's National Justice Party, for instance, has long advocated judicial reform and the protection of whistleblowers. The new chief minister of Penang, a member of the Democratic Action Party, called for an open tender system for government procurement last month.

A wise leader will always appropriate good ideas, especially ones recently endorsed at the ballot box. Doing so is also a savvy political move for Mr. Abdullah. His standing as head of UMNO was put in question after his party's electoral losses last month. It still is—on Sunday, a former finance minister, Razaleigh Hamzah, said he'd contest for the party leadership.

If the Prime Minister can reposition himself as a reformer who enjoys public support, it will be harder for his internal challengers to unseat him, come the party congress in December. Showing that UMNO can reform is also a chance for Mr. Abdullah to slow the opposition's political momentum at a time when it is still enjoying the aftermath of last month's election victories.

The Prime Minister may also be thinking about his legacy. The first to hold that office after over two decades of rule under Mahathir Mohamad, Mr. Abdullah was seen as a transitional figure who would bring greater freedoms to his country. At first, he did, loosening controls on the press and cracking down on a few corrupt officials. But largely as last month's vote showed—he has so far failed.

Malaysia needs the reforms now on offer, and fast. Corruption undermines the country's economic competitiveness and its attractiveness as a place to do business. That depresses investment, and employment opportunities for Malaysians. Without a strong judiciary or a free press, the only way citizens feel they can show their discontent is to protest on the streets. Giving Malaysians a justice system they trust would help alleviate some, if not all, of those grievances.

None of these reforms can be implemented overnight, and most will be strongly opposed by UMNO's political machine, which has benefited for years from its opaque patronage system. But the threat of being unseated from office should be a good motivation for the party to take Mr. Abdullah's ideas seriously. Its about time.

IN HONOR OF THE ROCK AND ROLL HALL OF FAME AND MUSEUM

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 11, 2008

Mr. KUCINICH. Madam Speaker, I rise today in honor of the Rock and Roll Hall of Fame and Museum, located in the heart of historic downtown Cleveland, Ohio, and in recognition of the site's significant contributions to preserving American culture.

The Rock and Roll Hall of Fame and Museum opened its doors in 1995 and attracts visitors from all over the country and the world. The Museum provides educational programs and opportunities for visitors to fully experience the history and impact that music has had on our culture. Artists and musicians from all over the world perform at the Rock and Roll Hall of Fame and Museum and teach their audiences about the social significance of making music.

With carefully preserved artifacts from many of our country's favorite artists and the history behind some of the most beloved songs, the Hall of Fame and Museum showcases the significant impact that music has had in so many of our nation's social, cultural and political historical events. Throughout history, musicians have used their music as a vehicle to give voice to the voiceless, to challenge many social, cultural and political norms, and to celebrate that most human of emotions, love. This year, on June 13, 2008, the Rock and Roll Hall of Fame and Museum, along with the Joint Veterans Commission of Cuyahoga County, is commemorating Flag Day, the 233rd Birthday of the U.S. Army, and hosting a naturalization ceremony. I join the Hall of Fame and Museum and the JVCOCC of Cleveland in their celebration of these important events.

Madam Speaker and colleagues, please join me in honor of the Rock and Roll Hall of Fame Museum and in recognition of its unique and significant contributions to preserving American Culture and of its outstanding educational outreach programs.

TRIBUTE TO BONNIE BAKER

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 11, 2008

Mr. LATHAM. Madam Speaker, I rise today to recognize Mrs. Bonnie Baker of Clarion, Iowa on her 26-year postal career and congratulate her on the occasion of her retirement. Mrs. Baker has been a shining example of dedicated public service throughout her career.

Mrs. Baker began in 1982 by working as a window clerk in Dows, Iowa. The following year she moved to the Clarion Post Office, again working the front window. During her tenure in Clarion, Mrs. Baker worked periodically at the EDS plant when her services were needed. In October of 1993 she accepted a full-time position working for EDS.

Mrs. Baker was responsible for a variety of duties at her most recent position, including resolving different mailing problems that may arise, managing the transportation system, and instructing new employees on their various assignments.

I commend Bonnie Baker for her service to the State of Iowa throughout her many years in her postal career. It is an immense honor to represent Mrs. Baker in the United States Congress, and I know that my colleagues join me in wishing her a long, happy and healthy retirement.

HONORING THE CHEERLEADERS OF BOOKER T. WASHINGTON SENIOR HIGH

HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 11, 2008

Ms. ROS-LEHTINEN. Madam Speaker, I would like to take this opportunity to offer my warmest congratulations to a special group of cheerleaders in my Congressional District. The cheerleading team of Booker T. Washington Senior High recently took first place in their division at the Ameri-Cheer International Competition in Orlando, Florida. This is a wonderful accomplishment and I know that I join with our whole community in honoring their success.

With all their hard work, skill, and commitment to excellence, these young adults managed to bring home to their school a very notable title. These athletes truly deserve to be recognized as models for perseverance. All who know them can readily appreciate the can-do feeling that emanates from the group and their unyielding desire to succeed. They have shown us what it means to be the best.

I also recognize that it was with the support of their parents, teachers, and friends that these cheerleaders were able to win such a demanding competition. Those closest to this team were just as vital in its success as components in the motivation that allowed them to go so far. The devotion that family and friends offer is incredibly important and I am delighted with their involvement in this endeavor.

At this time I would like to submit into the RECORD the names of the cheerleading team from Booker T. Washington Senior High: Luria Davis, Head Coach; Sharon Parker, Assistant Coach; Frankeetha Roberts, Assistant Coach; Bridgette Godfrey, Senior; Samkia Kirkland, Senior; Tamkia Kirkland, Senior; Tania Hall, Senior; Prensata Adams, Senior; Constance Caffey, Senior; Rudellee Lewin, Senior; Tiffany Cruz-Brown, Junior; Sheltonise Clements, Sophomore; Laquanna Farquharson, Freshman; Tatianna Johnson, Freshman; Shamira Abbott, Freshman;

I ask my colleagues to join me in congratulating these wonderful students and teachers for their success at this year's Ameri-Cheer International Competition.

IN RECOGNITION OF DENNIS MANGERS

HON. DORIS O. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 11, 2008

Ms. MATSUI. Madam Speaker, I rise in tribute to Dennis Mangers as he retires after

nearly 27 successful years with the California Cable & Telecommunications Association. As Dennis enters the next phase in his life and his family and friends gather to celebrate his illustrious career, I ask that all my colleagues join me in honoring his many remarkable accomplishments.

For the last 27 years, Dennis has been a tireless pioneer for the cable industry. As a chief lobbyist and then the head of the California Cable & Telecommunications Association, Dennis has garnered many accolades for his efforts. In 1994, he was given the Brad Wojcoski Award, an honor reserved to recognize a cable and telecommunications industry employee whose efforts have made a significant impact in the fight against HIV and AIDS in their local community. In 1998 he received the Vanguard Award, which is the cable industry's highest decoration for outstanding service at the State and regional level. And in 2004, Dennis was inducted into the Cable Center's Cable Pioneer Exhibit, which applauds groundbreaking leaders in the cable industry.

In addition to his invaluable work in the private sector for the cable industry, Dennis has had an impressive career in the public sector. His remarkable journey began as a teacher in the Long Beach Unified School District in 1964. As an educator, Dennis worked diligently to ensure that every child received equal access to quality education. In 1968, he became one of California's youngest school principals, serving first at the Earlimart Elementary School in Tulare and later at the Fountain Valley Elementary School in Orange County.

Dennis's devotion to improving our educational system continued with him as a California State Assemblyman. Elected in 1976, he quickly became the chair of the Subcommittee on Educational Reform. This allowed him to lead the State Legislative Task Force for the Improvement of Pre- and In-Service Training for School Administrators. This program helped recruit teachers and school administrators for California's educational system. Additionally, during his time in the Assembly, Dennis authored the Gifted and Talented Education Act (GATE). The GATE program is now a staple of California's educational system and allows for unique educational opportunities for students who have been identified as high achieving.

From his love for singing, to his enthusiasm for education, to his years giving back to the public as an elected official, Dennis has experienced many great things in his lifetime while also being active with many nonprofits. Throughout his career Dennis has championed tolerance and appreciation of diversity in the Sacramento region and across California. Dennis was a founding member and currently serves as the chairman of the board of directors for the Capitol Unity Council. The council was formed after the murder of a gay couple and the torching of three of Sacramento's synagogues in 1999. The council works to promote tolerance in the community, and Dennis has been leading the effort to build a center for diversity in downtown Sacramento. Thanks to his vision, this project is moving forward and upon completion will serve as an interactive learning experience where youth and visitors will engage in programs and activities that embrace inclusion, honor California's diversity, and motivate people to play an active role in building unity in their communities.

Madam Speaker, I am honored to recognize the numerous contributions made by Dennis during his lifetime of service. During his career he has worked tirelessly to further causes he believes in and has touched many people's lives both directly and indirectly. On behalf of the people of Sacramento and the Fifth Congressional District of California, I ask all my colleagues to join me in thanking my friend, Dennis Mangers, for his public service as we wish him success in his future endeavors.

RECOGNIZING THE 100-YEAR ANNIVERSARY OF THE ESTABLISHMENT OF ST. MARY'S COOPERATIVE CREDIT ASSOCIATION

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 11, 2008

Mr. PAUL. Mr. Speaker, I am pleased to support H. Con. Res. 1145, which recognizes the 100-year anniversary of the establishment of St. Mary's Cooperative Credit Association. Created to service the financial needs of textile workers, St. Mary's Cooperative Credit Association, or the People's Bank, as it was appropriately renamed, was the Nation's first credit union.

Since the creation of St. Mary's Cooperative Credit Association, credit unions have grown to become a major part of the American financial services system. Today there are over 8,500 credit unions in the United States, serving over 90 million members.

During my years of service on the House Committee on Financial Services, I have had the opportunity to get to know many credit union employees. I have always been impressed with their commitment to serving their credit union members and their communities. In many ways, credit unions exemplify the best of the free market system. Since credit unions are formed specifically to serve their members, credit unions put the interests of their depositors first.

I hope that Congress will follow-up today's legislation by soon considering H.R. 5519, the Credit Union Regulatory Relief Act of 2008, which repeals Federal regulations that hinder credit unions from improving their services.

In conclusion, Mr. Speaker, I am pleased to support H. Con. Res. 1145, and I encourage all my colleagues to join me in supporting this resolution and saluting all credit unions for their vital role in strengthening America's financial services industry.

A TRIBUTE TO PAUL E. GALLIS OF THE CONGRESSIONAL RESEARCH SERVICE

HON. JOHN S. TANNER

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 11, 2008

Mr. TANNER. Madam Speaker, I rise today to honor the accomplishments of Dr. Paul E. Gallis, specialist in European Affairs with the Foreign Affairs, Defense, and Trade Division of the Congressional Research Service. Dr. Gallis is retiring on July 3, 2008, after serving the Nation for approximately 28 years in various positions at CRS, in the Senate, and in the State Department. In particular, Dr. Gallis served the Congress for 24 years as an expert in and objective observer of European security affairs. He has been the institutional memory of Congress on vital transatlantic political and security issues spanning multiple Congresses, several U.S. administrations, and key events in foreign policy. He has been an especially valued resource to Members and committees in Congress on all matters relating to the NATO alliance and relations with our European allies.

Dr. Gallis started working at CRS in June 1984 as an analyst in West European affairs. He came to CRS after working for 3 years in the office of Senator JOSEPH BIDEN as a policy advisor and speech writer. Before that, he served as a special assistant to Ambassador Rozanne Ridgway at the Department of State. Dr. Gallis received an M.A. and Ph.D. in European history at Brown University, and a B.A. in history and French from Davidson College. He studied at the École des Hautes Études in Paris, France.

Dr. Gallis quickly emerged as a leading CRS expert on European security affairs. His early work focused on vital and often controversial cold war-era security issues such as the Strategic Defense Initiative, SDI, and allied responses; the conventional arms balance in Europe; and policy issues surrounding the Intermediate-Range Nuclear Force, INF, Treaty. With the end of the cold war, Dr. Gallis's work incorporated significant changes in the transatlantic relationship, turning to burdensharing issues surrounding the first Persian Gulf war, as well as international diplomacy leading to Germany's unification.

Throughout his career at CRS, Dr. Gallis served as an authority on NATO political affairs and the allied relationship. He produced numerous timely reports on NATO's missions and institutional processes, including alliance partnership programs and enlargement. He led or coordinated important studies on NATO's emerging operational challenges in the Balkans and in Afghanistan. Over the telephone and in person, Dr. Gallis frequently shared his expertise on these difficult issues with tact and judgment. His work informed thousands of Members and staff in congressional offices over the years as they grappled with the complex foreign policy and security issues of the day in hearings, legislative initiatives, and ongoing consultations with U.S. and foreign officials. In all of his work, Dr. Gallis upheld an unswerving commitment to the core CRS mission of supporting an informed national legislature with nonpartisan research and analysis.

In addition to the above, Dr. Gallis spent several years at CRS handling managerial duties as head of the Europe, Middle East, and Africa section of the Foreign Affairs Division. In this capacity he supervised the work of many CRS analysts and instilled in them his high standard of work and professionalism. He represented the Library of Congress at the National War College in 1991–1992.

I got to know Dr. Gallis personally in the context of his many years of intensive work with Congressional delegations to the NATO Parliamentary Assembly. For the past several years, Dr. Gallis has been asked to serve as lead policy staff for delegations to the regular meetings of the NPA. In this capacity he has taken on yeoman's work in coordinating preparatory research analysis for delegation

members, directing staff support for the NPA working sessions, and providing essential on-site expertise to Members. Paul has been an invaluable resource to me and the other Members of the NATO Parliamentary Assembly. His knowledge of the issues facing the United States in regards to our relationship with our European allies is immeasurable and he is a truly valued resource to us in our discussions at these meetings. It goes without saying that he will be sorely missed by all the participants in the NATO Parliamentary Assembly meetings both here and abroad.

On behalf of my colleagues in Congress, I want to express my deep appreciation to Paul Gallis for his long service to the Congress and especially for his direct assistance to the United States Group of the NATO Parliamentary Assembly. I will regret his absence in future NPA meetings but wish him well in his retirement.

HONORING THE SACRIFICES AND CONTRIBUTIONS MADE BY DISABLED AMERICAN VETERANS

SPEECH OF

HON. BILL FOSTER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 10, 2008

Mr. FOSTER. Mr. Speaker, I am submitting this statement to record my strong and enthusiastic support of the House Resolution honoring the sacrifices and contributions made by disabled American veterans.

Today I wish to recognize these men and women for their patriotic contribution in our armed services; who have given so much to defend our Nation.

The brave men and women who defend this country under threat of that ultimate sacrifice truly are our guardian angels. They fight with passion and dedication for an ideal that we all cherish, the notion that this is the land of opportunity, the land of the free. Unfortunately, that freedom comes at a price and too often our guardian angels come home wounded and disabled. They defend us and are willing to throw themselves in harms way before us, and we must not forget that.

These wounded warriors are an inspiration to all of us, and we owe them so very much. It is our duty to them that we always remember what they have fought and sacrificed for. We must always remember the sacred agreement we made with these servicemen, if they go off and fight for us we will forever be in their debt and we must provide for them and their loved ones.

My praise and thanks fall well short of equaling the gift of freedom our veterans bestowed on all of us. They bare the scars that remind us all how costly freedom can be, and all I have to offer in return is my eternal gratitude.

TRIBUTE TO CHARLES CLAYTON

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 11, 2008

Mr. LATHAM. Madam Speaker, I rise today to recognize and congratulate Charles Clayton on earning the Community Hero Award, given by Safeco Insurance, for his longtime dedication to helping others and inspiring positive change in his community of Fort Dodge, Iowa.

Charles is the founder of ''Athletics for Education and Success.'' By receiving a second chance as a youth, he felt the calling to educate and empower underprivileged youth. Athletics for Education and Success gives selected youth the opportunity to participate in athletic programs they are likely unable to afford. Charles incorporates education with athletics by focusing on tough issues that kids face today including drugs, teen pregnancy, and gangs.

In addition, Charles has also organized a Disproportionate Minority Representation Council in Fort Dodge to create partnerships between citizens, law enforcement authorities, and schools in order to reduce the disproportionate amount of minority youth arrests in the area.

Charles's dedication to his community and his commitment to improving the life of others should be commended. I consider it an honor to represent Charles Clayton in the United States Congress and I know my colleagues join me in wishing him the best in his continued work serving others.

IN HONOR OF THE 233RD ANNIVERSARY OF UNITED STATES ARMY

HON. NANCY E. BOYDA

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 11, 2008

Mrs. BOYDA of Kansas. Madam Speaker, I rise in recognition of an important anniversary—the birthday of the United States Army.

Just shy of 233 years, maybe on a day like today, the people of our Nation came together as volunteers to meet the demands of the American Revolutionary War. It was on that day, June 14th, 1775 that the United States Army was born. I believe that on that same day the spirit of democracy was defended and the birth of our freedom was realized.

Since the birth of our Army, we've waged through 24 major engagements including the War of 1812, the Mexican-American War, the American Civil War, the Korean War, the Vietnam War, the Kosovo War and more recently Operations Enduring and Iraqi Freedom.

Army's Senior Leadership said it best in their birthday message to the force at large. They stated, ''Our sacrifices have preserved our way of life, built a better future for others, and led our Nation to victory over our enemies. We are the best in the world at what we do, and because of our values, our ethos, and our people—especially our people. Our Army is hugely resilient, professional, and battle-hardened.'' I am reassured through the training that I've personally watched in my travels to Iraq and at home that the U.S. Army is without doubt prepared.

I think about the bravery of our men and women that serve. Not a day goes by when I haven't thought about the priceless human investment our Nation bears through America's Sons and Daughters. Though I continually pray for everyone's safe return, I know that each citizen takes an oath that could mean giving the ultimate sacrifice. I am consistently reminded from faces I see almost daily of the special qualities of spirit, patriotism and courage that exude from the men and women in uniform today, just as they did in 1775.

Happy Birthday—U.S. Army!

IN HONOR OF STEPHEN G. SCHUELER

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 11, 2008

Mr. PALLONE. Madam Speaker, I rise today to honor a dear friend and someone who has served the people of Bradley Beach and my State of New Jersey with distinction—Mayor Stephen G. Schueler.

Steve has served as Mayor of the Borough of Bradley Beach since 1992. Located on the Jersey Shore, Bradley Beach is ''New Jersey's Family Resort'' with a year round population of 5,000 that swells to 30,000 in the summer months as families come to enjoy the sand, surf, and bustling downtown. Since becoming Mayor, Steve has helped Bradley Beach continue to thrive as a vibrant town with acclaimed restaurants, quaint coffee shops, and a historic movie theater, in addition to its excellent beaches and beautiful boardwalk.

Under Steve's leadership, the many community events that Bradley Beach hosts have continued to provide countless hours of enjoyment for families from all over New Jersey. The Summer Gazebo Concert series on the boardwalk, the annual fireworks display, the Italian-American festival, and the annual Bradley Beach Invitation Lifeguard tournament all provide excellent recreational opportunities for residents and visitors alike. Also, the end-of-summer Mayor's Clambake, which raises funds for local organizations, is one of the nicest events on the Jersey Shore each year.

Madam Speaker, I am proud to call Steve my friend, and I wish him the best as he ends his time as Mayor of Bradley Beach. While he may no longer be mayor, his example will continue to inspire us all and families will continue to enjoy their visits to Bradley Beach because of the path he has set us on.

PERSONAL EXPLANATION

HON. ROBERT E. ANDREWS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 11, 2008

Mr. ANDREWS. Madam Speaker, I was not present on June 3, 2008. Had I been present, I would have voted ''yea'' on the following rollcall votes: rollcall No. 367, rollcall No. 368, and rollcall No. 369.

INTRODUCTION OF 4 BILLS

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 11, 2008

Mr. THOMPSON of Mississippi. Madam Speaker, I am introducing these four bills, which were part of the Consolidated Appropriations Act of 2008 and became law as part of Public Law No: 110–161.

The bills address programs focusing on: (1) air cargo screening in passenger airplanes, (2) international registered traveler and border security, (3) accountability in Department of Homeland Security contracts, and (4) increased access to the Office of Inspector General at the Department of Homeland Security to report waste, fraud, and abuse.

These programs were initially funded in the Consolidated Appropriations Act of 2008 and ongoing oversight and review of these programs must continue.

As the Chairman of the Committee of jurisdiction over these programs, it is my intention to work with the Appropriations Committee and other Members of Congress to provide adequate oversight and vigilance over these programs to ensure our Nation is as secure as possible.

HONORING CONNER HALL, UNIVERSITY OF GEORGIA

HON. JACK KINGSTON

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 11, 2008

Mr. KINGSTON. Madam Speaker, I rise today to commemorate Conner Hall, The University of Georgia's College of Agricultural and Environmental Sciences administrative building, on its 100th anniversary. Initially comprised of a single professor and only a few students, the college was a joint venture, cultivated by the University of Georgia and the Georgia legislature. Recognizing the need for agricultural education, the college became reality under UGA Chancellor Walter B. Hill and Legislator James J. Conner. Today the college has over 1,800 students enrolled in 10 departments with campuses located in Athens, Griffin, and Tifton.

This 100tth Anniversary was marked by a Centennial Celebration on April 11, 2008, on the front lawn of Conner Hall in Athens, Georgia. Alumni, friends, and special guests of the University of Georgia's College of Agricultural and Environmental Sciences gathered to rededicate the building which was erected in 1908.

Construction on Conner Hall broke ground in the same year that Henry Ford introduced the Model-T. Soon afterwards, the College of Agricultural and Environmental Sciences released several of its own innovations. Scientists developed new equipment, including the peanut combine and the onion harvester as well as created new crop varieties, many of which have become synonymous with the State of Georgia. The college developed Georgia's green peanuts and new varieties of cotton and Bermuda grass. Indeed, one could hardly pass through the State without seeing the boiled peanut stands that line many of Georgia's two lane roads. However, the college has yielded more than just agricultural innovations. In 1918, the college was the first at the University of Georgia to accept women.

In 1941, World War II called Conner Hall, along with one-half of the college's faculty and staff into service. When the men and women of the college were serving their country, Conner Hall was home to the Navy Pre-Flight School. The building has also served as a creamery, cafeteria, a library, and radio station.

In 2003, the college accomplished a superior achievement, successfully cloning its first calf, named KC. In early 2005, KC gave birth to her second calf, named Moonshine, and the college continues to serve the State in the area of biotechnology innovation as well as food safety. I look forward to the next generation of accomplishments as I continue working with the school as it continues down its innovative path.

Advances in agricultural science have overcome the changing demographics since the early 19th century. Consider that in 1935, 6.8 million farms provided sustenance for America's 127 million citizens. Today, less than 1 million farms produce food for more than 303 million Americans. In other words, 15 percent of farms that existed in 1935 provide food for 238 percent more Americans. Such a feat could only be possible through advances in agricultural science and the many lessons studied at the University of Georgia's College of Agricultural and Environmental Sciences.

HONORING THE SACRIFICES AND CONTRIBUTIONS MADE BY DISABLED AMERICAN VETERANS

SPEECH OF

HON. MICHELE BACHMANN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 10, 2008

Mrs. BACHMANN. Madam Speaker, I rise in support of H. Con. Res. 336. There is no greater American hero than the military veteran, and I am proud to join my fellow colleagues today in honoring the sacrifices and contributions of our disabled American veterans.

The American soldier is the embodiment of hard work, patriotism, and service, and the soldier who has sacrificed his body for the freedom and liberty of others around the world deserves our utmost respect. The blood spilled on our own soil and abroad is a lasting reminder of the commitment that our soldiers have sacrificed for us all, and every citizen owes a deep and lasting gratitude to these brave warriors.

Madam Speaker, our departed soldiers must never be forgotten, and those injured veterans from wars past and those just returning from the battlefields of Iraq and Afghanistan should receive our Nation's and this Congress's unwavering support and reverence. It is an honor to rise today and praise the bravest of all Americans—the disabled military veteran. America will never forget your valor during our most trying times, and we are forever grateful for your dedicated service and selfless sacrifice to our Nation.

HONORING THE PASCO COUNTY LIBRARY SYSTEM

HON. GUS M. BILIRAKIS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 11, 2008

Mr. BILIRAKIS. Madam Speaker, I rise today to congratulate the Pasco County Library system for receiving the Florida Library Association's 2008 Library of the Year Award.

Each year, an awards committee, composed of members from libraries across the State, reviews nominations for this prestigious award. Although all libraries are eligible, if no library meets the outstanding circumstances, the board can deem it appropriate to withhold the award. However, the Pasco County Library System was selected because of its creative and innovative programming, exemplary service to county residents, and leadership in the community.

Madam Speaker, the Pasco County Library system serves as a model for libraries across my home State of Florida as well as across the Nation. It is with great pleasure that I congratulate the Pasco County Library System for its receipt of the Florida Library Association's 2008 Library of the Year Award.

SALUTING MARTHA AND JOSH MORRISS ELEMENTARY SCHOOL ON COMPLETION OF FIRST YEAR OF OUTSTANDING STEM EDUCATION

HON. RALPH M. HALL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 11, 2008

Mr. HALL of Texas. Madam Speaker, I am pleased to recognize the Martha and Josh Morriss Mathematics and Engineering Elementary School in Texarkana, Texas, upon completion of its first year of science, technology, engineering, and mathematics (STEM) focused curriculum. On June 6 classes concluded for the summer, marking the completion of the first year of this innovative, groundbreaking school in the Fourth Congressional District of Texas.

Morriss Elementary, serving children in grades K–5, is part of a vertically aligned K–16 engineering education collaboration between Texas A&M University—Texarkana and the Texarkana Independent School District (TISD). This collaborative effort provides mathematics and pre-engineering integrated curriculum and pre-engineering electives for students, who are admitted on a competitive basis. Students graduating from the elementary school will be able to continue an advanced math and science program through middle school and high school as they follow a path to a college degree in one of the STEM fields.

On May 12, 2008, the House Science and Technology Committee held a field hearing at Morriss Elementary School to receive testimony on efforts to engage students in math and science at an early age, to keep them interested throughout middle school and high school, and to translate that interest into rewarding careers that will be of benefit to the entire Nation from a federal, school district, university, industry and teacher perspective. At the hearing, witnesses praised the efforts being made at Morriss Elementary. We saw first-hand how a community came together and created, with entirely local funding, what could be a national model for K–16 collaboration in mathematics and engineering. The vision for this school began with Dr. James Sullivan, former TISD Superintendent and current Texarkana City Manager, and his wife, Dr. Rosanne Stripling, Provost and Vice President for Academic Affairs at Texas A&M University—Texarkana. The plan received the support of the Board of TISD and, coupled with

the generous land donation from Martha and Josh Morriss, became a reality last year.

The school does not have an attendance zone, and any elementary-age student living in the vicinity is eligible to apply for enrollment on a first-come basis without charge. The school is designed for approximately 400 students, with three sections each in grades K–1, 2–3, and 4–5. Due to a very high demand, a waiting list has been established for most of the primary grades.

Texas A&M University—Texarkana Arts and Sciences and Education faculty assist the TISD curriculum personnel and teachers to design the mathematics and engineering integrated curriculum and electives. University faculty develop content and pedagogy courses to train the elementary teachers to deliver the curriculum using effective teaching strategies that promote mastery of the curriculum by all students. All of the Morriss Elementary teachers are required to obtain a Masters Degree and either the Texas Master Mathematics Teacher Certification or Texas Master Technology Teacher Certification through preparation programs offered at A&M—Texarkana.

I am proud of the success of Morriss Elementary and wish to commend TISD Superintendent James Henry Russell and school Principal Rick Sandlin for the wonderful job they are doing. I also wish to congratulate the students and the teachers on the completion of their first year and look forward to monitoring the progress of these students as well as the continued success of Morriss Elementary. Our Nation's ability to continue to lead the world in innovation and competitiveness will depend in large part on our ability to motivate students to succeed and pursue careers in STEM fields. Morriss Elementary is an example of how that thrust can succeed at the local level with the vision and support of educators, parents, community leaders and students.

RACHEL MEIS OF RENTON, WASHINGTON

HON. DAVID G. REICHERT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 11, 2008

Mr. REICHERT. Madam speaker, I rise today in recognition of Rachel Meis, a young woman from my home district, the Eighth District of Washington, who earned the Congressional Medal. I honored her achievements at my district office during the Memorial Day recess and I do so again today.

Rachel didn't just showcase her selfless and wonderful spirit to earn congressional recognition. She has consistently lived her life in a way that is inspiring and a wonderful example for young people everywhere. Aside from her Congressional Medal, Rachel is a National Merit Finalist, a member of the National Honor Society at Tahoma High School and a member of Phi Theta Kappa, the National Honor Society of Green River Community College—where she participated in Running Start Program courses to supplement her education.

Rachel is also a star on the track. She is a sprinter and qualified for the Washington State championships in four separate events. She finished 11th in the 100 meter, 13th in the 200 meter, 11th in the 4 x 100 meter relay and medaled in the 4 x 200 meter relay.

Most recently, Rachel scored in the top 1 percent of more than 46,000 students in the Department of the Treasury's newly minted National Financial Literacy Challenge—an initiative recommended by the President's Advisory Council on Financial Literacy.

Rachel will attend George Fox University in Oregon starting this fall and plans to major in mechanical engineering. So far in her young life, she has succeeded due to a wonderful attitude and a positive work ethic. I am excited to see what she will accomplish in her future.

TRIBUTE TO JENNIFER JORGENSEN

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 11, 2008

Mr. LATHAM. Madam Speaker, I rise today to recognize Jennifer Jorgensen on her exemplary basketball career and congratulate her on receiving the honor of being named Iowa's 2008 Miss Basketball.

Jennifer recently graduated from Southeast Webster-Grand High School and will be attending Pacific University to continue her illustrious basketball career. Jennifer has been recognized with a variety of accomplishments including a three-time first team all-state basketball choice as well as the IBCA all-region team.

Jennifer leaves behind a stellar basketball career, finishing as Iowa women's second all-time leading scorer, fourth in rebounds, and fifth in assists.

Jennifer is a shining example of the dedication and determination present in today's youth and their promise as tomorrow's leaders. It is an honor to represent Jennifer and her family in the United States Congress and I know my colleagues join me in wishing her the best of luck in her upcoming journey into higher education and collegiate athletics.

TRIBUTE TO SCOTT HENDERSON

HON. CONNIE MACK

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 11, 2008

Mr. MACK. Madam Speaker, I rise today to honor Scott Henderson for years of tireless service in my office and to the people of the Fourteenth Congressional District of Florida.

I've had the pleasure of knowing Scott for over 8 years. Throughout that entire time he has been a dedicated public servant, a strong advocate for the principles we share and cherish, and most importantly, a true friend.

I first met Scott when I was running for the Florida Legislature and Scott was working for the Republican Party of Florida. I soon hired him and he helped me win my first race for State Representative in 2000. After taking office, I hired him to be my assistant, and he quickly proved to be an invaluable friend and colleague as we navigated the challenges and opportunities of serving in Tallahassee.

When I decided to run for Congress in 2003 Scott stayed by my side and helped implement a winning campaign. After I was elected to the House, Scott became my Deputy Chief of Staff. His has been a diverse role—managing special projects, meeting with constituents, and providing critical support for a number of important initiatives.

Among Scott's many accomplishments—and the one I am most proud of—was his critical work to secure the release of two Cuban dentists from Bahamian custody who fled Cuba seeking freedom. Because of Scott's efforts, these dentists were reunited with their loved ones in Florida and today live in freedom.

But after 8 years of working by my side, Scott has been afforded a wonderful professional opportunity that will allow him to continue to grow and flourish in his career.

Scott is moving to New Jersey to become a Manager of State Government Affairs for Covanta Energy, a waste-to-energy company. While we will all miss Scott's presence and good nature in the office, we are excited for him as he begins the next phase of his life and career. I'm certain that he will make significant contributions to his new company and his new community, and know that he will always have a special place in his heart for the State he loves so much.

Madam Speaker, the State of Florida and the people of southwest Florida are better off today because of Scott Henderson's diligent efforts to ensure it remains a great place to live, work and visit.

On behalf of the people of Florida's Fourteenth Congressional District, I want to thank Scott for his years of service to the people of Florida and the Nation. He is my friend, he is a true public servant in every sense of the word, and I wish him all the best as he and his wife Betsy begin this new and exciting chapter of their lives.

TRIBUTE TO DR. FREDERICK GRASSLE

HON. JIM SAXTON

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 11, 2008

Mr. SAXTON. Madam Speaker, I rise today in recognition of Dr. Frederick Grassle. On June 16, 2008 Dr. Grassle will be celebrated for his years of service as he steps down from his role as the Director of the Rutgers University Institute for Marine and Coastal Sciences after nineteen years.

Dr. Grassle has been instrumental in the tremendous success of the Institute for Marine and Coastal Sciences (IMCS). A well-published and involved member of the science community, Dr. Grassle has worked tirelessly to establish Rutgers University and the IMCS as a premier institution for the study of oceanic and aquatic sciences. He has fought for various causes, including the elimination of deep sea dumping, watershed-scale approaches to coastal management, and ensuring we safeguard of our coastal habitats.

In the past two decades, I have been fortunate enough to work with Dr. Grassle to bring about positive change to our precious coastal habitats. Through our collaboration, the Jacques Cousteau National Estuarine Research Reserve was designated and the Barnegat Bay Estuary began receiving much-needed assistance by developing and implementing various programs designed to restore its ecological integrity. In addition, we worked

to bring about funding for the National Undersea Research Program, the Integrated Ocean Observing Program, and a range of fisheries research programs.

No stranger to the community, Dr. Grassle is a member of numerous professional organizations, including the New Jersey Academy of Sciences, the American Society of Naturalists, the Estuarine Research Federation, the National Association of Marine Laboratories and the Oceanography Society, to name a few. He also served as Past President of the International Association of Biological Oceanographers.

Madam Speaker, Dr. Grassle's infectious enthusiasm and abiding loyalty to our coastal regions are only surpassed by his genuine desire to embrace and enhance the community around him. As he celebrates his time with Rutgers University, I would like to extend my sincere gratitude for Dr. Grassle's leadership, commitment, and service.

ON RESOLUTION REGARDING IMPEACHMENT OF PRESIDENT BUSH

HON. MARK UDALL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 11, 2008

Mr. UDALL of Colorado. Madam Speaker, I do not think the House should today take up the question of exercising our Constitutional authority to impeach the President and asking the Senate to try him on charges that, if proved, would result in his removal from office.

That does not mean I have turned or will turn a blind eye to the numerous misjudgments of President Bush or that I think his administration has been above reproach. On the contrary, I think that the Bush Administration has been a distinct failure. I am convinced that this President will not be treated well by historians. His failures of judgment and leadership span domestic and foreign affairs in a way that will likely haunt future generations for years to come—failures which are cited in the resolution proposed by the gentleman from Ohio.

But the question now before the House is not what we think of President Bush's actions and those of his Administration. Instead, we are being asked whether we should now, today, proceed to charge that he has violated his constitutional oath to faithfully execute the duties of his office and to defend the Constitution and thus should be impeached and brought to trial in the Senate.

The resolution sets forth what its author says are the specific statements and actions of the president that constitute violations of his oath. I also find those statements and actions deeply troubling and agree that they draw a picture of an Administration that has been characterized by hubris, bad judgment and arrogance. The picture is an unattractive one; but bad judgment, hubris and arrogance are not the constitutional grounds for impeachment.

The resolution raises serious questions about the way this president has used his position, both in communicating with the American people and in shaping policy. But as of today I am not prepared to say that there are adequate grounds to conclude that the failures of this Administration in fact constitute grounds for impeachment—and I do not think that Members of the House should be called upon to reach that conclusion today.

Before the House is asked to reach such a draconian conclusion, the president should have an opportunity to respond to the resolution's charges and the statements and actions it cites in support of those charges. Before we are asked to vote on the resolution, we should have the benefit of hearing from appropriate legal experts and other qualified witness and the Judiciary Committee should prepare a report that will provide the basis for any debate here on the floor of the House.

Impeachment is not entirely a legal question. It is partly political, which is why the Constitution entrusts it to Congress and not the courts. But I think it is essential that any decision to impeach any federal official should come only through a careful, thorough process that provides adequate due process for the accused and lays the proper foundation for a sound decision.

That was the process followed by the Judiciary Committee, under the able leadership of Chairman Peter Rodino, when it considered and ultimately approved articles of impeachment against President Richard Nixon in July of 1974. In my opinion, that set the example of how the process should work. I think to do otherwise, as the author of this resolution seeks to do, would further weaken the civility toward our colleagues and respect for those with whom we disagree that should be the basis for our service in Congress and would only add to the polarization and rancor that are all too prevalent in the nation's political debates. Therefore, Madam Speaker, I must oppose consideration of this resolution at this time.

SALUTING THE LIFE AND MUSIC OF THE LATE BO DIDDLEY

SPEECH OF

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, June 9, 2008

Mr. RANGEL. Mr. Speaker, I rise today to draw attention to the life and legacy of a man whose work in Rock 'n' Roll has been called "ground breaking." Bo Diddley was born Ellas Otha Bates in McComb, Mississippi, on December 30, 1928 and passed away on June 2, 2008 at the age of 79.

Diddley was raised by his mother's cousin, Gussie McDaniel, whose surname he legally adopted. The family moved to Chicago when Diddley was seven. Bo broke new ground in rock and roll's formative years with his unique guitar work, indelible African rhythms, inventive songwriting, and larger-than-life persona. He will forever be known for popularizing one of the foundational rhythms of rock and roll: the Bo Diddley beat. He employed it in his namesake song, "Bo Diddley" (which earned him a rightful place in the Grammy Hall Of Fame). This African-based rhythm pattern was picked up from Diddley by other artists and has been a distinctive and recurring element in rock and roll through the decades. His beats have influenced the music of artists such as Buddy Holly, the Rolling Stones, Johnny Otis, the Strangeloves, the Who, and Bruce Springsteen.

Diddley is the author of a body of songs—including "Who Do You Love?" "Road Runner," "Mona," "Before You Accuse Me" and "I'm a Man"—that are among the earliest examples of rock and roll rising out of rhythm and blues. Diddley married into his music two worlds he knew well—the Deep South and the streets of Chicago. He formed a band called the Hipsters while in high school and landed a regular spot at the 708 Club on Chicago's South Side in 1951.

Diddley's earliest records were contemporaneous with those of label mate Chuck Berry. He signed with the Checkers label in 1955 and his debut single was a two-sided classic that paired "Bo Diddley" with "I'm a Man." It was the first in a string of groundbreaking songs that walked the fine line between rhythm & blues and rock & roll. Others included "Diddley Daddy," "Pretty Thing" and "Road Runner," which were all Top Twenty R&B hits. Oddly, Diddley's only crossover success came with "Say Man," a laugh-filled exchange of jive talk between Diddley and his maraca player, Jerome Green. Their verbal sparring derived from the African-American pastime of "signifying' or "doing the dozens" and foreshadowed the battle rapping of the present day.

Diddley was also an inventor, devising his own tremolo effect and playing a unique, rectangular "cigar box" guitar that he designed in 1958. His ever-fertile mind also inspired him to set up one of the first home studios. The prolific singer/guitarist released a string of albums whose titles—including Bo Diddley Is a Gunslinger and Have Guitar, Will Travel—bolstered his self-invented legend.

Diddley also traveled with the rock and roll revues of the day. He retained his iconic status as a rock and roll pioneer, steadily releasing albums on Checkers through the mid-Seventies. Meanwhile, Diddley continued to work the live circuit in tireless fashion.

Bo Diddley was one of rock 'n' roll's true pioneers. He has been righteously outspoken on the subject of underpayment, bad contracts and other rip-offs that denied many early rock and rollers (he among them) what was due them and in 1987 he was inducted into the Rock 'n' Roll Hall of Fame.

A regular at Harlem's Apollo Theatre, Bo Diddley has indelibly stamped his mark on rhythm and blues, rock 'n' roll and popular music. His innovative trademark rhythm, his electric custom built cigar box guitar, and his wild stage shows predate all others. Diddley leaves a permanent mark on American music and culture, and our deepest sympathies go out to his family, friends and fans. The 'Bo Diddley beat' surely will continue on.

HONORING THE AIR FORCE ESSAY CONTEST WINNER—ASHITA GANGULY

HON. RALPH M. HALL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 11, 2008

Mr. HALL of Texas. Madam Speaker, I am pleased today to place in the CONGRESSIONAL RECORD the following winning essay, which Ashita Ganguly, a Senior at Paris High School in Paris, Texas, submitted to the Air Force Essay Contest.

PART OF THE AIR FORCE MISSION STATEMENT IS ''EXCELLENCE IN ALL WE DO''; WHAT DOES THIS MEAN TO YOU?

Excellence is a tradition that beats proudly in the hearts of all Americans. The United States Air Force is a specific example of the furtherance of such a tradition. Since its formation in 1947, the Air Force has relentlessly strived to serve and protect America and her people with unyielding strength, valor, and conviction. Although it has established itself as the largest and most technologically advanced air force in the world, it is the spirited and courageous men and women, selflessly serving their country and fellow citizens, who truly distinguish the United States Air Force from all others.

Webster defines excellence as unusual goodness or worth. Throughout its existence, the Air Force has showcased this unique generosity not only in regards to national affairs, but also in world affairs. During the Cold War, when Soviet leader Joseph Stalin disrupted the supply traffic to Berlin, the United States Air Force undertook Operation Vittles, also known as the Berlin Airlifts. From June of 1948 to May of 1949, the Air Force was able to deliver an astounding 2.3 million tons of cargo on the 277,685 flights, providing vital necessities to all of Berlin's citizens. The excellence in efficiency proved by the Air Force in these missions continues to remain un-matched. In the years following, the Air Force continued to lead in many other humanitarian efforts including Operation Safe Haven, which relocated 20,000 Hungarian refugees following the Hungarian Revolution of 1956, and Operation Provide Hope, which provided medical equipment to former Soviet republics during their transition to democratic and free-market states.

Since its conception, the Air Force has been involved in a number of wars and conflicts including World War I, World War II, the Cold War, the Korean War, the Vietnam War, the Gulf War, the Kosovo War, and, of course, the Iraq War. Its members have valiantly served to preserve democratic values in all parts of the world with great regard to ''a proud heritage, a tradition of honor, and a legacy of valor,'' as stated in The Airman's Creed.

A few years ago, I witnessed this tradition first hand when visiting Andrews Air Force base in Maryland. Watching the air show, I was astonished to see the meticulous craft and precision displayed by the pilots. The intricate and complex formations of the planes in flight still lives in my memory. However, despite being surrounded by the most sophisticated and advanced technology comprehensible to man, it was the infectious spirit of enthusiasm for duty that captivated me. Watching the pilots animatedly discuss their air crafts and missions spurred my interest.

The 351,800 members of the United States Air Force, groomed by tradition, guided by values, and driven by strife towards excellence represent the heart and soul of American culture. Exhibiting superiority of character and performance, both on and off duty, they are the role models in an often misguided period in society. As the United States Air Force continues ''To fly and fight in Air, Space, and Cyberspace,'' ordinary citizens, like me, can only expect excellence in all of their endeavors. Their example inspires us all.

IN HONOR OF MARY LOU NIXON

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 11, 2008

Mr. KUCINICH. Madam Speaker, I rise today in honor of Mary Lou Nixon, a profoundly respected and familiar figure to many in Cleveland, as she retires following a thirty-two year career dedicated to guiding students across the Greater Cleveland Area to college.

For over thirty years, Mary Lou Nixon has served as the Cleveland Scholarship Programs Advisor, where she worked with many low income families and other struggling students with securing financial aid for a college education. With her guidance and outstanding specialized service, she has helped an innumerous amount of students in the Greater Cleveland Area attend college. Her ''fact sheets'' and inspiring attitude gave students and families the tools and confidence to send themselves or their children to college, despite the many challenges that many face. If a family was unable to fill out student-aid application forms on line, she walked them through it. If a student was unable to come up with the finances to attend college, she helped them secure the resources they needed.

Mrs. Nixon is the local expert and has unlocked countless college opportunities for students in the Greater Cleveland Area. She made attending college accessible to everybody and guided members of the community who would have otherwise been unable to attend college realize their dream of earning a bachelors degree. Recognized for her patience and personal demeanor, Mrs. Nixon served as a mother figure to many in more ways than one; she and her husband opened their house numerous times to children in need of a place to stay. As an active member of the community, Mary Lou Nixon will dedicate her post-retirement time working with the Lakewood Public Library, where she sits on the board of trustees.

Madam Speaker and colleagues, please join me in honor of Mary Lou Nixon, who dedicated her life to helping students across the Greater Cleveland Area attend college and in recognition of the invaluable guidance she provided to so many.

TRIBUTE TO TALIA LEMAN

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 11, 2008

Mr. LATHAM. Madam Speaker, I rise today to honor a great achievement by seventh-grade student Talia Leman of Waukee, Iowa. Talia was named one of America's top ten youth volunteers for 2008 with the National Prudential Spirit of Community Award.

Talia was selected from a field of nearly 20,000 candidates for her outstanding volunteer community service. The Prudential Spirit of Community Awards were created 13 years ago to encourage youth volunteerism and to identify and reward young role models. Talia received a personal award of $5,000, an engraved gold medallion, a crystal trophy for her school, and a $5,000 grant from The Prudential Foundation for a nonprofit charitable organization of her choice.

Talia created ''RandomKid'' an organization that seeks to educate, motivate and unify young people around the world to work on a broad spectrum of pressing needs. She began the organization 2 years ago by encouraging kids to collect coins instead of candy on Halloween, and donate the money to Hurricane Katrina relief efforts. Her message was widely publicized to kids across the country and reportedly raised millions of dollars for Katrina victims.

Talia established a nonprofit organization and created the website, www.randomkid.org which solicits young people for projects to help rebuild the Gulf Coast, raise money to build a school in Cambodia, find homes for stray pets, and collect DVDs for soldiers overseas. Talia is currently encouraging schools to make and sell their own private-labeled bottled-water products to help fund clean-water technologies. She's also working on setting up a ''mini-United Nations'' made up of young delegates from around the world who work together to address global children's issues.

Talia is a shining example of the dedication, determination and faith present in today's youth and their promise as tomorrow's leaders. I am proud to represent Talia Leman and her family in the United States Congress. I know that my colleagues join me in commending Talia for her accomplishments and dedication to making a difference in the world.

RECOGNIZING THE MOBILE DIVISION OF THE FBI ON THE 100 YEAR ANNIVERSARY OF THE FBI

HON. JO BONNER

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 11, 2008

Mr. BONNER. Madam Speaker, today I rise to pay tribute to the Mobile, Alabama, FBI Field Office on the 100 year anniversary of the Federal Bureau of Investigation (FBI).

Organized in 1908, America's best investigators were brought together and organized to form what is now the FBI. Over the past century, many of the world's most dangerous criminals have been apprehended by the FBI.

The FBI started as an agency covering interstate crimes such as robbery and embezzlement. In the mid 1920s, they were responsible for capturing lawbreakers such as Al Capone, Bonnie and Clyde, and Baby Face Nelson. Countless serial killers, kidnappers, and other violent criminals have also been captured as a result of the hard work and diligence of the FBI.

Following the attacks of September 11, 2001, the FBI began a long term transformation from the world's premier law enforcement agency to the world's premier law enforcement, intelligence, and counter terrorism agency. Today, there are over 30,000 employees, including over 12,000 special agents. There are 56 field offices, more than 400 smaller resident agencies in the United States, and 15 sub-offices in cities around the world.

The Mobile FBI Field Office is an active member of the Mobile community, providing training to law enforcement personnel including firearm instructor certification, crime scene

investigation, basic sniper training, basic SWAT training, civil rights training, instructor development certification, crimes against children training, and terrorism training. The Field Office has also sponsored police officers and police executives for advanced training schools at the FBI laboratory, the FBI academy, and international locations.

Special Agent in Charge (SAC) Debra K. Mack heads this office of more than 110 agent and professional support personnel. SAC Mack has oversight of all of the FBI's operational, investigative, and administrative matters as well as the technical operations and financial issues for the 36 counties comprising the southern half of the state of Alabama. In 2007, SAC Mack was inducted into the Louisiana Justice Hall of Fame, becoming the first ever FBI Special Agent to receive this honor.

The Mobile FBI Field Office has worked hard to protect the people of southwest Alabama. Its partnerships with municipal, county, and state law enforcement offices have resulted in the apprehension of drug-dealers, online child predators, kidnappers, fraudsters, and the forfeiture of assets in the millions of dollars.

Madam Speaker, I ask my colleagues to join with me in congratulating SAC Mack and all of those at the Mobile FBI Field Office on the FBI's 100th anniversary. For all their accomplishments, I extend my heartfelt thanks for their continued service to the people of Alabama and the First Congressional District.

RECOGNIZING THE CONTRIBUTIONS OF ED SNYDER

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 11, 2008

Mr. BURGESS. Madam Speaker, I rise today in recognition of Denton City Attorney Ed Snyder and his years of dedication and service to Denton, Texas. Ed has been with the City of Denton for 8 1/2 years and will retire June 30, 2008.

After 31 years of practicing law, Ed has decided to pursue his dream to be a coach and will begin a new career as a teacher and coach. Ed began his career in Denton in October 1999 as Deputy City Attorney. In 2005 the Denton City Council appointed him City Attorney. Under his leadership, Denton was able to accomplish many goals, including the adoption and implementation of a new comprehensive plan and development code.

Prior to working in Denton Ed was in private practice from 1977 to 1982, then Assistant City Attorney for Temple, Texas from 1982 to 1983. From 1983 to 1997 Ed served as First Assistant City Attorney for Plano, and returned to private practice from 1997 to 1999 before joining the City of Denton. Ed holds a Bachelor of Science in Education degree from Central Michigan University, and a Juris Doctor degree from the University of San Diego School of Law.

Ed is a member of the State Bar of Texas and State Bar of Michigan. He has practiced before the United States District Court and is a member of the Denton County Bar Association. In the summer of 1999 Ed was published in The Urban Lawyer for his article: A Condemnation Case from the Condemnor's Perspective. In 2001 Ed was awarded the prestigious Galen Sparks Texas Assistant City Attorney of the Year Award, given by the Texas City Attorneys Association.

Madam Speaker, it is with great honor that I rise today and recognize Ed Snyder for his years of hard work and dedication to the citizens of Denton County and the state of Texas. I am proud to represent him in the United States Congress. His service has set a standard of devotion and true leadership—one that will never be forgotten.

RECOGNIZING THE 50TH ANNIVERSARY OF THE HUNTING HILLS SWIM CLUB

HON. ELIJAH E. CUMMINGS

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 11, 2008

Mr. CUMMINGS. Madam Speaker, I rise today to recognize the Hunting Hills Swim Club as they mark their 50th anniversary on June 14, 2008. Thanks to the generous donation by the Amos and Gundry families a patch of land that once was the home to pig farming, is now a local institution and home of the Hunting Hills Hammerheads.

In 1958, the pool opened for business as members agreed to foot the cost of the club by purchasing a bond that made them co-owners of the pool. It was one of the first bond-financed pools in Maryland. Today, bond-membership pools are the norm. Hunting Hills Swim Club helped establish that trend.

Recently the pool itself began showing its age. Undaunted by the time and cost needed to set things right, members agreed to take the plunge and rebuild the main pool and the baby pool. The perimeters of each were excavated. New pipes, skimmers and pumps were installed. The interiors were resurfaced and a new diving board was erected. Today, the pool looks better than ever.

More than 300 families are now members of the pool. They come from near and far—from Baltimore City, from Catonsville, from Ellicott City and elsewhere—to cool off and meet their summer- and year-long friends. Many of the current bondholders first arrived at the pool in strollers, learned to walk, learned to swim, went off to school and now bring their own children there. Today, nearly 100 children take swim lessons and compete in the Central Maryland Swim League Division V as members of the Hunting Hills swim team.

Madam Speaker, as the days get longer and warmer, it is nice to know that there are places where families and friends can gather to enjoy the summer as a community. I congratulate the Hunting Hills Swim Club on its 50th anniversary and wish all of its members the best in 2008.

CHILDREN'S HOSPITAL AND REGIONAL MEDICAL CENTER—SEATTLE, WA

HON. DAVID G. REICHERT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 11, 2008

Mr. REICHERT. Madam Speaker, I rise today in recognition of the life-saving and ground-breaking medical care happening at the Seattle Children's Hospital and Regional Medical Center every day. Continuing a tradition that has held for 16 years, Seattle Children's is once again ranked among the top 30 children's hospitals nationally in US. News & World Report's annual rankings.

Seattle Children's ranked fifth-best in the Nation for pediatric cancer care, eighth-best for general pediatrics, neurolopy and neurosurgery, and ninth-best for respiratory disorders. Children's also ranked 23rd in neonatal care and 30th for heart care and heart surgery.

Year in and year out, Seattle Children's Hospital and Regional Medical Center provides life-saving care to the most vulnerable among us. The Pacific Northwest is fortunate to have such an exceptional institution in our region. I salute the medical professionals and support staffs who work tirelessly to give their extraordinary talents for the health and wellness of our children. Seattle Children's is a deserving recipient of this national recognition.

HONORING RETIRING EDUCATOR LARRY MYHRA

HON. RON KIND

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 11, 2008

Mr. KIND. Madam Speaker, I rise today to pay tribute to an outstanding individual, and an excellent public servant: La Crosse educator, Larry Myhra.

The end of every school year brings the retirement of many terrific school leaders, teachers and staff members who provide a quality education for our children and replacing their professionalism and dedication is an annual challenge.

One such individual this year is Larry Myhra, who is retiring as principal of Lincoln Middle School after a distinguished 35-year career as principal, science teacher, and football coach in the La Crosse School District.

In 1973, Larry graduated from the University of Wisconsin-La Crosse and began his teaching career in the science department at old Logan High School. Throughout his 31 years at Logan High School, Larry served as the head football and track coach, assistant basketball coach, athletic director, activities director, dean of students, and associate principal. While serving as athletic director, Larry helped to broaden the program by adding various sports, including hockey and soccer, but later decided to become the activities director in order to better serve the entire student body. Larry was also an advocate for the creation of the La Crossroads charter school, which helps students that are in danger of dropping out of school stay in school and graduate. This program has helped many students improve both their attendance and their grades.

When I was in high school, I had the pleasure of playing for Coach Myhra for 3 years at Logan. He instilled in his players and students a desire for dedication and determination both in and out of the classroom. I owe much of who I became in life to Coach Myhra and the educational system that was provided to me in La Crosse.

In 2004 Larry took up the position of principal at Lincoln Middle School, where he remained until now.

It has been said that great teachers and coaches enjoy a special immortality because their influence never stops radiating. That is certainly true for Larry Myhra. I wish him and our retiring educators a well-deserved and happy retirement.

HONOR FLIGHTS

HON. BILL FOSTER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 11, 2008

Mr. FOSTER. Madam Speaker, I am submitting this statement to record my strong and enthusiastic support for veterans participating in the Honor Flight Chicago visit to the World War II memorial.

Today I recognize these men for their incalculable contributions to our society through their military service to the United States during World War II.

As part of a group brought together by the organization Honor Flight Chicago, I met with these heroes at the World War II Memorial to welcome them on their visit to Washington. Honor Flight Chicago honors World War II veterans by flying them to our Nation's capital so they can visit the World War II memorial for free.

The men who visited today are part of what's been called the greatest generation. They were a group of men who answered the call of duty when summoned, making great sacrifices to preserve the freedoms we all enjoy today. Because of their service and sacrifice, they exemplify what it means to be a hero.

I am proud to submit the names of these men for all to see, hear, and recognize.

Harold Schirmer, Howard Schoen, Gordon Smith, Norman C. Ohlendorf, Sam Polletta, Robert D. Swanson, Bernard J. Kramer, William G. Berry, Frank Loutly, Kenneth D. Loudy.

Michael J. Lasowski, Fernando Yori, Fred L. Alexander, Kenneth Ridgway, Myron Ridgwa, Leonard Tetrault, Wilbert Weigel, Raymond Vogen, Sylvester J. Beaupre, Leonard Feller.

Charles Wagner, Arthur P. Grotto, Daniel Green, William Crosby, Paul Sellers, Willard Swords, Vernon K. Hardt, Joseph Lach, Edward Lancioni, George Dinsmore, John F. Berns.

Theodore Tusinski, James W. Milligan, Robert W. Church, William R. Dreher, Steven A. Krempa, Walter J. Miller, Edward Sulma, Robert G. Terreberry, Lawrence E. Weaver, John P. Weinmeier.

Edward Tanaka, Charlie F. May, Robert W. Anderson, Robert L. Christensen, Robert Persinger, George S. Cassara, Giulio Filippi, Manuel G. Vasquez, Earl Morin, Earl Thayer.

William D. Coons, Robert Cave, William Mansfield, Anton Sikich, Maurice R. Koebele, Vernon H. Keller, Elmer Palmateer, James Sikich, Astor Carlson.

It was my honor to greet these heroes in person, and I thank them for their service.

SUPPORTING EXTENDING UNEMPLOYMENT BENEFITS TO JOBLESS WORKERS

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 11, 2008

Mr. STARK. Madam Speaker, I rise today in strong support of assisting the millions of workers who have exhausted their Unemployment Insurance (UI) benefits and are still struggling to find work in the wreckage of the Bush recession.

While cutting taxes for the very richest, the President has left workers to fend for themselves. Congress has a responsibility to mend our safety net and lessen the impact of unemployment. In my home State of California, over 180,000 workers have run out of UI benefits, with an additional 520,000 expected to join them over the next 10 months. Even our Republican Governor, Arnold Schwarzenegger, has called on Congress to extend benefits.

This legislation is simple. It will provide 13 additional weeks of UI to workers who are still unable to find employment after exhausting benefits. In States with high unemployment, an additional 13 weeks would be made available. All benefits will be paid out of the UI Trust Fund, which has $35 billion in reserves. Extending UI benefits is also commonplace. During the last seven recessions—1958, 1961, 1972, 1975, 1982, 1991, and 2002—Congress has passed similar legislation. The circumstances for unemployed workers are actually more dire today than they were during the past two downturns. Long-term unemployment is twice as high (18.5 percent of those without jobs have been unemployed for six months or more) as it was when Congress extended benefits in 2002 and 1991.

The time to act is now. The economy has lost 324,000 jobs during the last 5 months. Gas and food prices are at or above record highs. Foreclosures continue to ravish communities across the country. Over 28 million Americans are receiving food stamps—an all-time high.

The Congressional Budget Office estimates that this bill will provide benefits to 3.8 million unemployed workers. I urge all of my colleagues to exercise common sense and compassion and provide much needed support to working families by voting "yes."

PERSONAL EXPLANATION

HON. JIM McDERMOTT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 11, 2008

Mr. McDERMOTT. Madam Speaker, on June 9, I was unable to vote on House Resolutions 1225, 1243, and 127. Had I been able, I would have voted in support of these resolutions.

RECOGNIZING THE 50TH ANNIVERSARY OF THE VILLAGE OF BEVERLY HILLS, MICHIGAN

HON. JOE KNOLLENBERG

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 11, 2008

Mr. KNOLLENBERG. Madam Speaker, I want to recognize the Village of Beverly Hills, in Oakland County, Michigan, which is celebrating its 50th Anniversary on June 14, 2008. The village's tree-lined streets and well-planned community live up to its reputation as a lovely place to live.

The Village of Beverly Hills can be traced back to 1830. A thirty-six square mile area from present day 8 Mile to 14 Mile Roads and from Greenfield to Inkster Roads was organized as Ossewa Township on July 12, 1830. Seventeen days later, Ossewa Township was renamed to Southfield Township. Throughout the 1800's and the early 1900's, the area was primarily farmland, with sawmills, gristmills, and cider mills dotting the landscape.

In the 1920's, a subdivision called Beverly Hills was developed on Birchwood and Kirkshire Streets, and was quickly populated through the 1950's. Beginning in 1953, Southfield Township slowly broke apart with the incorporation of Lathrup Village, Franklin, and Bingham Farms. When the City of Southfield was incorporated in 1957, the residents of what is now Beverly Hills felt the need for more home rule and local control. On September 23, 1957, the Village of Westwood was incorporated, and in March 1958, the village adopted the more popular name Beverly Hills.

Today Beverly Hills is the largest Home Rule Village in Michigan, with a statewide reputation as a leader in municipal management and fiscal stability. The Village also has the distinction of being one of the safest communities in Michigan, due in large part to the efforts of their Department of Public Safety, police and fire departments, and emergency medical services.

Madam Speaker, Beverly Hills is a forward thinking community aimed at improving the already sterling quality of life that their residents expect. I congratulate them on their 50th anniversary and wish the residents many more years of prosperity.

FATHER'S DAY RESOLUTION

SPEECH OF

HON. TODD TIAHRT

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 9, 2008

Mr. TIAHRT. Mr Speaker, I rise today to offer my strong support to H. Res. 1243, which recognizes the importance of fathers in American society.

In 1965, while reporting to the Johnson administration on the problems of under-class America, Daniel Patrick Moynihan cut to the root of many of the problems we in Congress work so hard to address. His report stated that, ". . . A community that allows a large number of young men to grow up in broken families . . . never acquiring any stable relationship to male authority, never acquiring any rational expectations about the future—that

community asks for and gets chaos.'' Tragically, since the Moynihan Report was issued, the number of fatherless homes has more than tripled. Is it any wonder, then, that our society has the problems that it does?

Several studies conducted in recent years emphasize the importance of fathers in the well-being of their children. Children living without their fathers are 5 times more likely to live in poverty as those who live with both parents. Not living with both parents quadruples the risk of having an affective disorder, such as depression, and are nearly twice as likely to be diagnosed with breathing problems such as asthma. Cigarette, alcohol, and drug use, and violent crime rates are all significantly lower for children that come from two parent households. Children with fathers are half as likely to drop out of school, half as likely to repeat a grade, and much more likely to get A's, enjoy school, and participate in extracurricular activities. And where fathers were present, young men were more likely to grow up to become good fathers themselves.

It would be naïve for me to suggest that the simple presence of a father guarantees the success of their children and a life without problems. But the evidence is overwhelming that fathers do play a vital role in the growth and development of their children. So, Mr. Speaker, as we prepare to celebrate Fathers' Day this weekend, I urge my colleagues to join me in voting for this resolution that expresses our appreciation for the hard work that fathers do in providing for their families, for modeling good relationships, and for raising their children to be responsible citizens of this great country.

Lastly, Mr. Speaker, I would like to take just a moment to honor my own father, Wilbur Tiahrt. Truly a member of the Greatest Generation, he raised me and my siblings to be people of integrity, to value our families, and to appreciate and cherish the freedoms we have in America today. Seven years ago, my father underwent open heart surgery. That experience has served as a very personal reminder to how short life is, and each Fathers' Day I am especially grateful for the time that I have with my father.

PERSONAL EXPLANATION

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 11, 2008

Mr. LATHAM. Madam Speaker, on June 9, I was touring flood damaged parts of my district in Iowa and was not present for votes. Had I been present for Rollcall votes 388, 389 and 390, I would have voted ''yes''.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, June 12, 2008 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

JUNE 17

9:30 a.m.
Armed Services
To hold hearings to examine the origins of aggressive interrogation techniques, focusing on Part I of the Committee's inquiry into the treatment of detainees in U.S. custody.
SD–106

10 a.m.
Energy and Natural Resources
To hold hearings to examine the challenges and regional solutions to developing transmission for renewable electricity resources.
SD–366

Finance
To hold hearings to examine the future of the United States economy, focusing on long run deficits and debt.
SD–215

Judiciary
To hold hearings to examine protecting consumers by protecting intellectual property.
SD–226

10:30 a.m.
Agriculture, Nutrition, and Forestry
Appropriations
Financial Services and General Government Subcommittee
To hold joint hearings to examine the role, responsibilities, and resource needs of the Commodity Futures Trading Commission on oversight of futures and derivatives markets in energy and agriculture.
SD–192

Appropriations
Financial Services and General Government Subcommittee
To hold hearings to examine the role, responsibilities, and resource needs of the Commodity Futures Trading Commission, focusing on oversight of energy markets and oil futures contracts.
SD–192

2:15 p.m.
Foreign Relations
International Development and Foreign Assistance, Economic Affairs and International Environmental Protection Subcommittee
To hold hearings to examine international disaster assistance, focusing on policy options.
SD–419

2:30 p.m.
Judiciary
To hold hearings to examine ways to respond to the growing need for federal judgeships, focusing on ''The Federal Judgeship Act of 2008''.
SD–226

Energy and Natural Resources
National Parks Subcommittee
To hold hearings to examine S. 1774, to designate the John Krebs Wilderness in the State of California, to add certain land to the Sequoia-Kings Canyon National Park Wilderness, S. 2255, to amend the National Trails System Act to provide for studies of the Chisholm Trail and Great Western Trail to determine whether to add the trails to the National Trails System, S. 2359, to establish the St. Augustine 450th Commemoration Commission, S. 2943, to amend the National Trails System Act to designate the Pacific Northwest National Scenic Trail, S. 3017, to designate the Beaver Basin Wilderness at Pictured Rocks National Lakeshore in the State of Michigan, S. 3010, to reauthorize the Route 66 Corridor Preservation Program, S. 3045, to establish the Kenai Mountains-Turnagain Arm National Forest Heritage Area in the State of Alaska, H.R. 1143, to authorize the Secretary of the Interior to lease certain lands in Virgin Islands National Park, and S. 3096, to amend the National Cave and Karst Research Institute Act of 1998 to authorize appropriations for the National Cave and Karst Research Institute.
SD–366

3 p.m.
Commission on Security and Cooperation in Europe
To hold hearings to examine combating sexual exploitation of children, focusing on strengthening international law enforcement cooperation.
B318, Rayburn Building

JUNE 18

10 a.m.
Commerce, Science, and Transportation
To hold hearings to examine privacy implications of online advertising.
SR–253

Homeland Security and Governmental Affairs
To hold hearings to examine protecting personal information, focusing on steps the federal government has in place.
SD–342

Rules and Administration
To hold hearings to examine improving energy efficiency, focusing on increasing the use of renewable sources of energy, and reducing the carbon footprint of the Capitol complex.
SR–301

10:30 a.m.
Aging
Judiciary
Antitrust, Competition Policy and Consumer Rights Subcommittee
To hold joint hearings to examine S. 2838, to amend chapter 1 of title 9 of United States Code with respect to arbitration.
SD–226

2 p.m.
Energy and Natural Resources
To hold hearings to examine the preparedness of federal land management agencies for the 2008 wildfire season.
SD–366

JUNE 19

10 a.m.
Commerce, Science, and Transportation
Surface Transportation and Merchant Marine Infrastructure, Safety and Security Subcommittee
To hold hearings to examine cruise ship safety, focusing on potential steps for keeping Americans safe at sea.
SR–253

2:15 p.m.
Foreign Relations
To hold hearings to examine pending nominations.
SD–419

2:30 p.m.
Intelligence
To hold closed hearings to examine certain intelligence matters.
SH–219

JUNE 24

10:30 a.m.
Commerce, Science, and Transportation
To hold hearings to examine climate change impacts on the transportation sector.
SR–253

JUNE 25

9:30 a.m.
Judiciary
Constitution Subcommittee
To hold hearings to examine laptop searches and other violations of privacy faced by Americans returning from overseas travel.
SD–226

JUNE 26

9:30 a.m.
Veterans' Affairs
Business meeting to markup pending calendar business.
SR–418

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S5461–S5534

Measures Introduced: Eight bills and two resolutions were introduced, as follows: S. 3111–3118, S. Res. 591, and S. Con. Res. 89. **Pages S5523–24**

Measures Indefinitely Postponed:

Commission to Study the Potential Creation of the National Museum of the American Latino Act: Senate indefinitely postponed H.R. 512, to establish the Commission to Study the Potential Creation of the National Museum of the American Latino to develop a plan of action for the establishment and maintenance of a National Museum of the American Latino in Washington, DC. **Page S5530**

Carl Sandburg Home National Historic Site Boundary Revision Act: Senate indefinitely postponed H.R. 1100, to revise the boundary of the Carl Sandburg Home National Historic Site in the State of North Carolina. **Page S5530**

Columbia-Pacific National Heritage Area Study Act: Senate indefinitely postponed H.R. 407, to direct the Secretary of the Interior to conduct a study to determine the feasibility of establishing the Columbia-Pacific National Heritage Area in the States of Washington and Oregon. **Page S5530**

Soldiers' Memorial Military Museum: Senate indefinitely postponed H.R. 1047, to authorize the Secretary of the Interior to conduct a study to determine the suitability and feasibility of designating the Soldiers' Memorial Military Museum located in St. Louis, Missouri, as a unit of the National Park System. **Page S5530**

Brigadier General Francis Marion Memorial Act: Senate indefinitely postponed H.R. 497, to authorize the Marion Park Project, a committee of the Palmetto Conservation Foundation, to establish a commemorative work on Federal land in the District of Columbia, and its environs to honor Brigadier General Francis Marion. **Page S5530**

More Water, More Energy, and Less Waste Act: Senate indefinitely postponed H.R. 902, to facilitate the use for irrigation and other purposes of water produced in connection with development of energy resources. **Page S5530**

Steel and Aluminum Energy Conservation and Technology Competitiveness Act: Senate indefinitely postponed H.R. 1126, to reauthorize the Steel and Aluminum Energy Conservation and Technology Competitiveness Act of 1988. **Page S5530**

American River Pump Station Project Transfer Act: Senate indefinitely postponed H.R. 482, to direct the Secretary of the Interior to transfer ownership of the American River Pump Station Project. **Page S5530**

Minidoka National Historic Site Act: Senate indefinitely postponed H.R. 161, to adjust the boundary of the Minidoka Internment National Monument to include the Nidoto Nai Yoni Memorial in Bainbridge Island, Washington. **Page S5530**

Contract Renegotiation: Senate indefinitely postponed H.R. 235, to allow for the renegotiation of the payment schedule of contracts between the Secretary of the Interior and the Redwood Valley County Water District. **Page S5530**

Piedras Blancas Historic Light Station Outstanding Natural Area Act: Senate indefinitely postponed H.R. 276, to designate the Piedras Blancas Light Station and the surrounding public land as an Outstanding Natural Area to be administered as a part of the National Landscape Conservation System. **Page S5530**

Wilson's Creek National Battlefield: Senate indefinitely postponed H.R. 376, to authorize the Secretary of the Interior to conduct a special resource study to determine the suitability and feasibility of including the battlefields and related sites of the First and Second Battles of Newtonia, Missouri, during the Civil War as part of Wilson's Creek National Battlefield or designating the battlefields and related sites as a separate unit of the National Park System. **Page S5530**

Energy Technology Transfer Act: Senate indefinitely postponed H.R. 85, to provide for the establishment of centers to encourage demonstration and

commercial application of advanced energy methods and technologies. Page S5530

Former Representative Jim Weaver: Senate indefinitely postponed H.R. 247, to designate a Forest Service trail at Waldo Lake in the Willamette National Forest in the State of Oregon as a national recreation trail in honor of Jim Weaver, a former Member of the House of Representatives. Page S5530

Alaska Water Resources Act: Senate indefinitely postponed H.R. 1114, to require the Secretary of the Interior, acting through the Bureau of Reclamation and the United States Geological Survey, to conduct a study on groundwater resources in the State of Alaska. Page S5530

Natural Resource Protection Cooperative Agreement Act: Senate indefinitely postponed H.R. 658, to authorize the Secretary of the Interior to enter into cooperative agreements to protect natural resources of units of the National Park System through collaborative efforts on land inside and outside of units of the National Park System. Page S5530

Arthur V. Watkins Dam Enlargement Act: Senate indefinitely postponed H.R. 839, to authorize the Secretary of the Interior to study the feasibility of enlarging the Arthur V. Watkins Dam Weber Basin Project, Utah, to provide additional water for the Weber Basin Project to fulfill the purposes for which that project was authorized. Page S5530

Wild Sky Wilderness Act: Senate indefinitely postponed H.R. 886, to enhance ecosystem protection and the range of outdoor opportunities protected by statute in the Skykomish River valley of the State of Washington by designating certain lower-elevation Federal lands as wilderness. Page S5530

New Mexico Water Planning Assistance Act: Senate indefinitely postponed H.R. 1904, to provide assistance to the State of New Mexico for the development of comprehensive State water plans. Page S5530

Star-Spangled Banner National Historic Trail Act: Senate indefinitely postponed H.R. 1388, to amend the National Trails System Act to designate the Star-Spangled Banner Trail in the States of Maryland and Virginia and the District of Columbia as a National Historic Trail. Page S5530

Hudson-Fulton-Champlain Quadricentennial Commemoration Act: Senate indefinitely postponed H.R. 1520, to establish the Champlain Quadricentennial Commemoration Commission, the Hudson-Fulton 400th Commemoration Commission. Page S5530

Dwight D. Eisenhower Memorial Commission: Senate indefinitely postponed H.R. 2094, to provide for certain administrative and support services for the Dwight D. Eisenhower Memorial Commission. Page S5530

Central Oklahoma Master Conservancy District: Senate indefinitely postponed H.R. 1337, to provide for a feasibility study of alternatives to augment the water supplies of the Central Oklahoma Master Conservancy District and cities served by the District. Page S5530

Eastern Municipal Water District Recycled Water System Pressurization and Expansion Project: Senate indefinitely postponed H.R. 30, to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the Eastern Municipal Water District Recycled Water System Pressurization and Expansion Project. Page S5530

Lowell National Historical Park Boundary Adjustment Act: Senate indefinitely postponed H.R. 299, to adjust the boundary of Lowell National Historical Park. Page S5530

Cesar Estrada Chavez Study Act: Senate indefinitely postponed H.R. 359, to authorize the Secretary of the Interior to conduct a special resource study of sites associated with the life of Cesar Estarada Chavez and the farm labor movement. Page S5530

Bob Hope Memorial Library: Senate indefinitely postponed H.R. 759, to redesignate the Ellis Island Library on the third floor of the Ellis Island Immigration Museum, located on Ellis Island in New York Harbor, as the "Bob Hope Memorial Library". Page S5530

Columbia Space Shuttle Memorial Study Act: Senate indefinitely postponed H.R. 807, to direct the Secretary of the Interior to conduct a special resource study to determine the feasibility and suitability of establishing a memorial to the Space Shuttle Columbia in the State of Texas and for its inclusion as a unit of the National Park System. Page S5530

Southern Nevada Readiness Center Act: Senate indefinitely postponed H.R. 815, to provide for the conveyance of certain land in Clark County, Nevada, for use by the Nevada National Guard. Page S5530

Denali National Park and Alaska Railroad Exchange Act: Senate indefinitely postponed H.R. 830, to authorize the exchange of certain interests in land in Denali National Park in the State of Alaska. Page S5530

Taunton, Massachusetts Special Resources Study Act: Senate indefinitely postponed H.R. 1021, to direct the Secretary of the Interior to conduct a special resources study regarding the suitability and feasibility of designating certain historic buildings and areas in Taunton, Massachusetts, as a unit of the National Park System. **Page S5530**

Lower Republican River Basin Study Act: Senate indefinitely postponed H.R. 1025, to authorize the Secretary of the Interior to conduct a study to determine the feasibility of implementing a water supply and conservation project to improve water supply reliability, increase the capacity of water storage, and improve water management efficiency in the Republican River Basin between Harlan County Lake in Nebraska and Milford Lake in Kansas. **Page S5530**

Grand Canyon National Park: Senate indefinitely postponed H.R. 1191, to authorize the National Park Service to pay for services rendered by subcontractors under a General Services Administration Indefinite Deliver Indefinite Quantity Contract issued for work to be completed at the Grand Canyon National Park. **Page S5530**

National Underground Railroad Network to Freedom Amendments Act: Senate indefinitely postponed H.R. 1239, to amend the National Underground Railroad Network to Freedom Act of 1998 to authorize additional funding to carry out the Act. **Page S5530**

Platte River Recovery Implementation Program and Pathfinder Modification Authorization Act: Senate indefinitely postponed H.R. 1462, to authorize the Secretary of the Interior to participate in the implementation of the Platte River Recovery Implementation Program for Endangered Species in the Central and Lower Platte River Basin and to modify the Pathfinder Dam and Reservoir. **Page S5530**

Bay Area Regional Water Recycling Program Authorization Act: Senate indefinitely postponed H.R. 1526, to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Bay Area Regional Water Recycling Program. **Page S5530**

Bureau of Reclamation Site Security Costs Act: Senate indefinitely postponed H.R. 1662, to authorize the Secretary of the Interior to seek limited reimbursement for site security activities. **Page S5530**

Commonwealth of the Northern Mariana Islands: Senate indefinitely postponed H.R. 3079, to amend the joint resolution that approved the covenant establishing the Commonwealth of the Northern Mariana Islands. **Page S5530**

Jupiter Inlet Lighthouse Outstanding Natural Area Act: Senate indefinitely postponed H.R. 1922, to designate the Jupiter Inlet Lighthouse and the surrounding Federal land in the State of Florida as an Outstanding Natural Area and as a unit of the National Landscape Conservation System. **Page S5530**

National Museum of Wildlife Art of the United States: Senate indefinitely postponed H. Con. Res. 116, expressing the sense of Congress that the National Museum of Wildlife Art, located in Jackson, Wyoming, shall be designated as the "National Museum of Wildlife Art of the United States". **Page S5530**

Natural Resource Protection Cooperative Agreement Act: Senate indefinitely postponed S. 241, to authorize the Secretary of the Interior to enter into cooperative agreements to protect natural resources of units of the National Park System through collaborative efforts on land inside and outside of units of the National Park System. **Page S5530**

Compacts of Free Association Amendments Act: Senate indefinitely postponed S. 283, to amend the Compact of Free Association Amendments Act of 2003. **Page S5530**

New Mexico Water Planning Assistance Act: Senate indefinitely postponed S. 255, to provide assistance to the State of New Mexico for the development of comprehensive State water plans. **Page S5530**

North Unit Irrigation District Act: Senate indefinitely postponed S. 266, to provide for the modification of an amendatory repayment contract between the Secretary of the Interior and the North Unit Irrigation District. **Page S5530**

Little Butte/Bear Creek Subbasins Water Feasibility Act: Senate indefinitely postponed S. 265, to authorize the Secretary of the Interior, acting through the Bureau of Reclamation, to conduct a water resource feasibility study for the Little Butte/Bear Creek Subbasins in Oregon. **Page S5530**

Wallowa Lake Dam Rehabilitation and Water Management Act: Senate indefinitely postponed S. 264, to authorize the Bureau of Reclamation to participate in the rehabilitation of the Wallowa Lake Dam in Oregon. **Page S5530**

Deschutes River Conservancy Reauthorization Act: Senate indefinitely postponed S. 263, to amend the Oregon Resource Conservation Act of 1996 to reauthorize the participation of the Bureau of Reclamation in the Deschutes River Conservancy. **Page S5530**

Yakima-Tieton Irrigation District Conveyance Act: Senate indefinitely postponed S. 235, to authorize the Secretary of the Interior to convey certain

buildings and lands of the Yakima Project, Washington, to the Yakima-Tieton Irrigation District.

Page S5530

Alaska Water Resources Act: Senate indefinitely postponed S. 200, to require the Secretary of the Interior, acting through the Bureau of Reclamation and the United States Geological Survey, to conduct a study on groundwater resources in the State of Alaska. Page S5530

Southern Idaho Bureau of Reclamation Repayment Act: Senate indefinitely postponed S. 220, to authorize early repayment of obligations to the Bureau of Reclamation within the A & B Irrigation District in the State of Idaho. Page S5530

Lewis and Clark National Historic Trail: Senate indefinitely postponed S. 471, to authorize the Secretary of the Interior to convey to The Missouri River Basin Lewis and Clark Interpretive Trail and Visitor Center Foundation, Inc. certain Federal land associated with the Lewis and Clark National Historic Trail in Nebraska, to be used as an historical interpretive site along the trail. Page S5530

National Heritage Areas and National Heritage Corridors Technical Corrections Act: Senate indefinitely postponed S. 817, to amend the Omnibus Parks and Public Lands Management Act of 1996 to provide additional authorizations for certain National Heritage Areas. Page S5530

Star-Spangled Banner National Historic Trail Act: Senate indefinitely postponed S. 797, to amend the National Trails System Act to designate the Star-Spangled Banner Trail in the States of Maryland and Virginia and the District of Columbia as a National Historic Trail. Page S5530

Juab County Surface and Ground Water Study and Development Act: Senate indefinitely postponed S. 1110, to amend the Reclamation Projects Authorization and Adjustment Act of 1992 to provide for the conjunctive use of surface and ground water in Juab County, Utah. Page S5530

Eightmile Wild and Scenic River Act: Senate indefinitely postponed S. 553, to amend the Wild and Scenic Rivers Act to designate certain segments of the Eightmile River in the State of Connecticut as components of the National Wild and Scenic Rivers System. Page S5530

Dwight D. Eisenhower Memorial Commission: Senate indefinitely postponed S. 890, to provide for certain administrative and support services for the Dwight D. Eisenhower Memorial Commission.

Page S5530

Central Oklahoma Master Conservancy District: Senate indefinitely postponed S. 175, to provide for a feasibility study of alternatives to augment the water supplies of the Central Oklahoma Master Conservancy District and cities served by the District.

Page S5530

Niagara Falls National Heritage Area Act: Senate indefinitely postponed S. 800, to establish the Niagara Falls National Heritage Area in the State of New York. Page S5530

Abraham Lincoln National Heritage Area Act: Senate indefinitely postponed S. 955, to establish the Abraham Lincoln National Heritage Area.

Page S5530

Hudson-Fulton-Champlain Quadricentennial Commemoration Commission Act: Senate indefinitely postponed S. 1148, to establish the Champlain Quadricentennial Commemoration Commission and the Hudson-Fulton 400th Commemoration Commission. Page S5530

Journey Through Hallowed Ground National Heritage Area Act: Senate indefinitely postponed S. 289, to establish the Journey Through Hallowed Ground National Heritage Area. Page S5530

National Forests, Parks, Public Land, and Reclamation Projects Authorization Act: Senate indefinitely postponed S. 2179, to authorize certain programs and activities in the Forest Service, the Department of the Interior, and the Department of Energy. Page S5530

Natural Resource Projects and Programs Authorization Act: Senate indefinitely postponed S. 2180, to authorize certain programs and activities in the Department of the Interior, the Forest Service, and the Department of Energy, and to amend the Compact of Free Association Amendments Act of 2003. Page S5530

National Forests, Parks, Public Land, and Reclamation Projects Authorization Act: Senate indefinitely postponed S. 2483, to authorize certain programs and activities in the Forest Service, the Department of the Interior, and the Department of Energy. Page S5530

National Forests, Parks, Public Land, and Reclamation Projects Authorization Act: Senate indefinitely postponed S. 2616, to authorize certain programs and activities in the Forest Service, the Department of the Interior, and the Department of Energy. Page S5530

Coastal Heritage Trail: Senate indefinitely postponed S. 1039, to extend the authorization for the Coastal Heritage Trail in the State of New Jersey.

Page S5530

Jupiter Inlet Lighthouse Outstanding Natural Area Act: Senate indefinitely postponed S. 1143, to

designate the Jupiter Inlet Lighthouse and the surrounding Federal land in the State of Florida as an Outstanding Natural Area and as a unit of the National Landscape System. **Page S5530**

Acadia National Park Improvement Act: Senate indefinitely postponed S. 1329, to extend the Acadia National Park Advisory Commission, to provide improved visitor services at the park. **Page S5530**

Wolf House Study Act: Senate indefinitely postponed S. 1941, to direct the Secretary of the Interior to study the suitability and feasibility of designating the Wolf House, located in Norfolk, Arkansas, as a unit of the National Park System. **Page S5530**

Lewis and Clark National Historic Trail Extension Study Act: Senate indefinitely postponed S. 1991, to authorize the Secretary of the Interior to conduct a study to determine the suitability and feasibility of extending the Lewis and Clark National Historic Trail to include additional sites associated with the preparation and return phases of the expedition. **Page S5530**

National Museum of Wildlife Art of the United States: Senate indefinitely postponed S. Con. Res. 6, expressing the sense of Congress that the National Museum of Wildlife Art, located in Jackson, Wyoming, should be designated as the ''National Museum of Wildlife Art of the United States.'' **Page S5530**

Measures Considered:

Consumer-First Energy Act: Senate continued consideration of the motion to proceed to consideration of S. 3044, to provide energy price relief and hold oil companies and other entities accountable for their actions with regard to high energy prices. **Pages S5472–S5517**

Medicare Improvements for Patients and Providers Act—Agreement: A unanimous-consent-time agreement was reached providing that at approximately 9:30 a.m. on Thursday, June 12, 2008, Senate resume consideration of the motion to proceed to consideration of S. 3101, to amend titles XVIII and XIX of the Social Security Act to extend expiring provisions under the Medicare program, to improve beneficiary access to preventive and mental health services, to enhance low-income benefit programs, and to maintain access to care in rural areas, including pharmacy access, and Senate vote on the motion to invoke cloture thereon at 3 p.m.; that the time until 3 p.m. be equally divided and controlled between the two Leaders or their designees; provided further, that the final 40 minutes prior to the vote be controlled as follows: 10 minutes each for Senators Grassley, Baucus, McConnell, and Reid, or their designees, in that order. **Pages S5530–34**

Messages from the House: **Page S5522**

Measures Referred: **Page S5522**

Measures Placed on the Calendar: **Page S5522**

Measures Read the First Time: **Pages S5522, S5530**

Executive Communications: **Pages S5522–23**

Additional Cosponsors: **Pages S5524–25**

Statements on Introduced Bills/Resolutions: **Pages S5525–30**

Additional Statements: **Pages S5520–22**

Authorities for Committees to Meet: **Page S5530**

Privileges of the Floor: **Page S5530**

Adjournment: Senate convened at 9:30 a.m. and adjourned at 7:05 p.m., until 9:30 a.m. on Thursday, June 12, 2008. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S5530.)

Committee Meetings

(Committees not listed did not meet)

SPYWARE IMPLICATIONS

Committee on Commerce, Science, and Transportation: Committee concluded a hearing to examine the impact and policy implications of spyware on consumers and businesses, including S. 1625, to protect against the unauthorized installation of computer software, to require clear disclosure to computer users of certain computer software features that may pose a threat to user privacy, after receiving testimony from Eileen Harrington, Deputy Director, Bureau of Consumer Protection, Federal Trade Commission; Arthur A. Butler, Ater Wynne LLP, Seattle, Washington, on behalf of Americans for Fair Electronic Commerce Transactions; Jerry Cerasale, Direct Marketing Association, Inc., and Marc Rotenberg, Electronic Privacy Information Center, both of Washington, D.C.; Benjamin Edelman, Harvard Business School, Boston, Massachusetts; and Vincent Weafer, Symantec Corporation, Culver City, California, on behalf of the Business Software Alliance.

SOVEREIGN WEALTH FUNDS

Committee on Foreign Relations: Committee concluded a hearing to examine sovereign wealth funds, government investment funds, funding by foreign currency reserves, but managed separately from official currency reserves, focusing on foreign policy consequences in an era of new money, after receiving testimony from Jagdish Bhagwati, Council on Foreign Relations, New York, New York; Daniel W. Drezner, Tufts University Fletcher School, Boston,

Massachusetts; and David Marchick, Carlyle Group, Washington, D.C.

PROTECTING AMERICANS

Committee on the Judiciary: Committee held a hearing to examine the effect on consumers and consideration for the efforts of Congress, focusing on the Supreme Court's treatment of laws that protect the health, safety, jobs, and retirement of Americans, receiving testimony from Andy R. Anderson, Morgan, Lewis and Bockius, LLP, Chicago, Illinois, on behalf of the United States Chamber of Commerce; Thomas O. McGarity, University of Texas School of Law, Austin; Richard M. Cooper, Williams and Connolly, LLP, Washington, D.C.; Robert M. Lawless, University of Illinois College of Law, Champaign; Bridget Robb, Gwynedd, Pennsylvania; and Maureen Kurtek, Pottsville, Pennsylvania.

Hearing recessed subject to the call.

NOMINATIONS

Committee on the Judiciary: Committee concluded a hearing to examine the nominations of Paul G. Gardephe, and Cathy Seibel, both to be a United States District Judge for the Southern District of New York, Kiyo A. Matsumoto, to be United States District Judge for the Eastern District of New York, and Glenn T. Suddaby, to be United States District Judge for the Northern District of New York, after each nominee testified and answered questions in their own behalf.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 16 public bills, H.R. 6233–6248; and 7 resolutions, H. Con. Res. 371; and H. Res. 1262–1264, 1266–1268 were introduced. **Pages H5327–28**

Additional Cosponsors: **Pages H5328–29**

Reports Filed: Reports were filed today as follows:

H.R. 2631, to strengthen efforts in the Department of Homeland Security to develop nuclear forensics capabilities to permit attribution of the source of nuclear material, with amendments (H. Rept. 110–708, Pt. 1);

H.R. 5811, to amend title 44, United States Code, to require preservation of certain electronic records by Federal agencies and to require a certification and reports relating to Presidential records, with an amendment (H. Rept. 110–709); and

H. Res. 1265, providing for consideration of the bill (H.R. 5749) to provide for a program of emergency unemployment compensation (H. Rept. 110–710). **Page H5327**

Chaplain: The prayer was offered by the guest Chaplain, Rev. John I. Caples, Jr., Jesus Name Apostolic Church, Waukegan, Illinois. **Page H5217**

Passenger Rail Investment and Improvement Act of 2008: The House passed H.R. 6003, to reauthorize Amtrak, by a yea-and-nay vote of 311 yeas to 104 nays, Roll No. 400. **Pages H5222–65**

Rejected the Davis (KY) motion to recommit the bill to the Committee on Transportation and Infrastructure with instructions to report the same back to the House promptly with an amendment, by a yea-and-nay vote of 194 yeas to 230 nays, Roll No. 399. **Pages H5263–65**

Pursuant to the rule, the amendment in the nature of a substitute recommended by the Committee on Transportation and Infrastructure now printed in the bill shall be considered as an original bill for the purpose of amendment under the five-minute rule. **Page H5233**

On a demand for a separate vote on a certain amendment agreed to in the Committee of the Whole:

By a recorded vote of 295 ayes to 127 noes, Roll No. 398, agreed to the Davis (VA) amendment (No. 2 printed in H. Rept. 110–703) that authorizes the Transportation Secretary to make grants to the Washington Metropolitan Area Transit Authority to finance in part the capital and preventive maintenance projects included in the Capital Improvement Program approved by the Board of Directors of the Transit Authority; and prohibits funds to the Transit Authority unless the Authority ensures its rail customers have access to any services provided by any licensed wireless provider that notifies the Authority of its intent to offer services to the public (agreed to in the Committee of the Whole by voice vote). **Pages H5249–54, H5261–63**

Accepted:

Oberstar manager's amendment (No. 1 printed in H. Rept. 110–703) that provides that none of the funds may be used to employ workers in violation of section 274A of the Immigration and Nationality

Act; requires the Secretary of Transportation to conduct a study on ways to streamline compliance with National Historic Preservation Act requirements for federally funded railroad infrastructure projects; inserts provisions regarding the Northeast Corridor; requires studies regarding the expansion of the South Central High-Speed Rail Corridor to Memphis and to far south Texas; requires proposals for building station stops for the proposed high-speed rail system in the Northeast Corridor; authorizes intercity passenger rail grants to be used for bicycle access into rolling stock and provides bicycle racks in trains; and makes technical corrections to the bill;

Pages H5245–49

Smith (WA) amendment (No. 3 printed in H. Rept. 110–703) that requires Amtrak to engage in good faith discussions, with commuter rail entities and public transportation authorities operating on the same trackage owned by a rail carrier as Amtrak, with respect to routing and timing of trains to efficiently move a maximal number of commuters, intercity, and passenger rail passengers, particularly during peak times of commuter usage. Also requires such discussion with respect to the expansion and enhancement of commuter rail and regional rail public transportation service; **Pages H5254–55**

McCarthy (NY) amendment (No. 5 printed in H. Rept. 110–703) that adds to the passenger rail system comparison study a request to study train horn technology, with an emphasis on reducing train horn noise and its effect on local communities;

Pages H5257–58

Murphy (CT) amendment (No. 7 printed in H. Rept. 110–703) that expresses support for commuter rail service between New Haven, CT, and Springfield, MA and encourages Amtrak to cooperate with state Departments of Transportation to expand commuter rail service on that line. Also provides that Amtrak shall report to Congress and the Transportation Departments of Connecticut and Massachusetts on the total cost of uncompleted infrastructure maintenance on the rail line between New Haven and Springfield; and **Pages H5258–59**

Patrick Murphy (PA) amendment (No. 8 printed in H. Rept. 110–703) that requires Amtrak, within one year of enactment, to report to Congress on the results of an evaluation of passenger rail between Cornwells Heights, PA, and New York City, NY, and between Princeton Junction, NJ, and New York City, NY, to determine whether to expand passenger rail service by increasing the frequency of stops or reducing commuter ticket prices for this route.

Pages H5259–60

Rejected:

Sessions amendment (No. 4 printed in H. Rept. 110–703) that sought to prohibit funds from being used for the long distance Amtrak route with the highest cost per seat/mile according to Amtrak's March 2008 monthly performance report unless the Secretary has transmitted a waiver for this route or a portion of it because the Secretary considers it critical to homeland security (by a recorded vote of 150 ayes to 275 noes, Roll No. 397).

Pages H5255–57, H5260–61

Agreed that the Clerk be authorized to make technical and conforming changes to reflect the actions of the House. **Page H5265**

H. Res. 1253, the rule providing for consideration of the bill, was agreed to on Tuesday, June 10th.

Privileged Resolution—Motion to Refer: Agreed to refer H. Res. 1258, impeaching George W. Bush, President of the United States, of high crimes and misdemeanors, to the Committee on the Judiciary by a yea-and-nay vote of 251 yeas to 166 nays, Roll No. 401. **Page H5266**

Suspension—Proceedings Resumed: The House agreed to suspend the rules and agree to the following measure which was debated on Tuesday, June 10th:

Expressing support for the designation of National D-Day Remembrance Day, and recognizing the spirit, courage, and sacrifice of the men and women who fought and won World War II: H. Res. 1235, to express support for the designation of National D-Day Remembrance Day, and to recognize the spirit, courage, and sacrifice of the men and women who fought and won World War II, by a 2/3 yea-and-nay vote of 406 yeas with none voting "nay", Roll No. 402. **Pages H5266–67**

Suspension—Failed: The House failed to agree to suspend the rules and pass the following measure:

Emergency Extended Unemployment Compensation Act of 2008: H.R. 5749, amended, to provide for a program of emergency unemployment compensation, by a 2/3 yea-and-nay vote of 279 yeas to 144 nays, Roll No. 403. **Pages H5267–76, H5279**

Suspension: The House agreed to suspend the rules and agree to the following measure:

Expressing the sense of the House of Representatives that rebate checks would better stimulate the economy if spent on American-made products and services from American-owned companies: H. Res. 977, to express the sense of the House of Representatives that rebate checks would better stimulate the economy if spent on American-made products and services from American-owned companies, by a 2/3 yea-and-nay vote of 404 yeas to 6 nays, with 6 voting "present", Roll No. 404. **Pages H5276–80**

Privileged Resolution—Intent to Offer: Representative Wolf announced his intent to offer a privileged resolution raising a question of the privileges of the House. **Pages H5280–87**

Privileged Resolution—Motion to Refer: Agreed to refer H. Res. 1263, directing the Chief Administrative Officer and the Sergeant at Arms of the House of Representatives to take timely action to ensure that all Members, committees, and offices of the House are alerted of the dangers of electronic attacks on the computers and information systems used in carrying out their official duties and are fully briefed on how to protect themselves, their official records, and their communications from electronic security breaches, to the Committee on House Administration by voice vote. **Page H5287**

National Aeronautics and Space Administration Authorization Act of 2008—Rule for Consideration: The House began consideration of H. Res. 1257, the rule providing for consideration of H.R. 6063, to authorize the programs of the National Aeronautics and Space Administration. Further proceedings were postponed. **Pages H5287–94**

Suspensions—Proceedings Postponed: The House debated the following measures under suspension of the rules. Further proceedings were postponed:

Authorizing the Administrator of the Environmental Protection Agency to accept, as part of a settlement, diesel emission reduction Supplemental Environmental Projects: S. 2146, amended, to authorize the Administrator of the Environmental Protection Agency to accept, as part of a settlement, diesel emission reduction Supplemental Environmental Projects and **Pages H5294–96**

Caroline Pryce Walker Conquer Childhood Cancer Act of 2008: H.R. 1553, amended, to amend the Public Health Service Act to advance medical research and treatments into pediatric cancers, ensure patients and families have access to the current treatments and information regarding pediatric cancers, establish a population-based national childhood cancer database, and promote public awareness of pediatric cancers. **Pages H5296–H5300**

Senate Message: Message received from the Senate today appears on page H5267.

Quorum Calls—Votes: Six yea-and-nay votes and two recorded votes developed during the proceedings of today and appear on pages H5261, H5262–63, H5264–65, H5265, H5266, H5266–67, H5279, H5280. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 11:57 p.m.

Committee Meetings

HOMELAND SECURITY APPROPRIATIONS FOR FISCAL YEAR 2009

Committee on Appropriations: Subcommittee on Homeland Security approved for full Committee action the Homeland Security Appropriations for Fiscal Year 2009.

INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS FOR FISCAL YEAR 2009

Committee on Appropriations: Subcommittee on Interior, Environment, and Related Agencies, approved for full Committee action the Interior, Environment, and Related Agencies the Interior, Environment, and Related Agencies Appropriations for Fiscal Year 2009.

EDUCATION BEGINS AT HOME ACT

Committee on Education and Labor: Held a hearing on H.R. 2343, Education Begins at Home Act. Testimony was heard from Laura A. Ditka, Deputy District Attorney and Chief of Child Abuse Unit, Allegheny County, Pennsylvania; and public witnesses.

GREEN ACT OF 2008

Committee on Financial Services: Held a hearing on H.R. 6078, GREEN Act of 2008. Testimony was heard from the following officials of the Department of Housing and Urban Development: Michael Freedberg, Director, Division of Affordable Housing Technology Research, Co-Chair, HUD Energy Task Force; and Patrick J. Lawler, Chief Economist and Associate Director, Office of Policy Analysis and Research, Office of Federal Housing Enterprise Oversight; and public witnesses.

REPORT—THE DECLINE IN AMERICA'S REPUTATION: WHY?

Committee on Foreign Affairs: Subcommittee on International Organizations, Human Rights, and Oversight approved a Subcommittee Report on The Decline in America's Reputation: Why?

The Subcommittee also held a hearing and Review of the Subcommittee Report: The Decline in America's Reputation: Why? Testimony was heard from public witnesses.

CHINA IN THE WESTERN HEMISPHERE

Committee on Foreign Affairs: Subcommittee on Western Hemisphere held a hearing on the New Challenge: China in the Western Hemisphere. Testimony was heard from public witnesses.

MISCELLANEOUS MEASURES; IMPROVING PUBLIC ACCESS TO DOCUMENTS ACT

Committee on Homeland Security: Subcommittee on Intelligence, Information Sharing and Terrorism Risk Assessment approved for full Committee action, as amended, the following bills: H.R. 3815, Homeland Security Open Source Information Enhancement Act of 2007; H.R. 4806, Reducing Over-Classification Act of 2007; H.R. 6048, Personnel Reimbursement for Intelligence Cooperation and Enhance of Homeland Security Act, and H.R. 6193, Improving Public Access to Documents Act.

The Subcommittee also held a hearing on H.R. 6193, Improving Public Access to Documents Act of 2008. Testimony was heard from public witnesses.

DHS AND THE NEXT MAJOR CATASTROPHE

Committee on Homeland Security: Subcommittee on Management, Investigations, and Oversight held a hearing entitled "Ready to Lead? DHS and the Next Major Catastrophe." Testimony was heard from Wayne Parent, Deputy Director, Office of Operations Coordination, Department of Homeland Security; William O. Jenkins, Jr., Director, Homeland Security and Justice Issues, GAO; James M. Walker, Jr., Director, Department of Homeland Security, State of Alabama; and a public witness.

MISCELLANEOUS MEASURES

Committee on the Judiciary: Ordered reported, as amended, the following bills: H.R. 4044, National Guard and Reservist Debt Relief Act of 2008; H.R. 2352, School Safety Enhancements Act of 2007; H.R. 1783, Elder Justice Act; H.R. 5352, Elder Abuse Victims Act of 2008; and H.R. 5057, Debbie Smith Reauthorization Act of 2008.

PERFORMANCE RIGHTS ACT

Committee on the Judiciary: Subcommittee on Courts, the Internet and Intellectual Property held a hearing on H.R. 4789, Performance Rights Act. Testimony was heard from Nancy Sinatra, and other public witnesses.

MISCELLANEOUS MEASURES

Committee on Natural Resources: Ordered reported the following bills: H.R. 3981, amended, Preserve America and Save America's Treasures Act; H.R. 4199, amended, To amend the Dayton Aviation Heritage Preservation Act of 1992 to add sites to the Dayton Aviation Heritage National Historical Park; H.R. 2964, amended, Captive Primate Safety Act; H.R. 5741, amended, Shark Conservation Act of 2008; H.R. 1423, amended, Dorothy Buell Memorial Visitor Center Lease Act; H.R. 3702, Montana Cemetery Act of 2007; H.R. 5710, Eastern New Mexico Rural Water System Authorization Act; and H.R. 5511, Leadville Mine Drainage Tunnel Remediation Act of 2008.

CENSUS 2010

Committee on Oversight and Government Reform, and the Subcommittee on Information Policy, Census, and National Archives held a joint hearing on 2010 Census: Assessing the Census Bureau's Progress. Testimony was heard from the following officials of the Bureau of the Census, Department of Commerce: Steven H. Murdock, Director; and Arnold A. Jackson, Associate Director, Decennial Census; the following officials of the GAO: David A. Powner, Director, Information Technology Management Issues; and Mathew J. Scire, Director, Strategic Issues; and public witnesses.

SECOND GENERATION BIOFUELS

Committee on Small Business: Subcommittee on Rural and Urban Entrepreneurship held a hearing on Second Generation Biofuels: The New Frontier for Small Businesses. Testimony was heard from public witnesses.

AIR TRAFFIC CONTROL FACILITY STAFFING

Committee on Transportation and Infrastructure: Subcommittee on Aviation held a hearing on Air Traffic Control Facility Staffing. Testimony was heard from the following officials of the Department of Transportation: Hank Krakowski, Chief Operating Officer, Air Traffic Organization, FAA; and Calvin L. Scovel, III, Inspector General; Gerald Dillingham, Director, Physical Infrastructure Issues, GAO; and public witnesses.

REBUILDING VESSELS

Committee on Transportation and Infrastructure: Subcommittee on Coast Guard and Maritime Transportation held a hearing on Rebuilding Vessels Under the Jones Act. Testimony was heard from the following officials of the U.S. Coast Guard, Department of Homeland Security: RADM James Watson, IV, USCG, Director, Prevention Policy for Marine Safety, Security and Stewardship; and Patricia J. Williams, Director, National Vessel Documentation Center; and public witnesses.

VETERANS MATTERS

Committee on Veterans' Affairs: Ordered reported, as amended, H.R. 2818, To amend title 38, United States Code, to provide for the establishment of Epilepsy Centers of Excellence in the Veterans Health Administration of the Department of Veterans Affairs.

The Committee also held a hearing on Implementing the Wounded Warrior Provisions of the National Defense Authorization Act for Fiscal Year 2008. Testimony was heard from Michael L. Dominguez, Principal Deputy Under Secretary, Personnel and Readiness, Department of Defense; ADM Patrick W. Dunne, USN, Acting Under Secretary, Benefits and Assistant Secretary, Policy and Planning, Department of Veterans Affairs; and public witnesses.

BRIEFING—MEXICAN BORDER VIOLENCE

Permanent Select Committee on Intelligence: Met in executive session to receive a briefing on Mexican Border Violence. The Committee was briefed by departmental witnesses.

FUTURE OF OIL

Select Committee on Energy Independence and Global Warming: Held a hearing entitled ''The Future of Oil.'' Testimony was heard from Guy F. Caruso, Administrator, Energy Information Administrator, Department of Energy; and public witnesses.

Joint Meetings

No joint committee meetings were held.

COMMITTEE MEETINGS FOR THURSDAY, JUNE 12, 2008

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Banking, Housing, and Urban Affairs: to hold hearings to examine the condition of our nation's infrastructure, focusing on perspectives from our nation's mayors, 10 a.m., SD–538.

Committee on Commerce, Science, and Transportation: Subcommittee on Surface Transportation and Merchant Marine Infrastructure, Safety and Security, to hold hearings to examine supply chain security, focusing on the secure freight initiative and the implementation of 100 percent scanning, 10 a.m., SR–253.

Committee on Energy and Natural Resources: to hold an oversight hearing to examine the relationship between United States fuels policy and food prices, 2:15 p.m., SD–366.

Committee on Finance: to hold an oversight hearing to examine the United States Trade Preference programs, 10 a.m., SD–215.

Committee on Foreign Relations: to hold hearings to examine energy from Central Asia to Europe, focusing on oil, oligarchs, and opportunity, 2:30 p.m., SD–419.

Committee on Homeland Security and Governmental Affairs: Subcommittee on Federal Financial Management, Government Information, Federal Services, and International Security, to hold hearings to examine addressing the United States-Pakistan strategic relationship, 2:30 p.m., SD–342.

Committee on the Judiciary: business meeting to consider S. 2979, to exempt the African National Congress from treatment as a terrorist organization, H.R. 5690, to remove the African National Congress from treatment as a terrorist organization for certain acts or events, provide relief for certain members of the African National Congress regarding admissibility, S. 2892, to promote the prosecution and enforcement of frauds against the United States by suspending the statute of limitations during times when Congress has authorized the use of military force, H.R. 3480, to direct the United States Sentencing Commission to assure appropriate punishment enhancements for those involved in receiving stolen property where that property consists of grave markers of veterans, S. 1211, to amend the Controlled Substances Act to provide enhanced penalties for marketing controlled substances to minors, S. Res. 576, designating August 2008 as ''Digital Television Transition Awareness Month'', and the nominations of Helene N. White, of Michigan, and Raymond M. Kethledge, of Michigan, each to be United States Circuit Judge for the Sixth Circuit, and Stephen Joseph Murphy III, of Michigan, to be United States District Judge for the Eastern District of Michigan, 10 a.m., SD–226.

House

Committee on Appropriations, Subcommittee on Commerce, Justice, Science, and Related Agencies, to mark up the Commerce, Justice, Science, and Related Agencies Appropriations for Fiscal Year 2009, 10 a.m., H–140 Capitol.

Subcommittee on Military Construction, Veterans Affairs, and Related Agencies, to mark up the Military Construction, Veterans Affairs, and Related Agencies Appropriations for Fiscal Year 2009, 11:30 a.m., H–140 Capitol.

Committee on Energy and Commerce, Subcommittee on Environment and Hazardous Materials, hearing on the following bills: H.R. 5533, Chemical Facilities Act of 2008; and H.R. 5577, Chemical Facility Anti-Terrorism Act of 2008, 10 a.m., 2322 Rayburn.

Subcommittee on Oversight and Investigations, to meet to vote on the issuance of subpoenas for records in connection with the Subcommittee's ongoing investigation regarding the safety of the Nation's food supply, 9:45 a.m.; followed by a hearing entitled ''American Lives Still at Risk: When Will FDA's Food Protection Plan Be Fully Funded and Implemented?'' 10 a.m., 2123 Rayburn.

Committee on Foreign Affairs, hearing on Russia, Iran, and Nuclear Weapons: Implications of the Proposed U.S.–Russia Agreement, 9:30 a.m., 2172 Rayburn

Subcommittee on Asia, the Pacific, and the Global Environment, hearing on U.S.–Japan Relations: An Overview, 2 p.m., 2172 Rayburn.

Committee on Homeland Security, hearing entitled ''The Challenge of Aligning Programs, Personnel, and Resources to Achieve Border Security,'' 10 a.m., 311 Cannon.

Committee on the Judiciary, Subcommittee on the Constitution, Civil Rights, and Civil Liberties, hearing on the

Enforcement of the Fair Housing Act of 1968, 10 a.m., 2141 Rayburn.

Subcommittee on Immigrations, Citizenship, Refugees, Border Security and International Law, hearing on the Need for Green Cards for Highly Skilled Workers, 11 a.m., 2237 Rayburn.

Committee on Natural Resources Subcommittee on Energy and Mineral Resources, oversight hearing on Spinningraw Into Black Gold: Enhanced Oil Recovery Using Carbon Dioxide, 10 a.m., 1334 Longworth.

Subcommittee on Insular Affairs, oversight hearing on the Implementation of the Compact of Free Associations Between the United States and the Republic of Palau, 10 a.m., 1324 Longworth.

Committee on Oversight and Government Reform, to mark up a Committee report entitled ''Jack Abramoff's Contacts with White House Officials''; and to mark up the following: H. Res. 984, Expressing the support for the designation of July 26, 2008, as National Day of the Cowboy; H. Res. 1002, Expressing support for the designation of April 2008 as Public Radio Recognition Month; H. Res. 1029, Congratulating and recognizing Mr. Juan Antonio ''Chi Chi'' Rodriguez for his continued success on and off the golf course, for his generosity and devotion to charity, and for his exemplary dedication to the intellectual and moral growth of thousands of low-income and disadvantaged youth in our country; H. Res. 1219, Celebrating the symbol of the United States flag and supporting the goals and ideals of Flag Day; H. Res. 1237, Recognizing the historical significance of Juneteenth Independence Day, and expressing the sense of the House of Representatives that history should be regarded as a means for understanding the past and more effectively facing the challenges of the future; H. Res. 1245, Congratulating the Detroit Red Wings for winning the 2008 Stanley Cup Hockey Championship; H. Con. Res. 195, Expressing the sense of Congress that a National Dysphagia Awareness Month should be established; a resolution Expressing support for the designation of Gospel Music Heritage Month and honoring gospel music for its valuable contributions to American culture; H.R. 4010, To designate the facility of the United States Postal Service located at 100 West Percy Street in Mississippi, as the '' Minnie Cox Post Office Building''; H.R. 5506, To designate the facility of the United States Postal Service located at 369 Martin Luther Jr. Drive in Jersey City, New Jersey, as the ''Bishop Ralph E. Brower Post Office Building''; H.R. 5975, To designate the facility of the United States Postal Service located at 101 West Main Street in Waterville, New York, as the ''Cpl. John P. Sigsbee Post Office''; H.R. 6061, To designate the facility of the United States Postal Service located at 219 East Main Street in West Frankfort, Illinois, as the ''Kenneth James Gray Post Office Building;'' H.R. 6085, To designate the facility of the United States Postal Service located at 42222 Rancho Las Palmas Drive in Rancho Mirage, California, as the ''Gerald R. Ford Post Office Building''; H.R. 6092, To designate the facility of the United States Postal Service located at 101 Tallapoosa Street in Brement, Georgia, as the ''Sergeant Paul Saylor Post Office Building''; H.R. 6150, To designate the facility of the United States Postal Service located at 14500 Lorain Avenue in Cleveland, Ohio, as the '' John P. Gallagher Post Office Building''; and S. 171, To designate the facility of the Untied States Postal Service located at 301 Commerce Street in Commerce, Oklahoma, as the ''Mickey Mantle Post Office Building'', 10 a.m., 2154 Rayburn.

Committee on Science and Technology, Subcommittee on Investigation and Oversight, hearing on Toxic Communities: How EPA's IRIS Program Fails the Public, 10 a.m., 2318 Rayburn.

Committee on Small Business, hearing entitled ''Electronic Payments Tax Reporting: Another Tax Burden for Small Businesses'', 10 a.m., 1539 Longworth.

Committee on Transportation and Infrastructure, Subcommittee on Water Resources and Environment, hearing on Discharges Incidental to the Normal Operation of a Commercial Vessel, 10 a.m., 2167 Rayburn.

Committee on Veterans' Affairs, Subcommittee on Disability Assistance and Memorial Affairs, hearing on the following bills: H.R. 1197, Prisoner of War Benefits Act of 2007; H.R. 3008, Rural Veterans Services Outreach and Training Act; H.R. 3070, Disabled Veterans' Caregiver Compensation Act; H.R. 3795, You Were There, You Get Care Act of 2007; H.R. 4274, Gold Star Parents Annuity Act of 2007; H.R. 5155, Combat Veterans Debt Elimination Act of 2008; H.R. 5448, Full Faith in Veterans Act of 2008; H.R. 5454, To amend title 38, United States Code, to establish a presumption of service connection of amyotrophic lateral sclerosis for purposes of the laws administered by the Secretary of Veterans Affairs; H.R. 5709, Veterans Disability Fairness Act; H.R. 5954, To amend title 38, United States Code, to provide veterans for presumptions of service connection for purposes of benefits under laws administered by Secretary of Veterans Affairs for diseases associated with service in the Armed Forces and exposure to biological, chemical, or other toxic agents as part of Project 112, and for other purposes; H.R. 5985, Compensation for Combat Veterans Act; and H.R. 6032, To amend title 38, United States Code, to direct the Secretary of Veterans Affairs to provide wartime disability compensation for certain veterans with Parkinson's Disease, 2 p.m., 340 Cannon.

Permanent Select Committee on Intelligence, executive, briefing on DOD Programs, 9 a.m., H–405 Capitol.

Subcommittee on Intelligence Community Management, executive, briefing on Global Change National Intelligence Assessment, 2:30 p.m., H–405 Capitol.

Joint Meetings

Joint Economic Committee: to hold hearings to examine the future costs of funding the war in Iraq, 10 a.m., SD–106.

Next Meeting of the SENATE

9:30 a.m., Thursday, June 12

Senate Chamber

Program for Thursday: Senate will resume consideration of the motion to proceed to consideration of S. 3101, Medicare Improvements for Patients and Providers Act, and vote on the motion to invoke cloture thereon at 3 p.m.

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m. Thursday, June 12

House Chamber

Program for Thursday: Consideration of H.R. 6063—National Aeronautics and Space Administration Authorization Act of 2008 (Subject to a Rule) and H.R. 5749—Emergency Extended Unemployment Compensation Act of 2008 (Subject to a Rule).

Extensions of Remarks, as inserted in this issue

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Congressional Record

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