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No. 99

## House of Representatives

The House was not in session today. Its next meeting will be held on Tuesday, June 17, 2008, at 12:30 p.m.

## Senate

MONDAY, JUNE 16, 2008

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

### PRAYER

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

Let us pray.

Gracious God, the Rock of Ages, giver of unchanging sources of stability and strength, guide our Senators for today's journey. Infuse them with the hope that will lift them into the light and peace of Your presence. Turn their shadows of doubt into the daybreak of faith. Defend them from the forces that nourish injustice and from indifference that causes hearts to break.

May they strive to please You both in will and deed. Lord, let nothing test them beyond their strength, for Yours is the authority and the power forever. Amen.

### PLEDGE OF ALLEGIANCE

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

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

### APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

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

The assistant legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, June 16, 2008.

To the Senate:

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

ROBERT C. BYRD,  
President pro tempore.

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

### RECOGNITION OF THE MAJORITY LEADER

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

### SCHEDULE

Mr. REID. Mr. President, today following leader remarks, there will be an hour of morning business, with Senators permitted to speak for up to 10 minutes each. Following morning business, the Senate will resume consideration of the motion to proceed to H.R. 6049, the Renewable Energy and Job Creation Act, with the time until 5:30 equally divided and controlled between the two leaders or their designees. Under a previous order, the leaders will control the final 20 minutes, with the majority leader controlling the final 10 minutes.

### ORDER OF PROCEDURE

Mr. President, I ask unanimous consent that Senator GRASSLEY control the time between 4:50 and 5 and Senator BAUCUS control the time between 5 and 5:10.

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

### THE MIDDLE CLASS DREAM

Mr. REID. Mr. President, this Saturday, Jeff Alberici from Auburn, NY, delivered the Democratic weekly radio address. Jeff and his wife aren't rich; they aren't poor. They are squarely in the middle. They are middle class.

Jeff is a middle school teacher. He teaches American history. His wife is a teacher's assistant. Jeff said that if they didn't have to transport their three children to school and sports practice, they would probably ride bikes back and forth to work to save gas.

Jeff said when his wife returned to work last year, after staying home with their children, they thought the second income would give them a chance to pay off their debt and start saving for college. But that hasn't happened. Instead of getting ahead, the Alberici family's second income is covering the cost of food, and especially gasoline.

Jeff summed up things by saying that they will be fine. They are not in danger of losing their home, and they both have good steady jobs. They are not at risk. But instead of ordering pizza for an occasional dinner with the kids, now they have to eat grilled cheese on those occasions. And in the long term, they are not sure how they will be able to afford to send their children to college because they have basically not saved anything up to this date.

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



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Families in every State, region, and corner of our country are facing the same challenges as the Albericis. Jeff and others like him were raised to believe that doing important work, such as being a schoolteacher, wouldn't make you rich but it would provide enough to live comfortably and raise a family. The middle-class dream—that American dream—is vanishing before our eyes.

Today, oil is trading near record levels again. It is up around \$140 a barrel. Gasoline now averages \$4.08 a gallon nationally, and in Nevada it is \$4.24 a gallon. This morning, we learned that utility companies across the country are raising rates another 29 percent on top of the 30-percent increases American consumers have already endured over the past 5 years.

On President Bush's watch, American families are earning less today than they did 8 years ago—and that is the truth—yet paying more than ever for everyday necessities, such as gasoline, heat for the home, and of course groceries. And they are paying more than ever for long-term needs, such as the goal of health care, college, and retirement. American families can't survive this squeeze indefinitely.

Right now, many are able to keep their heads above water by saving less, and sometimes not saving, and finding other ways to tighten their belts. Like the Albericis, they are eating more grilled cheese and putting less of their paychecks into savings.

Most Americans are too busy figuring out how to pay the bills and make ends meet to pay close attention to what is going on here in Congress. But if working families see one thing from Congress, it is this: Democrats get it. That is what Jeff said in his radio address. We know what is happening in America, and we are fighting every single day to make things better.

Republicans? They talk about our country's problems, but when the time comes to stand up and take action, they are nowhere to be found. Republicans talk about high gas prices, alternative energy, the housing crisis, and job loss, but each time there has been a proposed solution to those challenges, Republicans have said no.

Our Republican colleagues fill endless pages of the CONGRESSIONAL RECORD with speeches about the affordability crisis in America that a Republican President created and the Republican nominee, JOHN MCCAIN, hopes to continue, but the American people need more than empty words.

Republicans can choose to keep standing on the sidelines, or keep sticking with the status quo, which they have done now for the entire year and a half we have been in the majority. They have that right. But Democrats will keep fighting to make the American dream affordable again for the Albericis of Auburn, NY, and the millions of American families like them who deserve better. Today we will give Republicans another oppor-

tunity to do the right thing by voting for cloture on the energy tax extenders bill. This legislation would lower taxes for businesses, entrepreneurs, and families. The deduction for State and local sales taxes helps level the playing field and provides tax relief to residents in States with no income tax. The tuition deduction helps families afford the skyrocketing cost of college. The teachers' deduction provides a small but important bit of help and appreciation to educators for out-of-pocket classroom expenses.

This legislation would also extend tax benefits for businesses, particularly those engaged in research and development for clean renewable energy, tax credits, Mr. President, for clean renewable energy. Today we are going to use 21 million barrels of oil. That is not necessary. We could change that. We need to allow the great business minds of America to invest in renewable energy—the Sun, the wind, geothermal. That is what this vote at 5:30 today is all about.

Republicans have opposed this legislation in the past because it is paid for and will not increase the national debt. How do we pay for these tax cuts for businesses and families? By closing a loophole that allows superwealthy hedge fund managers to avoid paying tax on their earnings.

This is unique, that the Republicans would oppose this. The hedge fund operators even know it is unfair and they support us on this. Why anyone opposes legislation on these grounds is beyond the ability of the American people to comprehend. Why Republicans would oppose tax relief for businesses and families in order to protect a tax loophole for multimillionaires seems preposterous. And keep in mind, even the hedge fund operators, I repeat, believe it would be fair to do what we seek.

Republicans have the right to side with hedge fund multimillionaires over small businesses and families. They have already done so by blocking the tax extenders bill twice this year. Now they have a third chance to reverse course and support this legislation. Maybe this week enough Republicans will see the suffering in their States and break with the President and Republican Senate leaders to do the right thing. Maybe this is the time enough Republicans will say enough is enough.

I know our Republican colleagues see the terrible economic burden the American people are carrying. The only question is, will they let it continue or join us in doing something about it? For all the Republicans sitting on the fence, and there are some seeing how bad things have gotten but still not ready to stand up to the Republican Party, I ask: If not now, when? Democrats stand ready to legislate. Join us and we can begin repairing the damage and restoring the American Dream.

I acknowledge that on the Medicare fix we tried to do last week, we got nine Republicans who supported us.

Had we had Senator KENNEDY back—and he soon will be back, and a few other Senators—we would have been able to have 60 votes. So I am glad to see that my friends on the other side, even though not enough, are coming forward and voting with us. We hope there will be more of that in the future.

#### RECOGNITION OF THE MINORITY LEADER

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

#### TRIBUTE TO TIM RUSSERT

Mr. McCONNELL. Mr. President, as Washington, and all of America, continue to pay tribute to Tim Russert, I wish to add a few more words about a man who impacted everybody in this body in one way or another over the years.

I have been a fairly regular guest on "Meet the Press" over the years, so I got to know Tim Russert primarily as a tough interviewer, but I also came to appreciate and admire his extraordinary people skills, which were as good as those of any politician here in Washington.

I remember him saying once that his son Luke was a big fan of Tubby Smith, the old UK Wildcats basketball coach. I think Luke even went to Tubby's basketball camp one summer. Well, anytime I or anybody else on the staff got on the phone with Tim, he would also start off with "Go Cats." It is just one example of the great mind he had for small personal details and how he employed that skill in a totally unpretentious way.

He also knew I was a Louisville Cardinal basketball fan, and he invariably would turn the subject to Rick Patino and his considerable skills, and that is a way in which he kind of related to everybody.

Bill Kristol was getting at the same thing in his column this morning, in which he related a story that has been around this town for a while. The story goes that when Pat Moynihan was trying to convince Tim to come down to the Capitol to be his Chief of Staff, Tim didn't want to come because Moynihan's office was all Ph.Ds and intellectuals. He didn't think he would fit in. Moynihan said:

Tim, the things they know you can learn. But the things you know they can never learn.

So as Tim Russert rose to the height of his profession, it became clear Pat Moynihan was right on target.

I found it particularly moving to see Luke paying tribute to his father on television this morning. As Tim often said, being a good father was the job he put the most stock in, and it appears he has done a superb job in that respect as well.

#### TAX EXTENDERS BILL

Today the Senate will vote on whether to proceed to the House-passed tax

extenders bill. Republicans support the provisions being extended in this legislation. That is why I, along with several of my colleagues, introduced an even stronger version of the House bill, one that contains even longer extensions of the expired provisions, provides AMT relief excluded from the House bill, and does both in a form that would avoid a veto; that is, of course, without raising taxes.

The tax provisions in question are an enormous help to millions of Americans, and a long-term extension would provide the added comfort of predictability into the family budget and the small business balance sheet in the midst of a difficult economic time.

Republicans have been firm on this point, which is why I read with some amusement a letter which was sent to me on Friday by my friend the majority leader, extolling the virtues of the House bill. As I said, Republicans truly agree that the expired provisions certainly merit extension. This is not a State secret. Our point of departure, the principle we have insisted on, is this: Short-term tax extensions should not be the occasion for permanent tax increases. If a new tax policy is being created, that is one thing. But if current taxes are simply being extended, those extensions should not be accompanied by new tax increases. To do so would be to transform the annual ritual of extending current tax law into a stealth exercise in increasing the size of Government.

Unfortunately, the House Democratic leadership seems to have dug in, saying it will not pass an extenders bill without tax hikes. This brings us to an impasse for no good reason. First of all, it strikes me as odd that the House Democratic leadership would single out these particular tax extenders for a fight on offsets. They didn't need offsets on the stimulus bill earlier this year. AMT relief will apparently not require offsets this year. House leaders have signaled that a new GI benefits expansion would not require offsets. And just last week, the House passed an unemployment insurance expansion bill that did not have offsets.

It is entirely possible that the Democratic leadership is open to compromise. Recall that during last year's AMT debate, House leaders also insisted on offsets. On December 18, just last year, House Democrats were saying they would not consider AMT relief unless it included tax hikes elsewhere. Then the following day, September 19, they passed an AMT bill without tax hikes by a vote of 352 to 64. After all the press releases and letters had been issued, our friends on the other side sat down with Republicans and did something we should do a lot more of around here: they negotiated.

So notwithstanding the letter I received on Friday from my good friend, the majority leader, I am hopeful we can do the same thing on this tax extenders bill—sit down together and come up with a solution that is accept-

able to both sides and which actually has a chance of being signed into law. I yield the floor.

#### 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 for up to 10 minutes each.

The Senator from Minnesota is recognized.

#### ORDER OF PROCEDURE

Ms. KLOBUCHAR. Mr. President, I ask unanimous consent that when I finish my remarks Senator HARKIN and Senator GRASSLEY follow me.

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

#### MIDWEST FLOODING

Ms. KLOBUCHAR. Mr. President, I rise to offer my thoughts and prayers to the people and communities throughout the Midwest who were hurt by last week's massive floods.

It appears that the floodwaters have begun to recede. But the long, hard process of cleaning up and rebuilding lies ahead.

In particular, I offer sympathy and support to my colleagues TOM HARKIN and CHARLES GRASSLEY, the Senators from Iowa, whose governor has declared 83 of the State's 99 counties to be disaster areas.

Worst hit was the city of Cedar Rapids, IA.

Over 9 square miles—or 1,300 blocks—were flooded in the city and 25,000 people had to be evacuated from their homes. Preliminary estimates indicate over \$700 million in damage. This is in Cedar Rapids alone.

In Cedar Rapids, it is being called not the flood of the century—but the flood of the half-millennium—an event that should occur only once in 500 years.

In fact, rescue workers from Minnesota have been deployed to Iowa to help the victims of the flooding there.

While the residents and businesses of Cedar Rapids were hit the hardest, they were hardly alone. Heavy rainfall last week submerged much of the Midwest—Wisconsin, Illinois, Indiana, Kansas, and my own State of Minnesota.

Throughout the Midwest, corn and soybean fields turned into lakes. City streets turned into canals. It's like Waterworld. There is water nearly everywhere. And where there isn't water, there is mud. Lots of mud.

In terms of physical devastation, some are calling these floods "the Katrina of the Midwest."

Among the areas suffering flood damage was the southeastern corner of my state of Minnesota. Three major rivers in the area—the Root, the Cedar and the Zumbro—all flooded.

Four Minnesota counties were declared State disaster areas—Freeborn, Mower, Fillmore and Houston counties.

This includes areas that have already suffered extensive flood damage in the past year—both with the devastating floods in August last year as well as floods earlier this spring.

As you can see from this aerial photograph of Austin, MN, taken last week, flood, water poured across big sections of the city, flooding not just streets, but highways and freeway ramps.

This weekend, I spoke with the mayors of Austin, Rochester and Lanesboro. Later in the week, I plan to visit the area and meet with local leaders and residents. After the floods last August, I traveled to the area several times to survey the damage and work with local and State leaders to obtain Federal aid and assistance. My family and I even spent a weekend in the area.

I know these communities are strong—just as you will see with the State of Iowa, which State has been hit even harder, and they will make it through this latest disaster.

Last week's flooding resulted in the death of one Minnesota man, Dale Wangen, of rural Albert Lea. He was driving home in the dark, rainy night and suddenly his car plunged into the rushing flood waters because the road was washed away.

Emergency responders found him only because another car came along and also plunged into the water. That driver was able to get out. But he told rescuers that his car had crashed on top of another car.

Austin, MN, is home to Hormel Foods, a Fortune 500 company. They had to close their corporate offices because of the flood.

Here is a second photograph of Austin, also taken last week. You can see that it was not just a few wet basements. Some neighborhoods were flooded practically up to the treetops and had to be evacuated.

Fortunately, Austin was spared even worse damage because—ever since a major flood 30 years ago—they have been implementing a comprehensive flood mitigation plan, including the purchase of more than 250 homes in flood-prone areas.

Nonetheless, the three worst floods in Austin's history have all occurred since the year 2000—with the worst in 2004.

As one resident of Austin put it: "It seems like we're getting a 'hundred-year flood' every 3 or 4 years."

While the most attention is given to cities and towns damaged by the floods, the countryside has not been spared, either.

Houston County, at the far southeastern tip of Minnesota, is a rural area with a total population of just

20,000. Preliminary estimates indicate that Houston County alone has suffered close to \$7 million in infrastructure damage and \$15 million in crop damage.

Heavy spring rains had already delayed the planting of crops. Now, there are acres and acres of young corn and soybean plants that are under water. The work that Senator HARKIN has done as Chair of the Agriculture Committee is making sure that we give permanent disaster relief is so important. These floods are one example.

We will not know the full extent of the damage until the harvest this fall. But the end result could be billions of dollars in crop losses.

At a time like this, local communities should not be expected to fend for themselves. The Federal Government has an essential role to support communities as they recover and rebuild.

In these circumstances, the Federal Emergency Management Agency—FEMA—must be a lifeline to help these communities both survive and come back.

FEMA is the primary coordinator of all Federal responses to this national tragedy, from first making sure that people are safe and secure, to then making sure that those people are made whole again, to finally making sure that their infrastructure is rebuilt and made stronger, so that such disasters do not happen again. We saw this in flooding last year in Southeastern Minnesota, where whole communities were washed out. We went through these three steps so those communities are beginning to thrive again.

The Small Business Administration plays a key role in recovery activities, providing vital assistance to local businesses that have suffered economic losses.

While we did not need it, the floods provide justification for the first-ever permanent program of disaster assistance for farmers, which we just passed as part of our farm bill.

In my state of Minnesota, it has been a tough 2 years when it comes to disasters.

Last spring, we had the Ham Lake fire that burned 76,000 acres in northern Minnesota.

On August 1 last year, we had the collapse of the Interstate 35W bridge in the heart of our Twin Cities metropolitan area, killing 13 people and injuring over one hundred.

Later in August, we had the devastating floods in southeastern Minnesota that cost six lives and caused tens of millions of dollars in damage.

Less than a month ago, on the Sunday evening before Memorial Day, the small community of Hugo was hit by a fierce tornado. It killed a 2-year-old boy, Nathaniel Prindle, and seriously injured his 4-year-old sister, Annika. Fifty homes were completely destroyed and another 250 were damaged.

But there is one special thing we have seen with each one of these disas-

ters. It is the sight of people joining together to help and care for others in need. Even with all the devastation, disasters like these still bring out the very best in the human spirit. Not just neighbors helping neighbors, but strangers helping strangers.

Disasters can take away lives; they can destroy homes; and they can wipe away roads and bridges. But, in America, we won't let them take away our spirit of community.

With the appropriate State and Federal support, I am confident that the flood-damaged communities of the Midwest will thrive once again. With leaders like Senator HARKIN and Senator GRASSLEY, I am confident Iowa will thrive once again.

I think about the epic flood that occurred 11 years ago on the Red River bordering Minnesota and North Dakota.

The waters inundated downtown Grand Forks in North Dakota and East Grand Forks in Minnesota—60,000 people had to evacuate; 900 lost their homes; and 11 downtown buildings were destroyed.

But with the hard work of Senators DORGAN and CONRAD and officials throughout North Dakota and Minnesota, it is amazing to visit those communities today and see how they have rebuilt and moved forward.

I hear that officials from Grand Forks have already reached out and talked with their counterparts in Cedar Rapids, IA—giving them advice on everything from legal issues to how to rebuild.

That, too, is the spirit of America. We know we will be able get through this disaster because we know we will work together and provide support to one another.

I see Senator HARKIN and Senator GRASSLEY are coming to the Senate floor. Again, we pledge from the State of Minnesota to do everything we can to help them. Their damage was so much more extensive than ours. But we know with fine leaders like these, they will help their State get through this. I know we are sending emergency workers from Minnesota at this very minute.

I yield the floor.

The ACTING PRESIDENT pro tempore. The senior Senator from Iowa is recognized.

Mr. GRASSLEY. Mr. President, I am proud to be here with Senator HARKIN. But I am not proud to be here because of the situation that we described to you, which is the flooding in our State of Iowa. I am going to show some pictures. Senator HARKIN has some pictures. I am not going to refer specifically to the pictures during my remarks, but I think you can see from the New York Times, downtown Cedar Rapids, IA—City Hall here on an island between the rivers, kind of in the citadel of Cedar Rapids, and water has never been that high before. This is truly a 100-year flood.

Then we have another picture here of Cedar Rapids. It happens to be on the

very same street on which Senator HARKIN has his office. My office in Cedar Rapids was in the Federal Building. The Federal Building is just across, right there. So it is shut down, obviously. I just want to make some remarks about the situation in Iowa and then turn the floor over to Senator HARKIN.

We come to the floor to share with our colleagues and the American people the stories of more natural disasters to hit Iowa. In my case, less than 2 weeks ago I came to this very spot to honor the victims and to hail the heroes from a deadly tornado that ripped through my home county, Butler County, IA. In a little more than a week, Mother Nature has ripped open a healing wound.

As many people can see on television, Iowans are seeing record floods throughout the central and eastern part of our State. I can tell you that television hardly does justice to this historic devastation. Iowa braced for a repeat of 1993, but it didn't happen. Instead, Iowans are facing head on a 500-year flood; more than 38,000 people have been evacuated from communities across eastern and central Iowa.

Rivers have overtaken several communities, and I cannot name all of the communities, but I think of Mason City, Waverly, New Hartford, Waterloo, and Cedar Falls. And then Mother Nature took her toll on Cedar Rapids, downstream from Waterloo and Cedar Falls, and hit Coralville and eventually Iowa City. In fact, that is two separate rivers doing this damaging situation. Des Moines and Columbus Junction and Vinton have seen the full power of the raging river as well. Unfortunately, there are more communities that have already seen the force of these waters and many more being hit downstream.

Like 2 weeks ago when tornadoes hit Butler County, Iowa has been the recipient of an outpouring of support from around the country. Homeland Security Secretary Chertoff in western Iowa with Governor Culver and FEMA Administrator Paulison were both in our State to tour the rising waters, and Administrator Paulison did that with Governor Culver, Senator HARKIN, and this Senator. It is my understanding that later on this week, President Bush will come to Iowa. And when it is all said and done, there are no better friends to these communities than their own local emergency management people, the local police and the local fire and the Iowa National Guard members. These people have been on the front line. They are analyzing each movement of water, watching bridges, water treatment plants, and ensuring the safety of every community member.

Most importantly, though, are those who are working together just to help a neighbor or a friend. Citizens by the thousands are filling sandbags, prisoners from local jails are helping with sandbagging efforts, and volunteers for the Salvation Army and the Red Cross

and most of the local churches—all of the local churches, I am sure—are seen throughout the flooded areas offering food, water, and shelter.

Senator HARKIN and I toured several communities Friday, as I indicated, with Administrator Paulison, the Small Business Administration, and Governor Culver, who is on the job every minute of the day. We did that on Friday. Of course, Governor Culver is doing it every day. On Saturday, Senator HARKIN and I surveyed other areas. On Friday, we happened to visit Des Moines, Waterloo, Cedar Rapids, Iowa City, back to Des Moines. Looking down, you could hardly see a dry piece of land between any of those cities. Houses, businesses, and crops alike are all underwater. When I say crops are underwater, I have to say that in some areas, whole fields, but there is not a field we flew over that did not have some ponding and some loss of a part of it at least. So crops are definitely hurt. Then on Saturday, Senator HARKIN and I went to Mason City, Charles City, Nashua, and Waverly, and then I had an opportunity to go to my downtown of New Hartford, where all but 2 or 3 homes out of 250 had water in them. It is devastating. There is hurt everywhere. There is devastation that I never dreamt of. I suppose if we could remember 15 years back, Des Moines, yes, maybe. I ought to say that I never dreamt of it. I guess I never dreamt from that time that it would happen again to the extent it did in 1993.

We were encouraged as we traveled by the sandbaggers and their endless amount of resiliency to get the job done. But in the next moment, we felt the hurt of those staying in shelters who had lost everything. As you talked to them, they obviously showed sorrow through their tears and, of course, the effort of maybe a life of work gone down the drain. Yet, through it all, Iowans are coming together and pulling through as only Iowans can as the water begins to recede in part of the area we entered. But do not forget that in the days to come, downstream, as you move toward the Mississippi River, other people are going to go through what we saw. But as the water begins to recede, people are attempting to get back into their homes. It is obviously frustrating. It is obviously discouraging. Besides the home itself, probably meaning a lot more to other people are pictures of loved ones, ruined heirlooms handed down from grandparents that you see floating even on the second floor.

Just as we did in 1993, and more recently, the people of Parkersburg, New Hartford, Hazelton, and Dunkerton have moved forward and begun to rebuild. So will the people of the rest of the State of Iowa go forward to rebuild. It is going to take time. It is going to be weeks in some cases. In some cases, it is going to be years to rebuild and get back to where people were.

I am confident that we will get through this. Senator HARKIN and I are

here to help, as well as the Congressmen in the other body. We are meeting regularly to discuss what we can do at the Federal level. Our staffs are meeting and talking several times daily to coordinate work. I am confident that when it is over, we will see the resiliency of Iowans come through, and we will all look to each other and our rebuilt communities and say, as we said: It was sad at the time, but we can do it. I think we will say it has been a job well done.

Mr. President, before I yield the floor, I would be remiss if I did not pay deep respect to the four Boy Scouts who lost their lives and also to those who heroically and bravely helped others hurt during another act of Mother Nature in western Iowa on Thursday.

Funeral services are being held today for 14-year-old Aaron Eilerts of Eagle Grove, who was killed by a tornado at Little Sioux Scout Ranch. The other three were from Nebraska and I believe from Omaha. But whether you are from Omaha or Iowa, being a Boy Scout leader and having this tornado happen and losing the life of a future leader of America is a sadness, whether you are from Nebraska or Iowa. Boy Scouts are often called upon to serve as leaders of our Nation in all walks of life. We lost four promising leaders far too prematurely and painfully, adding to the already existing hurt many in Iowa are feeling.

Before I yield the floor, I thank Senator HARKIN for being able to work closely with him, being able to travel together and see this situation. I wish we did not have to be working together on this project because it is sad but one that makes you proud of Iowans as well. We will continue to work together to see our way through it.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Iowa.

Mr. HARKIN. Mr. President, first let me thank my senior colleague Senator GRASSLEY for his many kindnesses and for working and coordinating this as we did the other day. Our staffs are working very closely together to do everything we can to ensure that the recovery we have to do now is swift and thorough and that we do everything we can to assist the many volunteers in Iowa who have come forward to help.

We toured a lot together late last week. I am sure we will be doing more this week to make sure that we are up to speed, that we know what is happening, that we have a firm grip on the different agencies that have to come to Iowa for this tremendous cleanup effort.

I wanted to join with my colleague Senator GRASSLEY in giving a little bit of a report on the events unfolding in my State of Iowa. Senator GRASSLEY has covered them, but I might add of couple of things.

As he said, last week we toured a number of cities: Waterloo and Cedar Falls and Cedar Rapids, Iowa City, Des Moines, Mason City, Charles City,

Nashua, Waverly—all places hard hit by this flood. I need not tell Senators—I know you have all watched it unfold on television, on CNN and everything else—as to the devastation in our State. Every newspaper is covering it on the front pages, whether it is the New York Times, the Los Angeles Times, the Chicago Tribune or Atlanta or wherever you are.

Iowa is experiencing flooding of almost Biblical proportions. Nine rivers are at flood stage, 83 of our 99 counties have been declared disaster areas by Governor Culver, and 54 roads and highways have been closed. Interstate 80, the major east-west thoroughfare of our Nation, is closed and has been since—well, I think since Friday, either Thursday or Friday. In Iowa, Interstate 80 is closed. Interstate 380, north-south, is closed, not to mention a lot of our smaller roads and highways in Iowa, making it very difficult for people to even get around.

As Senator GRASSLEY said, last Friday we were accompanied by FEMA Administrator Paulison and Governor Culver, OMB Director Nussle, a former Iowan. Mr. Paulison said the flooding was some of the worst to hit the United States since Hurricane Katrina slammed into the gulf coast. I would simply add that the cresting Cedar River raging through downtown Cedar Rapids is as bad as what Americans saw in Katrina in New Orleans in 2005.

You have to witness it with your own eyes to appreciate the breadth and the intensity of this devastation. It is very humbling when you meet with so many people who have been so affected by this, lost their homes, several lives lost. Thank God we kept it to a minimum—but losing all of their homes, things they have built all their life. Do you know what is really sad? Homes can be repaired. You can rebuild a house, you can do things again. It is so many of the personal effects people lost. Because they had to leave in such a hurry because of the rising waters, they were not able to take a lot of their personal effects: mementos, pictures, albums, birth certificates—all kinds of things like these that are the summation of your life, in many cases, gone, and those are irreplaceable. It is shocking, the devastation. Tens of thousands have been displaced, 25,000 people in Cedar Rapids alone.

This again, as Senator GRASSLEY pointed to one chart, is another view of the Cedar River here, Alliant Energy here. I will show you another picture shortly. The downtown area is over here. This is city hall. As you can see, it is totally inundated. Of course, power is off and everything. This is sort of the downtown area.

Then I think that I have one here—yes. This is a picture I took myself. I took this with a digital camera flying over it on Friday. That was city hall you saw in the previous picture. But you get some idea of the devastation of downtown. For example, the picture Senator GRASSLEY showed is right

down here. My Senate office is in this building here; of course, totally inaccessible, everything is shut down. So you can begin to get an idea of the magnitude of it.

Right over here is the Quaker Oats plant. I am sorry, I cut it off. This is the Quaker Oats plant. This is the largest grain milling facility in the world, and it is shut down, underwater.

Now you begin to see some of the other neighborhoods here and how they are impacted also. I wanted to see how many blocks it was. This is a typical part of Cedar Rapids that is flooded. You can see what a block would be like. You know, I cannot even tell the streets here, but I assume this would be a street, this would be a street, and this would be a street, so that would be a block. So you have about—maybe you have six or eight blocks here. There are 400 blocks like this that are underwater in Cedar Rapids—400. I did not have a camera big enough, did not have a lens big enough to cover it all, but 400 city blocks are inundated like that.

In Iowa City, much of the University of Iowa has been inundated. Students, faculty, staff—we were there watching them sandbag. Students were working, moving books from the library, artwork from the university's gallery.

Also, it is not just our largest cities. We talk about Cedar Rapids, Waterloo, Des Moines, and Iowa City, but there are other smaller towns and communities we visited. Senator GRASSLEY and I were in Charles City and Waverly. Each have more than 500 homes inundated with floodwaters. We were told on Saturday one in every four residents of Waverly—one in every four residents—is affected by this situation, and their houses are flooded.

We went through the downtown area of Waverly on Saturday—not a business was open. Now, thankfully, the waters have receded because it is up north and the water is headed south. The waters have receded, but they do not have power yet. They have all the mud and the dirt and the debris to clean up.

Elkader had 60 homes and 30 businesses destroyed when the Turkey River went over the levee. The Anamosa sewage treatment plant failed at two different points because the levee broke. The list goes on and on.

I had to duck out for a minute when my colleague was talking, but Senator GRASSLEY's hometown of New Hartford—you feel so sorry for them. They were hit by this tornado a couple weeks ago, and a couple people lost their lives. It did not hit the town squarely, but it nicked it and took some houses out on the north side of town. But then New Hartford got flooded, and they had to evacuate the town because of the flood.

If you fly over Iowa—and, of course, being chairman of the Agriculture Committee and being associated with agriculture all my life, I wanted to

look and see—and you look over the countryside of Iowa, I do not know that I saw one field that was not affected with ponding and water. Because the corn had only come up maybe a couple of inches, the water has covered it and it is dead. It is gone.

So we do not know the extent of this damage, but the Iowa Farm Bureau estimates that as much as 16 percent of Iowa's 25 million acres are currently under water. Now, I have to tell you, just from my own eyeball, looking at it while flying over it over 2 days, I think it is higher than that.

Again I say, we see nature at its worst, but we see people at their best. With the sheer number of volunteers filling sandbags and helping out in other ways, thousands have participated. We were in Iowa City, and they were sandbagging up the library. You had little kids—9-, 10-year-old kids, maybe some younger—holding these plastic funnels so they could get the right amount of sand into the sandbags. Then they had these lines set up with students and everything.

I saw the same thing in Des Moines: sandbaggers sandbagging 24 hours a day. More people showed up than they could actually use to work.

There is no doubt, I am told by the mayor of Cedar Falls, Mayor Crews, that the effort of volunteers at Cedar Falls—that is right across the river from Waterloo—that the thousands of sandbags—tens of thousands—that were filled and reinforced the levee saved the downtown area of Cedar Falls.

So everywhere Senator GRASSLEY and I went last week, we witnessed Iowans giving their all to help their neighbors. I would be remiss if I did not mention the Iowa National Guard. Thank God for the Iowa National Guard. I am glad they are here. They have been deployed a lot in Afghanistan and Iraq, but it is nice to know they are home now. They were there to help. Over 2,500 members were mobilized. General Dardis, the head of our Iowa National Guard, has done a superb job.

Everywhere you go you see these National Guard people out there working. They are working, they are organizing, they are taking leadership positions. They are doing everything from filling sandbags to working the levees, helping people out of their homes, doing a magnificent job.

Again, I see these National Guard kids out there. I don't know when they ever sleep. It is like 24 hours a day they just keep going.

Well, I guess if there is any good news, it is that in Iowa City the water crested yesterday. But, again, when I talk about "over flood stage," usually when you talk about something being over flood stage, you are talking about it being a few inches over. Get this: In Cedar Rapids the old record was 20 feet set in 1929. On Friday, the river crested at 32 feet—almost 12 feet higher than any time ever. We never had this level

of flooding. This level of flooding has never happened in Cedar Rapids.

Across eastern Iowa, flooding rivers have washed out railroad lines. Mississippi barge traffic has come to a halt. It closed major roadways. As I said, Interstate 80 is still closed.

Thousands of Iowa businesses, large and small, have been impacted. John Deere had to evacuate two of its plants in Waterloo. I mentioned the Quaker Oats plant, as shown here on the map, in Cedar Rapids. It is the largest grain processing plant in the world. It was flooded and left idle.

In Cedar Rapids, 400 city blocks are submerged, as shown right there on the map. That is valued at close to \$750 million. Early estimates of damage to Iowa's agricultural economy, I can tell you right now, will exceed over \$1 billion. That is just agriculture.

Well, Iowans are a resilient and resourceful people. But, as with the gulf coast in the wake of Katrina, we are going to need generous Federal assistance to help us get back on our feet. The destruction is so vast that it is simply beyond the capacity of local governments and the Iowa State government to handle it by themselves.

Now, keep in mind, when we talk about the big cities, there are so many small towns and communities out there that have been hit hard that need help and jobs that need to be rebuilt. It is not just Iowa. We have Illinois, Missouri, Wisconsin, Indiana, Ohio, Kansas, and Minnesota. They have all been hard hit by flooding and tornadoes.

I believe the hardest hit States will need to have the local matching funds for FEMA assistance, which is normally 25 percent, they are going to have to be reduced as much as possible. I hope we can work with the administrator and with President Bush to get that down as much as possible.

The Iowa delegation—on a bipartisan, bicameral basis—is preparing a letter right now asking the President for this relief. There is no conceivable way that a State with the devastation on the scale that Senator GRASSLEY and I witnessed this weekend can come up with a 25-percent match in order to trigger the customary FEMA assistance.

Now, beyond that, we are going to need to move quickly in addressing weaknesses in our flood control systems and some other mitigation needs so businesses and homes can be safely repaired.

The full 15 percent in FEMA disaster mitigation assistance, as authorized back in 1993, should be provided. It may very well make more sense for the State to buy homes that have been flooded so we can avoid having them flooded again in the future, with those repairs again paid for with Federal flood insurance and other Federal assistance. Such homes can be purchased and then permanently converted to parkland or other uses that will not need very costly repairs after future floods.

I might add, we had devastating floods in Iowa in 1993. We did some of this mitigation. Because some of those homes were removed—in fact, I think there is one town where basically the whole town was moved to higher ground. And guess what. They did not get flooded this time. A lot of times it makes good sense to do that.

We are going to need flexible community development block grant funding for infrastructure repair and home assistance. Economic Development Administration funds for infrastructure will be needed for businesses and jobs. Corps of Engineers funding will be needed for the repair and improvement of levees. We will also need Department of Agriculture support for a whole variety of agricultural things—from repairing conservation structures to meeting new soil conservation problems and cleaning up debris. Every culvert going under these roads, all over the State of Iowa, has been plugged up with some kind of debris. Bridges—all this stuff—need to be taken out and taken out in a hurry. So we are going to need the help of the Department of Agriculture on that.

So it will be several weeks, at least, before we can have an accurate measure of the total economic losses and physical destruction. Probably more time than that for areas south of the water. The water is all moving south, so I hate to say this, but I think northern Missouri is about to get hit pretty hard. And as to the absolute southeast of Iowa, we have not seen it hit the absolute southeast of Iowa yet.

So, again, we are going to have to get a pretty good handle on this, but this is a national disaster. It requires a national response.

So, Mr. President, I am sure Senator GRASSLEY and I will have more to report in the days ahead. But our thoughts and prayers are with the good people of Iowa and neighboring States who are still struggling with floodwaters or still picking up the pieces from devastating tornadoes.

Again, I want to join with Senator GRASSLEY in thanking so many church groups in Iowa. We saw them. Every place we went, we saw church groups getting together. Protestant, Catholic, evangelical—no matter who—they were all getting together and setting up response teams, doing an outstanding job. It was so wonderful to see these people come together and organize in that fashion.

Then, of course, in Cedar Rapids, some of the churches are underwater. I may not have one here on this map, but I had a picture earlier. I had some pictures of churches that were underwater too. But the church groups, religious groups in Iowa, have been wonderful.

On a really somber and sad note, I would, again, express my condolences to the families of the Boy Scouts who were killed at Little Sioux—a terrible tragedy—and to the families where some of the kids were hurt pretty

badly. Some of them are still in critical condition.

So we are praying for their recovery, their full recovery. But you listen to the stories that came out of that Boy Scout camp, and you see what a good thing Boy Scouts is and the leadership they provided and how they pulled together and helped one another. There is a lot of strong leadership in these Boy Scouts.

So we hope their families will take some condolence in the fact that these kids responded in a great leadership fashion. These young kids responded as adults after that tornado hit that Boy Scout camp.

Lastly, Mr. President, I deeply appreciate the many expressions of concern and caring expressed by our Senate colleagues. I have gotten a lot of phone calls and messages, and I thank all my colleagues for their expressions of concern and caring.

We will get through it. Obviously, we will get through it. I think Iowa will be a stronger State. We will have some tough times. I have no doubt about it. A lot of people out there do not have much money. A lot of times it is the lowest income people along the rivers and stuff because, well, the spacing—that is where the cheapest land is, isn't it? That is where the lowest cost houses are, for the most part. I am not saying all, but for the most part. I have seen some pretty beautiful homes inundated by water too, I might add, but a lot of these people are low-income people. They are elderly. They have nowhere to turn. As a caring nation, we have to help them put their lives together again.

So we will be on this every day. I am pleased to hear that President Bush—I just found this out a few minutes ago—will be coming to Iowa on Thursday. That will be good. I hope he can see this firsthand and then help us with getting those FEMA matching funds down as much as possible.

With that, again, I will be reporting more in the days ahead. But we are starting the clean-up process now from the most devastating flood I have ever seen in all my years in the State of Iowa.

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

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

The bill clerk proceeded to call the roll.

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

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

#### MIDWEST FLOODING

Mr. DURBIN. Mr. President, this Father's Day weekend I celebrated by buying a dehumidifier. I live in the Midwest, and we have had a lot of rain, but I am lucky because my problems with a damp basement are minor—very

minor—in comparison to what people all across the Midwest are facing. We have seen this before. I was hoping and praying we wouldn't see it again for a long time, but our colleagues from Iowa and Minnesota and others have spoken on the floor about the devastation that is a result of massive flooding in the Midwest and Wisconsin as well.

Tens of thousands of our neighbors in the Midwest have suffered staggering losses and need help and our Government needs to be there, as promised. In my State of Illinois, the same floods that have devastated our northern neighbors are now heading our way. We are in a race against time and nature.

By Wednesday of this week, at least in the Quincy area of the Mississippi River, we expect the Mississippi River to reach its crest. It is the mightiest river in North America. It is a beautiful river and a big part of America's history but, boy, when the rains start falling and all those rivers start feeding into it, the Mississippi can become almost uncontrollable.

There are fears that the flooding along the Mississippi in Illinois could reach historic levels that we experienced during the great flood of 1993. I know all about that one. That was a flood on my watch. I was a Congressman in central Illinois, with a big swath of Illinois and the Mississippi River in my district.

It was one of the most costly and devastating natural disasters ever to hit our country. It didn't come with the intensity and immediacy of a Hurricane Katrina and certainly didn't cause the long-term devastation they felt in Louisiana and Mississippi.

Floods in our part of the world are a gradual, building thing that seem like they will never go away. More than 50 people died in 1993. Thousands were forced to evacuate their homes, as hundreds of levees failed up and down the Mississippi River. The economic damage exceeded \$15 billion.

The experts told us after that flood that it was a 500-year flood event. So we thought we would be able to brag about that for the rest of our lives, and generations to come will point back to 1993. Well, here we are 15 years later, and we seem to be on the verge of another similar disaster.

Many times, weather-related disasters, such as Katrina, give us no warning. They strike in a matter of minutes, hours or days if we are lucky. This is different. We have seen this crisis coming for quite a while.

Illinoisans are working hard and fast to try to prepare for the worst and to minimize the damage.

Last Friday, when the Senate adjourned, I went back to my home State and drove over to Quincy on the Central Illinois Expressway and met with Mayor John Spring and then went down to Grafton, IL, and met with Mayor Richard Mosby. Senator OBAMA was in Quincy on Saturday.

In those cities and towns up and down the Mississippi River, people are

filling sandbags as fast as they can do it. They are fortifying existing levees and creating levees to protect businesses and homes and valuable infrastructure.

I commend all the residents, volunteers, emergency workers, and the more than 400 members of the Illinois National Guard, who are working to brace our State for these floodwaters. Many people are working around the clock.

That is one of the nice things about this great Nation. I take special pride in the Midwest, which is where my roots are. When an emergency such as this arises, I have watched how people rally around and try to help.

Again, I was with Mayor Spring in Quincy on Friday. People were literally spending their entire day filling sandbags. It is hard work; many times it is back-breaking work, repetitive. But the spirit in that meeting place was as good as anyplace I have ever been. They all felt they were pulling together for their neighbors, their community, their city, and for their State. They felt a special kinship.

It is not unusual, of course, to see the great efforts of the Red Cross. They are always there trying to help people along, providing a sandwich and a bottle of water to the folks who need it when they are working. Also, other volunteers, including folks at a age where they could not pitch in and fill a sandbag, but they were making sandwiches and cookies to bring to the volunteers. It is that kind of a community outpouring that means so much.

The official Government agencies were sure there doing their part, including FEMA and our Illinois counterpart, coordinating the disaster response, along with the Army Corps of Engineers.

Over the weekend, two levees in our State—in the towns of Carman and Keithsburg—failed. Hundreds of residents in those towns have left their homes. Another levee broke last week in the town of Lawrenceville, on the east side of the State, and residents are stranded there without drinkable water.

Floodwaters are starting to seep into other towns along the river. Heavy rains are still falling north of us, pushing the river higher by the day.

Our Governor has already declared 15 counties in Illinois State disaster areas.

At the urging of Senator OBAMA and myself, Governor Blagojevich wrote to President Bush and asked him to declare a number of Mississippi River counties Federal disaster areas. Quincy is preparing for the worst. The river is expected to crest at 32 feet. One of the main concerns there is the water intake plants that provide water for the region. If it goes down, it may take months to restore it. That will be a hardship on a lot of people we hope to avoid.

I was with GEN Bill Enyart, head of the Illinois National Guard, Friday

night. I said: Bill, I hope that as a special project the Illinois National Guard will join with Mayor John Spring to try to protect that waterworks. It is important. Bill answered the call immediately and called Mayor John Spring and sent 100 members of the Air Force National Guard there to start sandbagging around the water treatment plant, trying to save it before the river crests on Wednesday. All those volunteers and emergency workers—even State prisoners released from the local prisons and correction camps—are working side by side to fill sandbags.

I also wish to say a word about State Senator John Sullivan in that area. He rolled up his sleeves immediately and went to work. I was with him Friday. He is roaming up and down the river trying to make sure he gives a helping hand where needed. He calls State and Federal agencies to see where they can be of assistance. He is a terrific public servant, and I was glad to be with him at that time.

Senator OBAMA came to Quincy over the weekend and looked at the situation and pitched in as well, filling sandbags, and he was able to see how our State is being affected.

The volunteers worked through Father's Day. The celebration with family was short-lived. They tried to do their best to tame the mighty Mississippi River. These volunteers are demonstrating amazing spirit. A flood is a devastating prospect to face and envision. But these folks have responded with resolve and determination. I am proud of them, and I am so proud to represent them. Their work may save homes, businesses, and lives. Every sandbag that is filled may make it much easier for communities to get back on their feet when the floodwaters recede.

State and local leaders in Illinois are also working around the clock to prepare for the worst. We know, from looking at neighboring States, that the severity of this flood will be more than the people of Illinois alone can absorb.

The magnitude of this disaster will require action from the Federal Government.

I have stood in Congress for over 20 years, and every time some section of our Nation has been victimized by a disaster, I have always felt that is when we come together as an American family, when we draw on our national treasure and the efforts of American workers across the country to come to the rescue of our neighbors in trouble. Well, now it is time for the Midwest to ask for that help.

I know this Congress and President will be forthcoming. They have done a good job so far. We have to make certain we give them all the tools they need to move quickly back home to prepare for the worst, to try to avoid tragedies that can be avoided, and then to clean up afterwards and get on with their lives.

Senator OBAMA and I will work with the Illinois congressional delegation to

ensure that the communities and the people affected do not face this disaster alone. America and this Congress and Senate will stand with them.

I yield the floor.

#### CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is now closed.

#### RENEWABLE ENERGY AND JOB CREATION ACT OF 2008—MOTION TO PROCEED

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of the motion to proceed to H.R. 6049, which the clerk will report.

The bill clerk read as follows:

Motion to proceed to the Renewable Energy and Job Creation Act of 2008, a bill to amend the Internal Revenue Code of 1986 to provide incentives for energy production and conservation to extend certain expiring provisions, to provide individual income tax relief, and for other purposes.

Mr. DURBIN. Mr. President, for the record, it is my understanding the time between now and 5:30, when we vote on the motion to proceed to the tax extenders, has been evenly divided between the Republican and Democratic sides.

I ask unanimous consent that all time—even time on the quorum call—be credited to both sides equally during that period.

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

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

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

The bill clerk proceeded to call the roll.

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

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

Mr. KYL. Mr. President, in a couple of hours we are going to be voting again on cloture and we will be making a choice between two different points of view. We did this 2 weeks ago, a week ago last Thursday, and the result was that cloture was not invoked on the House-passed so-called tax extenders package, and I think the same result will end up being the case this evening.

It is essentially a choice between the Democratic leadership trying to do this in a partisan way by simply bringing up the House bill and trying to push that through, or getting together, as we have done in the past, in a bipartisan way, to ensure that the tax provisions we all support and we all want extended into law are done in a way that does not require that taxes be increased in some other part of the Tax Code.

Republicans do not believe it makes sense to keep existing tax policy right where it is by having to raise taxes in another part of our economy, sometimes on the very same people who are paying the tax we are extending. Extending current tax policy is not a tax cut. Extending current tax policy is just that, it is maintaining the status quo, and we don't believe we should have some rule, in effect, that says when we continue exactly what we have in tax rates, somehow or other we have to raise other taxes in order to pay for that. That doesn't make any sense.

It is basically the difference between two philosophies. The Republican philosophy starts with the proposition that money belongs to the people—the people—and we send a certain amount of that back to Washington and to our States to help run a government that we all understand we need to pay for. But originally the money belongs to the people. And the question is, How much can the people afford to give up? In times of economic downturn, such as we are facing today, it is not wise policy to take a lot of money from the private sector. In fact, we made a decision, the President and the Congress, to actually give back some of that money to the taxpayers. It was the tax rebate, the so-called stimulus package. Some people have already received their \$300 or \$600 checks. The idea is when we have an economic situation such as we do today, you don't take more money from the people. If anything, you try to help them keep what they have.

There are those on the other side, however, the Democratic side, who have a different view. They start with the premise that the Federal Government and how much money it has and how much money presumably it needs—and if the Federal Government needs more money because Congress is spending more money—then where else are we going to get it? Well, we have to take it from the people. If the Federal Government has a tax rate or a tax policy, such as a research and development tax credit that expired last year and we want to continue to provide that for this year, these people believe we need to tax the private sector. We need to tax taxpayers more money in order to, in effect, make up for the extension of that research and development tax credit.

Now, we don't think you have to make up for anything. You are keeping it exactly where it is today. You are not cutting taxes, you are keeping taxes right where they are. The other side says, no, we have a rule called pay-go, and it means even if we keep taxes exactly where they are today, we have to raise taxes to, in effect, pay for that. It is a nonsense policy. It hurts the private sector, it hurts businesses, it hurts American families, and it is the last thing you want to do in a time of economic downturn. That is why we have two different philosophies here.

Our philosophy tonight says vote no on this cloture petition, because at the end of the day we all understand we are going to extend the current tax policy, we are going to extend the research and development tax credit and all of the other similar policies, but we don't have to raise taxes to do that. So we are not going to do that. There is an easy way and a hard way, in other words, to get this done.

There are some other things wrong with the House bill. Even if that were the basic debate, there are some other reasons why we wouldn't want to take up the bill that is coming to us from the House in the first place. For one thing, it doesn't do something very important, and that is to extend the relief from the alternative minimum tax, or the so-called AMT. This was a tax originally designed to hit millionaires and it ended up, in effect, hitting everybody else.

In fact, this year there are something like 23 million people—23 million filers—who would be affected by the alternative minimum tax if we did not once again relieve them from that liability. So each year we pass a bill that says you don't have to worry about paying the AMT this year. Actually, last year it was 23 million and this year it is 25 million more taxpayers who will face an unwelcome tax increase, averaging about \$2,000 of tax liability. That, again, is absolutely the wrong policy in a time of economic downturn. Frankly, it is the wrong policy anytime.

There is another thing wrong with the House bill. It includes a \$45 billion tax increase on certain businesses. We want people to be able to do business overseas as well as here in the United States. It is good for us when we have businesses competing abroad. About \$45 billion of new tax increases will be piled on those businesses with two particular provisions of the House bill, in effect amounting to double taxation of the people working for those businesses when they are working abroad.

Without getting into the details of that, we all understand what those two provisions are. They deal with deferred compensation from certain employers who would be treated less favorably than other employers in the United States, and delaying the implementation of some new tax rules that would allow worldwide interest for foreign tax credit purposes.

Again, given the fact that we are in an economic downturn right now, why would we want to raise taxes, particularly on those industries we are encouraging to do business abroad to help bring more revenues into the United States? Again, these two provisions would make the United States less competitive, not more competitive.

Incidentally, the administration has indicated it would veto the bill if these tax increases are in there. Obviously, we want to get these tax extenders done, and therefore don't need the delay of a Presidential veto, Congress

sustaining the veto, and having to start all over again.

Another thing wrong with the House tax package is it only extended the expiring provisions, such as the research and experimentation tax credit, for 1 year, notwithstanding that we prefer that be done for 2 years—for the year in which they have already expired and for next year as well.

It also included some new tax earmarks. What are some of these tax earmarks? One is it requires that projects financed with the so-called new clean renewable energy bonds be subject to the prevailing wages requirement of the Davis-Bacon Act. What this, in effect, says is if you have a Federal project here, you are going to have to pay a much higher wage rate to the people doing the work. The net result of the construction project is it is far more expensive than it would be if you could simply bid it out under normal bidding processes.

Many reputable studies have estimated that Davis-Bacon inflates Federal construction costs by anywhere from 5 percent to 39 percent. I have seen that right in my own home State of Arizona. Rather than paying the Davis-Bacon wage rate for a small Federal facility in southern Arizona, they decided to use existing mobile homes—which was totally inadequate, but at least it saved money from having to do the Davis-Bacon construction add-ons. So if we are going to create an incentive to build more renewable energy production, I am not sure why at the very time you would want to intentionally increase the project's costs by subjecting it to Davis-Bacon.

Another problem with the bill—a new tax earmark, in effect—is it creates a new standard deduction for property taxes, but it is essentially an indirect transfer because it does not prohibit local governments from raising their taxes, entirely offsetting any benefit to local taxpayers. In other words, it says you can offset certain State taxes. It doesn't prevent the States from increasing those taxes, so that in effect all of the taxpayers around the country are subsidizing the State that raised its taxes. The CBO suggests that, in general, the deduction for State and local taxes is a subsidy to wealthier communities. It deters States from financing local services with nondeductible things like user fees that are much more efficient.

Another thing the House bill does, another one of its tax earmarks, is to include an unprecedented tax earmark for New York. Tax credits are, by design, intended for individuals and businesses that actually pay taxes, not cities that do not pay taxes. But in this bill, there is an explicit tax credit for the city of New York, which does not pay taxes. How does it work? What they propose to do is give a tax credit of \$2 billion to build a new rail line from Lower Manhattan, even though New York has no Federal income tax liability. What they would do in effect

is relieve the State from its payroll tax liability. All employers have to pay a payroll tax. What this would do is, when the city of New York pays payroll taxes for people on its payroll, the Federal Government would pay back the city. That is a very bad precedent, and it should not be included in this legislation.

But my favorite of all—we have not done enough for trial lawyers. It seems we need to help the poor, struggling trial lawyers, whose faces we have seen frequently, recently, in publications such as the Wall Street Journal, because they have been indicted and are going off to jail. But we need to help these trial lawyers because it seems it costs them a lot of money when they prosecute these class actions, on which they make hundreds of millions of dollars. They have to hire witnesses. They have to put out other money as expenses. That used to be a violation of ethics. When I went to law school, it was called champerty and maintenance. You couldn't do it. It was unethical for lawyers to pay the upfront expenses of these lawsuits because lawyers were explicitly not deemed to be businesses but, rather, professions. I do not know when the law profession failed to be a profession, but apparently it has because now the trial lawyers want a usual and ordinary business expense deduction for the expenses of these contingent-fee lawsuits. It is \$1.6 billion. I don't think the American taxpayers need to be subsidizing trial lawyers to the extent of \$1.6 billion, but it is in this bill, and it is another reason we should not agree to take up this bill—that is to say we should deny cloture on this bill.

There is a perfectly good alternative here; that is, bipartisan negotiation that would do similar to what we did last year, to provide the expiring tax relief here another year or two of extension, to extend the alternative minimum tax, to do these things without raising taxes either on the same taxpayers or on other taxpayers. We could provide tax relief for members of the military and veterans, incentives for charitable giving, a deduction for higher education expenditures and teacher classroom expenses, do the subpart F active financing and look-through exceptions. These are provisions that are very important for American businesses to be competitive.

All these things are in the Republican alternative. I believe that because they represent good tax policy, they would be agreed to on a bipartisan basis. Certainly, the chairman of the Finance Committee has been supportive of, I think, all of these provisions as well. It would also extend and improve the expiring energy tax incentives for alternative energy production and solar power that Senators CANTWELL and ENSIGN added to the housing bill. It would do all of these things without raising taxes.

These are provisions that I suggest we could negotiate as soon as cloture is rejected on this bill.

Let me conclude by making the point that delaying further is costly to taxpayers. Enacting the bill solely last year prevented more than 13 million taxpayers from being able to file their returns and delayed their refunds for several weeks into the filing session. We need to get on with this. We need to get to the bipartisan discussions. We can negotiate a bill, and we can get it passed in a matter of days if we do that.

Businesses need to be able to tell those with whom they do business, their stockholders and the people they get money from, whether they can take advantage of these important tax benefits such as the R&D tax credit. The fact that this tax credit has already expired should be enough to convince us that we need to do this as soon as possible. This helps keep American businesses competitive. It is one of the key things we can do. For example, France has a 50-percent R&D tax credit, and China offers a 150-percent deduction for R&D expenditures. Clearly, the United States needs to get back in this game.

As I said before, we need to provide the AMT relief. The bickering between the two Houses on this is doing nothing but hurting American taxpayers. I think we should recognize right now it is not going to be subjected to pay-go. There are not going to be new taxes raised in order to provide relief from the AMT. I think everybody knows that.

We might as well get to the job of negotiating a bill and getting it done. We have already voted three times in support of this policy, once at the end of last year—that vote was 88 to 5. Last month, we extended the energy tax extenders, 88 to 8. And last week in the cloture vote that I indicated, that failed 50 to 46. I think it is clear we can get to the end of this. Everybody agrees we need to do so. It is just a question of how and a question of time. We can do it the easy way. We can do it the hard way. We can either get it done now or we can take a lot of time. I think most of us and most of our tax-paying constituents agree it would be better if we can get it done now, if we can do it the easy way, and they can begin planning for their futures.

I urge all our colleagues at our 5:30 vote to vote no again. We took this vote before. The vote should not be any different. Once that is done, we can get down to the bipartisan negotiations that will actually result in legislation that we can pass and the President can sign and that will be to the advantage of American taxpayers.

Mr. President, I suggest the absence a quorum.

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

The bill clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. CARDIN). Without objection, it is so ordered.

(The remarks of Mr. WEBB pertaining to the introduction of S. 3140 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. WEBB. I yield the floor and 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. DORGAN. 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. DORGAN. Mr. President, I ask unanimous consent to speak for 20 minutes as in morning business.

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

#### ENERGY

Mr. DORGAN. Mr. President, I was on one of the Sunday weekend shows and was joined by one of my colleagues on the Republican side. The discussion on that program was about oil and gas prices and energy development. My colleague on the Republican side quite predictably said: Well, the problem is the Democrats do not want to produce any more oil. They stand in the way of producing oil.

It is such a canard. I wanted to come to the floor to talk about that a bit and also to talk about the fact that we are going to vote at 5:30 today on energy tax credits for renewables. Then we will see who in this Chamber does want to produce some energy, because we have had chances before, and the Republican side of the aisle, the minority side, has blocked our ability to produce.

I want to talk a little bit about that. I know they tend to think that unless you are sinking a hole in the ground someplace and sucking oil out someplace on the planet, you are not producing. Well, I happen to believe there are plenty of places to begin producing additional oil in this country. But drilling alone is not going to solve our problem. There are other things we must do that represent change that my colleagues on the other side of the aisle simply cannot embrace; that is, being aggressive on renewable forms of energy, wind energy, solar energy, biomass, and biofuels. It goes on and on. They do not consider that additional production, I guess.

Let me talk first about this issue of the alternative and renewable forms of energy. In 1916 this country put in place robust, permanent tax incentives to say to people: If you go looking for oil and gas, good for you, we want you to do it. We are going to give you some big tax breaks. That was put in place almost a century ago.

Here is what this country has done for renewable energy. In 1992 they put in place a production tax credit, a short-term, fairly shallow tax incentive if you want to produce renewable energy. It has been extended five times

since 1992, short term. It has been allowed to expire three times. So we have had the stutter-stop, stutter-start approach to dealing with the production tax credit for renewable energy.

This chart shows what happens every single time it has not been extended. The investment falls off the shelf. Last year, last June, we had a bill on the floor of the Senate that said, let us extend this for a long period.

I have a bill I introduced that said, I think the Congress and this country should say here is where we are headed. For 10 years we have been so dependent on the Saudis, the Kuwaitis, the Iraqis, the Venezuelans, and others for oil. Sixty percent of our oil comes from off our shores. We need to be less dependent, and one way to do that is to produce renewable energy right here at home.

So last June we put a bill on the floor of the Senate that said, for 5 years you can count on the production tax credit to pursue incentives for wind and solar and all of those kinds of renewable energies that are available to us. Here is the tax incentive for you for the next half of a decade.

Guess what. Thirty-four Republicans voted against it and killed it. They did not want to do that. Now they are talking about how much they want to produce energy. Well, let me talk about this production of energy. I happen to think, one voice here, we ought to produce in the eastern Gulf of Mexico.

If you take a look at where the oil is, the hood ornament for their discussion is always "ANWR," one of the most pristine areas in America, set aside in legislation signed by Dwight D. Eisenhower. The other side always says, well, ANWR, we have got to produce in ANWR.

Even JOHN MCCAIN votes against producing in ANWR. JOHN MCCAIN said, I do not think you ought to produce in the Everglades, in the Grand Canyon, I do not think you ought to drill in ANWR. So enough about that.

If you take a look at where the oil is, on the outer continental shelf in the Gulf of Mexico, off the west coast, off of Alaska, by far the most significant reserves of oil are in the Gulf of Mexico, both the western gulf and the eastern gulf.

The area off of Florida in the eastern gulf ought to be open, in my judgment. But even more interesting are the Cuban waters just south of Florida. Many countries have leases to drill off Cuba's coast, including Spain, Canada, India. China is actually drilling onshore in Cuba, but we expect China to be wanting to drill offshore also. Our oil companies want to drill there. There is estimated to be half a million barrels a day production off Cuba. But we cannot produce there. Our companies cannot go in because we have this embargo with respect to Cuba, and the Bush administration is insistent on tightening the embargo rather than loosening the embargo. So there are

half a million barrels a day of production there that our companies cannot go get.

Now, my colleagues introduced a piece of legislation on the Republican side for additional production, but it does not include producing in the eastern Gulf or off of Cuba. They do not want to produce there. So are they for production? Is that what they are talking about, or is this a big sham? We know they do not want to produce sustainable amounts of renewable energy because they have voted against it. They say they are voting against it because the bill increases taxes.

Let me tell you what it increases. It says to big hedge fund managers that they should invest in renewable energy because the government is going to invest in them over the long-term. By the way, the person who runs hedge funds and made the most income last year made \$3.7 billion. If you are wondering, that is going home to say: Honey, I had a pretty good month, I made \$308 million this month. That is making enough so that 4 minutes of work equals the average working man's salary for an entire year.

By the way, they get to pay a 15-percent income tax rate, which I think is an outrage. But even more than that, they have a game in which they defer a portion of their income tax by moving it offshore.

This legislation shuts that down and thereby raises the money to pay for some of our investment in renewable energy. The other side is upset about that. We are shutting down a tax scam for the wealthiest individuals. It is pretty unbelievable. I don't want to hear any more noise, deep sounds from the chest masquerading as thoughtful symbols from the brain, about production. The fact is, I believe in production. That is one part of addressing the issue. One part of it is producing oil. But a much more important part is renewable energy because we need to change the way we have been doing things.

We are so unbelievably dependent on Saudi oil and oil coming from troubled parts of the world. It makes no sense. We have an enormous appetite for oil. We sink little straws in this planet every single day and suck oil out. We suck out 85 million barrels a day, and we use one-fourth of it in a little place called the United States. Sixty percent of what we use comes from off our shores, much of it from troubled parts of the world, and almost 70 percent of that we use in vehicles.

We need to do a lot of things here, and we need to do a lot of things right to make us less dependent on foreign sources of oil. We need to make our vehicles more efficient, to conserve energy in every single way, to make all of our appliances more efficient. There is so much we have to do right, including produce more renewable energy.

We will have a chance in an hour and 15 minutes to vote once again on funding renewable energy. Most of my col-

leagues voted against it just days ago. I hope they have had some kind of epiphany recently and will decide that was the wrong vote and today they will cast the right vote.

Let me talk for a moment about what people are doing today as they drive up to the gas pump with their vehicles. They are driving their car up to the pump trying to figure out: How much can I afford? I have to stop at the grocery store on the way home. Or: I just bought medicine. How much can I afford to put in the gas tank?

They put whatever they can in that tank. And by the way, the OPEC nations smile all the way to the bank as they deposit our money. The big oil companies smile all the way to the bank as they deposit the rest of our money. But there is no justification for the current price of gas and oil. None. This market system is broken. It doesn't work.

There are three things that are making oil more expensive: No. 1, we have OPEC which is a cartel. That would be illegal in our country. But a bunch of oil ministers get together in a closed room and make judgments as a cartel. No. 2, we have big oil companies—much bigger because they were all given the green light to merge in recent years. They all now have two names—ExxonMobil, ConocoPhillips. They are bigger and stronger.

Finally, what I want to talk about is the issue of the futures market, which is the third piece that is simply broken. The futures market is an unbelievable carnival of speculation. It is supposed to be an orderly market by which people can hedge who are involved in the oil business. Now we have hedge funds, investment banks. We have all kinds of speculators, who will never be interested in ever taking delivery of oil, engaged in the futures market and driving up the price of oil and gas in a way that makes it at least 20 to 30 percent higher priced than a normal supply-demand market would justify.

In every month but one since January of this year, our crude oil stocks have increased. Let me say that again. In every month but one since January of this year, our inventory of crude oil stocks has increased. So supply is increasing.

On the other hand, people are driving slightly less, and there is a decrease in demand. So since January, you have both an increase in supply and a decrease in demand. What has happened to the price of oil and gas? It has gone up like a Roman candle. That means the market is broken.

Let me talk a little bit about what I think is happening in this market. Let me put up a picture of NYMEX. This is where they trade some of these oil commodity stocks. Some of it is what I call dark money, traded on exchanges that are not regulated or over the counter and can't be seen. This is the way it looks.

Let me quote Clarence Cazalot, CEO of Marathon Oil. He said last year:

\$100 oil is not justified by the physical demand in the market.

Stephen Simon, senior vice president of Exxon said:

The price of oil should be about \$50-\$55 a barrel.

Right now oil is flirting with \$140 a barrel.

Let me say, when Exxon is going to the bank with our money to make a deposit, they have to be happy. But they are not using that money to invest in new production. In 2007, they used \$31 billion of profit to buy back their stock and only \$15 billion to invest in new drilling. They used twice as much money to buy back their stock in the stock market as they did to explore for new oil.

From the New Jersey Star Ledger:

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

A man named Fidel Gheit, who testified before the Energy Committee, has worked for 30 years with Oppenheimer Company. He is the senior energy person at Oppenheimer. He says:

There is absolutely no shortage of oil. I'm absolutely 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 and no speed limit and everybody is going 120 miles an hour.

With that backdrop, here is what has happened to the amount of speculation in the commodities market. It has gone up, up, and up just exactly like the price of oil and gas.

The question is, should the Congress do nothing about this or should the Congress do something? If the answer is the Congress should do something, then what? My belief is we have a responsibility to do something. Many of my colleagues believe it as well. There is nothing wrong with speculation. Markets often work with speculators. But when speculation becomes excessive, there is something wrong because the market then doesn't work.

Will Rogers described this sort of thing 80 years ago. He described people buying things they will never get from people who never had it and making money on both sides of the transaction. I guess that is all right if the speculation is not doing something that damages the American economy or injures most American consumers. But these are not free markets. There is no free market. I hear all these folks talking about: You have a free market. What you really need is more production. Sink a few wells here and there.

But they are not even genuine about that, as I just described to you. They are not very interested in sinking wells off the coast of Florida, for example. Let me show that chart again. I know why, when the minority party put up their proposal, they didn't want to sink wells in the Eastern Gulf of Mexico,

which offers a significant opportunity. One of their Members, one of their Senators, is concerned about drilling off of Florida, so they leave that off their list. I know why they don't want to suggest that we should be able to drill for oil off of Cuba. Spain has a lease to drill off of Cuba. Canada also has a lease. India has a lease to drill off of Cuba. I know why the minority isn't pushing to allow American companies to drill off of Cuba. President George W. Bush is the one who says we can't do that. So they don't want to talk about subjects that are uncomfortable. They just want to beat about the issue of "production" from their standpoint.

Production means a number of things. Production means, yes, producing some more oil. The largest assessment in history of the lower 48 States of recoverable oil was made 2 months ago by the U.S. Geological Survey at my request. They studied what is called the Bakken shale in Montana and North Dakota. There is dramatic new drilling and a lot of additional production there right now. They concluded that 3.6 to 4.3 billion barrels of recoverable oil, using today's technology, exists. I support drilling in the Bakken. We are drilling. We have some 70 to 80 drilling rigs active in the Bakken shale right now. But we are going to vote at 5:30 on another question of production. Then I want to see who comes to the floor to talk about production in the future.

Do they really want to produce enough renewable energy to help us reduce our dependence on Saudi Arabia and Kuwait and Iraq and Venezuela? I hope so.

We have to get over this notion that the only kind of production that matters is sinking a well someplace. We could produce, and have been producing, billions of gallons of fuel for vehicles in farm fields. We are now up very close to 9 billion gallons, and we are headed much higher than that. We also can produce substantial electricity from wind, except that when we try to do anything other than increase the production tax credit by 12 months, the other side objects. Again, whether it is a production tax credit for wind or solar energy or other renewable energy sources, this Congress and this country ought to not just talk about 12 months. We ought to say: Here is where America is headed. We understand this is a serious problem. We believe we are going to produce substantial amounts of renewable energy. Other countries have done it.

Brazil is an example. We are going to do this in a way that allows all of us to understand we must be less dependent on foreign sources of oil.

We can do that. We went to the Moon in 9 years. Do you think we can't find a way to be less dependent on foreign oil? I believe we can. But we can't do it, if at 5:30 today the minority still objects to having hedge fund managers who make billions pay their fair share of taxes and objects to what we would

use that money to pay for, and that is extending the renewable energy tax credits so that we become less dependent on foreign oil and produce more energy from renewable forms of energy. That is just a fact.

At 5:30 today we will have plenty of opportunity to see who really supports additional production. I hope, on a bipartisan basis, we might be joined by the minority and see if we can't put this country on a track to produce much more energy from renewable sources.

I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

#### TRADE POLICY

Mr. BROWN. Mr. President, the goal of trade policy is to lift up workers at home and abroad. Americans support trade, plenty of it, but trade that allows small businesses and manufacturers to thrive. Wrong-headed trade pacts following the failed NAFTA model have too often betrayed middle-class families from Lima to Zaynesville, from New York to California, and destroyed communities in rural and urban areas. In my State, more than 200,000 manufacturing jobs have disappeared since 2001. Many of them, most of them, have gone overseas. Across the country, more than 3 million manufacturing jobs since President Bush took the oath of office have been eliminated. Trade policy hurts communities such as Ashtebula and Middletown, Toledo and Findlay, and Mansfield and Tiffin. That is why voters in Ohio have sent a message loudly and clearly demanding a new direction, a very different direction for our Nation's trade policy.

Over the last 8 years, we have had, at best, a fractured approach to trade. In the last 2 years, since voters elected candidates who support smart, fair trade—not this orthodox free trade which clearly has not worked—Congress has reasserted itself in trade policymaking with some—I underscore "some"—improvements to proposed deals with Peru, Panama, Colombia, and South Korea. We have also chosen on behalf of workers not to grant President Bush a renewal of fast track, of trade promotion authority so the President can continue his failed trade policy.

The American public said no in 2006. This Congress—the Senate and across the building in the House—said no to this continued failed trade policy. Yet these improvements we have made have not rebuilt a consensus on good trade policy. We have opposed bad trade policy. We need to build a consensus on a different direction.

Now more than ever Americans reject the current model. It is time to learn from our mistakes, to make plans to fix them in future agreements. The Trade Reform, Accountability, Development, and Employment Act—the TRADE Act—which Senator DORGAN, Senator FEINGOLD, Senator CASEY, Senator WHITEHOUSE, and I introduced this month—is a step toward that change.

This legislation serves as a template for how to craft a trade agreement that works for workers, for business owners, for our neighborhoods, for our communities, and for our country.

This legislation mandates a Government Accountability Office review of existing trade agreements and will require the President to submit renegotiation plans for those agreements before negotiating any new agreements—basically a timeout before we pass more of these NAFTA-style, NAFTA-modeled trade agreements.

The TRADE Act will create a committee comprised of House and Senate leaders who will review the President's plan for renegotiation. The bill spells out standards for future trade agreements and will protect developing nations from exploitation by drug companies, energy companies, and financial institutions.

The TRADE Act also sets out criteria for a new negotiating process—one that would do away with the fundamentally flawed fast-track trade promotion process and return power to Congress, which is what our Constitution says, when considering our Nation's trade pacts.

No more charging the President, if you will, with negotiating these trade agreements behind closed doors, with lobbyists for financial interests and banks and insurance companies and oil companies and pharmaceutical companies standing outside the door, passing notes to these trade negotiators.

We take for granted our clean air, safe food, and safe drinking water. But these blessings are not by chance. They result from rules and laws about wages, about health, about the environment. Flawed trade policy, as we now know, accelerates the importation of toxic toys, contaminated toothpaste, and poisonous pet food—ingredients that kill people in drugs such as heparin.

It does not have to be this way. We have a choice. We can continue a race to the bottom in wages, worker safety, and environmental and health standards. We know what that race to the bottom means. It means lost manufacturing jobs. It means the stagnation of wages. It means importing toxic toys from China. It means importing the ingredients that come to us in heparin and other drugs that have literally killed Americans. Or we can use trade agreements to lift up standards abroad and in this country—not threaten workers and consumers.

We can continue down the path of the failed NAFTA model or we can negotiate trade agreements that result in the creation of manufacturing jobs, increased wages, and a reduction of the trade deficit by providing fair and transparent market access.

We can use our trade laws as a chit in negotiations or we can preserve the ability of the United States to enforce domestic trade laws to address the negative impacts of currency manipulation, financial instability, and high debt burdens on U.S. trade relationships.

We can continue to use trade deals to lock in—to lock in—protections for Wall Street, the drug companies, and the oil companies or we can create a predictable structure for international trade without providing corporations with overreaching privileges and rights of private enforcement that undermine our laws.

Middle-class families, American manufacturers, farmers, and community leaders across this country know we need a very different direction in trade. The TRADE Act is supported by more than a dozen labor unions, both the AFL-CIO and Change to Win. It is supported by the Sierra Club, the National Farmers Union, and the National Family Farm Coalition.

We know a different direction in trade policy in this country is supported by a coalition of religious leaders, human rights activists, advocates for children and families, environmental groups, family farm groups, and labor groups.

I am going to ask my leadership and my caucus to work with me on this legislation. I look forward to working with my allies on the other side of the aisle to work with me in restoring our trade policy—fair trade, smart trade, a very different direction for our country.

#### THE ENERGY INDEPENDENCE AND TAX RELIEF ACT OF 2008

Mr. CARDIN. Mr. President. I must say I am puzzled why a Republican minority voted last week to prevent the Senate from even proceeding to the consideration of a bill—H.R. 6049, the Energy Independence and Tax Relief Act of 2008—designed to bring down sky-high oil and gasoline prices, promote clean and renewable energy, create good jobs here in America, and put our Nation on a path to energy security. I am equally puzzled at the opposition to the provisions being paid for by closing a tax loophole on offshore income made by hedge fund managers. The American people need our help and we have a bill that would provide much needed relief to American families and yet we can't even get enough votes to legislate on the bill.

The price of crude oil on the spot market is approaching \$140 per barrel, nearly double the price of 1 year ago. When President Bush took office, a gallon of regular gas cost \$1.46 and a gallon of diesel fuel cost \$1.53. Today, those prices are at all-time highs, with regular gas costing \$4.02 per gallon and diesel fuel costing \$4.77 per gallon. A new poll indicates that 60 percent of Americans are reducing spending on other priorities because of rising gas prices. One-half of all households with incomes below \$20,000 say they face severe hardships because of soaring gas prices. Clearly, the status quo is intolerable, but the minority won't even let the Senate consider bills to address these problems, much less pass them. As I said, I find that puzzling. Gen-

erally speaking, the legislative process works best when we are actually legislating.

Last week, the Senate fell 10 votes short of invoking cloture on the motion to proceed to H.R. 6049. I am pleased to see that we are going to try again to invoke cloture; I hope we prevail this time. In addition to promoting our Nation's energy security, this bill provides critical tax relief for families and businesses, which is why I am a cosponsor of substitute amendment Senator BAUCUS hopes to offer to this bill if we can get to it.

The Energy Independence and Tax Relief Act of 2008 provides approximately \$18 billion in tax incentives for investment in renewable energy, energy efficiency and conservation, carbon capture and sequestration demonstration projects. One provision of the bill specifically authorizes \$2 billion for new clean renewable energy bonds. These bonds are essential in helping finance facilities that generate electricity from alternative resources like: wind, small irrigation, geothermal, hydropower, and landfill gas or trash combustion facilities.

The bill also provides tax credits for renewable energy production, solar energy and fuel cell investment and tax credits for energy-efficient commercial buildings. Buildings account for over one-third of America's consumption, 49 percent of sulfur dioxide emissions, 25 percent of nitrous oxide emissions, and 10 percent of particulate emissions, all of which damage urban air quality. They also produce 38 percent of the country's carbon dioxide emissions—the chief pollutant blamed for climate change. By changing the way buildings operate, we can change our "carbon footprint" on the Earth.

In addition to helping companies explore the use of alternative fuels and energy saving products, we must also act individually. Recognizing this, Senator BAUCUS's legislation also provides incentives for individual taxpayers. The bill incorporates tax credits for energy efficient appliances in homes and energy efficient improvements to existing and new homes. If just 1 in 10 homes used ENERGY STAR-qualified appliances, a joint program between the U.S. Environmental Protection Agency and the U.S. Department of Energy, the effect would be like planting 1.7 million new acres of trees. Additionally, by making homes more energy efficient, we generate less air pollution and reduce high energy bills. Most of the energy used in our homes often comes from the burning of fossil fuels at powerplants, which contributes to acid rain and smog. By improving your home, whether by the appliances you choose or energy efficient remodeling, you take an important step forward in protecting the environment.

The bottom line is that we have to conserve oil by using it more efficiently, and we have to find domestic alternatives to oil. The benefit of doing that, in addition to bolstering national

security and our economy, is that using less oil and gas reduces the greenhouse gas emissions that are contributing to global climate change. This is why renewable energy incentives are essential.

In addition to many energy provisions that will help put America on track to energy independence, the bill also incorporates about \$27 billion in several vital tax extensions for American families and businesses. In order for our country to remain a leader we must continue to be competitive. This is why the research and development tax credit is essential. As a long time supporter of the R&D tax credit, I am glad to see its inclusion into this legislation. This credit allows for companies to plan long term projects which translate into new technologies and new jobs. In 2005, 856 Maryland firms reported R&D activity to the IRS. My goal is to increase that number. I want more businesses—not only in Maryland, but across the country—participating in research and development for our Nation.

The bill also extends tax provisions for tuition expenses, out-of-pocket expenses for teachers, deductions for State and local sales taxes, and real property tax relief for nonitemizers. It also expands the child tax credit to help more than 13 million children and their families. Specifically, the bill extends the above-the-line deduction up to \$250 for education expenses for all elementary and secondary teachers. It also provides aid for the rising costs of tuition. By providing an above-the-line deduction of \$2,000 or \$4,000, depending on income, for qualified higher education expenses, we help alleviate the burden of rising education costs for American families. The bill also expands the child tax credit to help more than 13 million children and their families. The bill also extends the option for taxpayers to take an itemized deduction for State and local general sales taxes, and provides a 1-year deduction of \$350 for property taxes for nonitemizing taxpayers.

Senator BAUCUS has also included a very important provision that places a 1-year “patch” on the alternative minimum tax, AMT. This provision translates into helping millions of Americans across the country and specifically hundreds of thousands of Marylanders. The bill increases the exemption amounts to \$46,200 for individuals and \$69,950 for married couples. It also allows personal credits to be used against the AMT. This provision is essential, otherwise American families will fall victim to a tax that we never intended them to have to pay.

This bill will provide good jobs here at home, put us on a path toward sustainable energy security, and combat global climate change. I hope we will be allowed to consider this measure. The American people sent us here to do a job: to legislate. If we can't even get to this bill, we are not doing our job.

I yield the floor.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. REID. Mr. President, as some of us who are not in this building know, there is a raging storm outside. But it is all over the Eastern part of the country. I got a call from one Senator stuck at a small airport in northern New York. We have calls from all over the country that airplanes are messed up. La Guardia is not going to have anything going until 11 o'clock. When things back up there, it affects the whole country. So we would wind up probably with 20 Senators missing the vote at 5:30.

So I have spoken to the Republican leader. We both think for the safety of Members, if nothing else—which there is plenty else—but for the safety of Members, so they can kind of calm down and not try to do things they should not do at this last hour or so—I ask unanimous consent that the previously scheduled vote on cloture, which was scheduled at 5:30 p.m., today, be delayed to occur at 2:15 p.m. Tuesday, June 17.

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

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

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

The assistant legislative clerk proceeded to call the roll.

Mr. BROWN. 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. BROWN. Mr. President, I ask unanimous consent to vitiate the order for the remaining debate time.

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

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. WHITEHOUSE. Madam President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER (Ms. STABENOW). Without objection, it is so ordered.

#### MORNING BUSINESS

Mr. WHITEHOUSE. Madam President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

#### FATHER'S DAY

• Mr. BYRD. Madam President, summer will not officially begin until June 21, but already the summer heat and thunderstorms are upon us. Lawns are lush and green, calling for the mower at least every week to maintain their

carefully manicured appearance. Gardens are bursting with blooms that hold the promise of juicy red tomatoes, crisp green peppers, and a never-ending supply of zucchini. Along rural roadsides, great rafts of daylilies growing are beginning to bloom in waves of firecracker orange starbursts above the dense green foliage.

Despite the lawn and garden chores that beg for attention, one day this weekend was reserved for pleasure. Sunday, June 15, was Father's Day. Across the Nation, ties disappeared from store shelves, golf paraphernalia was snapped up, funny cards were bought, and restaurant reservations were made. On Sunday, many fathers were encouraged to take a break, to enjoy a brunch buffet, and to open some of the classic father's day gifts—those ties, golf tees, or cologne. This week, men across the Nation will sport brightly hued new ties and exotic scents that wordlessly label them as proud fathers.

Fatherhood is a wonderful experience but also a nerve-racking one. It is full of high points, from passing on new skills and old interests to a new generation, to witnessing the achievements of our offspring as they achieve success on their own. The sight of large father's hands tenderly cradling a tiny morsel of newborn humanity is enough to melt the hardest heart. But it is also a frightening responsibility, knowing that one's every word and action, for better or for worse, is being absorbed into the creation of a new character. Fathers who praise their child's hard work and perseverance in the face of setbacks, or who demonstrate the high value they place on being a good sport, build strong, resilient children who learn to work well with others throughout their lives. Fathers who lose their tempers at Little League coaches teach their children by example a lesson in rudeness and incivility that likely is very different than the manners that they preach. Clarence Budington Kelland put it best when he said, “He didn't tell me how to live; he lived, and let me watch him do it.”

Fathers typically spend fewer hours in the company of their children than do their mothers. Therefore, each hour spent together is precious, a fact that can be difficult to remember when fathers come home from work tired, and that lawn still needs to be mowed or those bills need to be paid. But in the years to come, as children grow, it is the time spent playing catch, or building a doghouse, or even watching a football game together, that both father and child will remember and cherish—not that the lawn was properly edged and raked.

I know that the times spent with my Dad that I remember most fondly were just those few quiet minutes that we spent together most days, when I would meet Dad walking home from work. He would share with me a little cake that he had saved from his lunch, and we would talk and walk together.

No matter how tired he was, he was interested in how my day had gone and what I had learned in school. Like many kids, I worked hard at school and at my other activities, from my daily chores to playing my fiddle, to earn the reward of his smile and his words of praise. That ability to inspire a child is the greatest power, and the greatest responsibility, of fatherhood.

The creation of Father's Day is widely credited to Mrs. Sonora Dodd, who, inspired by the idea of Mother's Day, chose to honor the father who raised her and her siblings after their mother died. Her father, William Smart, must have been a great father, to have sparked such a tribute from his daughter. As we honor the contributions to our families made by our fathers, we must also thank Sonora Dodd for her devotion and dedication to her father and all fathers. Mr. Smart did not know the German writer Jean Paul Richter 1762-1825, but he proved the truth behind Richter's observation that "The words that a father speaks to his children in the privacy of home are not heard by the world, but, as in whispering galleries, they are heard clearly at the end and by posterity."

Mr. President, I close with a poem by an anonymous author, titled "A Little Chap Who Follows Me." My Dad knew the truth of this poem, and I learned the truth of it after my own daughters were born, as all fathers do. On Father's Day, as fathers are being honored, it reminds us of the qualities of a father that are most worth honoring.

#### A LITTLE CHAP WHO FOLLOWS ME

A careful man I want to be;  
A little fellow follows me.  
I do not dare to go astray  
For fear he'll go the selfsame way.  
I cannot once escape his eyes,  
Whate'er he sees me do, he tries.  
Like me he says he's going to be;  
The little chap who follows me.  
He thinks that I'm so very fine,  
Believes in every word of mine.  
The base in me he must not see;  
The little chap who follows me.  
I must remember as I go  
Through summer's sun and winter's snow,  
I'm building for the years to be;  
The little chap who follows me.●

#### FLAG DAY

● Mr. BYRD. Madam President, in the early history of our Nation, many flags flew over the land that became the United States of America. The British Union Jack, the Spanish flag, the French flag, the Dutch flag, and others identified territory and colonies under the control of those nations. Then, as the colonies and various fighting forces organized themselves to take up the call of the new nation-to-be, many new flags began to fly. Some had pine trees, some had rattlesnakes, and others were simpler designs or slogans, but all sought to establish a separate and many times defiant new identity for the new nation and its people.

In the course of conducting the war, the Continental Congress had many

important and pressing decisions to make. Among them was the choice of a flag under which the armies and colonies could unite, a fitting symbol for the new nation. Accordingly, on June 14, 1777, the Continental Congress adopted a resolution establishing a national flag for the United States. Following a still familiar pattern, a special committee had first been appointed to develop the design for the new flag, and the resolution implemented the committee's recommendation.

The resolution itself was quite simple, and stated only that "the flag of the United States shall be of thirteen stripes of alternate red and white, with a union of thirteen stars of white upon a blue field, representing a new constellation." The 13 stripes and stars were symbolic of the 13 colonies that had fought for and won the liberty to establish the new nation, of course, but no formal symbolism was assigned to the color choices, which were the same as those found on the British Union Jack. Since 1777, however, many poets and speakers have imbued the colors with symbolism, as did Joseph Rodman Drake, in his poem, "The American Flag":

When Freedom, from her mountain height,  
Unfurled her standard to the air,  
She tore the azure robe of night,  
And set the stars of glory there!  
She mingled with its gorgeous dyes  
The milky baldrick of the skies,  
And striped its pure, celestial white  
With streakings of the morning light;  
Then, from his mansion in the sun,  
She called her eagle-bearer down,  
And gave into his mighty hand  
The symbol of her chosen land!

Over the years, the flag grew and changed as the United States grew, adding stripes as well as stars before it was recognized that the expansion of the States was greater than the flag's pattern could bear. When Francis Scott Key wrote "The Star Spangled Banner" after watching the battle of Fort McHenry during the war of 1812, the flag he wrote about had 15 stars and 15 stripes. By 1816, the United States consisted of 19 States, with more to come. So, once again, Congress established a special committee, this one directed by New York's Peter Wendover, to study the problem of the flag's design.

Early in 1818, the congressional committee presented a report. The report recommended a solution proposed by Chester Reid, a naval captain and hero of the war of 1812. His suggestion was that the 13-stripe flag honored the original 13 colonies, and that new States could be honored by the simple addition of stars, to reflect the growth of the new constellation.

On April 4, 1818, President James Monroe signed into law the Flag Act of 1818. Like the original Flag Resolution of 1777, the Flag Act of 1818 was short, consisting of two sections. The first section noted that, as of July 1819, "the flag of the United States be thirteen horizontal stripes, alternate red and white; that the union have twenty

stars, white in blue field." The second section provided the process for adding stars to the flag upon the entry of each new State to the Union. This elegant solution provided the flag that we hold so dear today.

Our flag, the Stars and Stripes, or "Old Glory," still serves to unite our Nation today. It is a symbol of our Nation that is instantly recognizable around the world. It is both commonplace, seen daily in front of post offices, government buildings and schools, and yet hallowed, placed with solemn care over the coffin of a veteran or flying at half mast to mark a tragedy. It can also be a symbol of patriotic pride, carried proudly by Olympic athletes as it will be in Beijing this August, or streaming in the wind behind a mighty warship. And who can forget the sudden, spontaneous, outbreak of U.S. flags that erupted across the Nation in the wake of the 9/11 tragedy? That act captured the essence of our Nation and our flag—a nation defiant, strong, and united in the face of adversity.

On Saturday, many Americans braved the scorching heat and the violent weather and floods that have caused so much misery in recent days, and observed Flag Day by displaying the flag at their home or their workplace.

Mr. President, I close with one of my favorite poems about the flag. It is titled "Hats Off!" by Henry Holcomb Bennett.

#### HATS OFF!

Hats off!  
Along the street there comes  
A blare of bugles, a ruffle of drums,  
A flash of color beneath the sky:  
Hats off!  
The flag is passing by!  
Blue and crimson and white it shines,  
Over the steel-tipped, ordered lines.  
Hats off!  
The colors before us fly;  
But more than the flag is passing by.  
Sea-fights and land-fights, grim and great,  
Fought to make and to save the State:  
Weary marches and sinking ships;  
Cheers of victory on dying lips;  
Days of plenty and years of peace;  
March of a strong land's swift increase;  
Equal justice, right and law,  
Stately honor and reverend awe;  
Sign of a nation, great and strong  
To ward her people from foreign wrong:  
Pride and glory and honor, all  
Live in the colors to stand or fall.  
Hats off!  
Along the street there comes  
A blare of bugles, a ruffle of drums;  
And loyal hearts are beating high:  
Hats off!  
The flag is passing by!●

#### ARREST OF BAHÁ'I LEADERS

Mr. BINGAMAN. Madam President, I wish to call attention to the arrest of seven Bahá'i leaders in Iran earlier this month.

On May 14, six Iranian Bahá'i leaders—Mrs. Fariba Kamalabadi, Mr. Jamaloddin Khanjani, Mr. Afif Naeimi, Mr. Saeid Rezaie, Mr. Behrouz

Tavakkoli, and Mr. Vahid Tizfahm, all of Tehran—were arrested and reportedly taken to Evin Prison, the same facility where Haleh Esfandiari, director of the Middle East Program at the Woodrow Wilson Center for Scholars here in Washington, spent 105 days last year.

In addition, on March 5, another Bahá'i leader, Mrs. Mahvash Sabet, also of Tehran, was summoned to the city of Mashhad by the Ministry of Intelligence.

I am concerned that these arrests signal an escalation of repression against the Bahá'i community in Iran. These actions do not befit the rich heritage of Iranian civilization, and I call upon the leadership of the Islamic Republic of Iran to release the seven Bahá'i leaders promptly and unconditionally.

#### ADDITIONAL STATEMENTS

##### TRIBUTE TO MAJOR GENERAL GALE S. POLLOCK

• Mr. INOUE. Madam President, I would like to recognize a great American and true military heroine who has honorably served our country for 32 years.

Major General Pollock was born in Kearny, NJ, and entered the Army Nurse Corps in 1976 after earning her BSN from the University of Maryland. She also completed a master's of business administration from Boston University, a master's in healthcare administration from Baylor University, and a master's in national security and strategy from the National Defense University. Major General Pollock also attended the U.S. Army Nurse Anesthesia Program and is a certified registered nurse anesthetist, CRNA, and a fellow in The American College of Healthcare Executives.

Major General Pollock's military education includes Senior Service College at the Industrial College of the Armed Forces; the U.S. Air Force War College; the Interagency Institute for Federal Health Care Executives, the Military Health System CAPSTONE Program, the Principles of Advanced Nurse Administrators, and the NATO staff officer course.

Major General Pollock became the Deputy Surgeon General for Force Management December 11, 2007. She also served as Chief, Army Nurse Corps and Commander, U.S. Army Medical Command/Acting Surgeon General.

Major General Pollock's past military assignments include special assistant to the Surgeon General for Information Management and Health Policy; commander, Martin Army Community Hospital, Fort Benning, GA; commander, U.S. Army Medical Activity, Fort Drum, NY; staff officer, Strategic Initiatives Command Group for the Army Surgeon General; Department of Defense health care advisor to the Congressional Commission on Serv-

ice Members and Veterans Transition Assistance, health fitness advisor at the National Defense University; senior policy analyst in Health Affairs, DOD; and chief anesthesia nursing service at Walter Reed Army Medical Center, Washington, DC.

Throughout her career Major General Pollock has served with valor and profoundly impacted the entire Army Medical Department. Her performance reflects exceptionally on herself, the U.S. Army, the Department of Defense, and the United States of America. I extend my deepest appreciation to Major General Pollock on behalf of a grateful nation for her more than 32 years of dedicated military service.●

##### 125TH ANNIVERSARY OF ETHAN, SOUTH DAKOTA

• Mr. JOHNSON. Madam President, today I pay tribute to the 125th anniversary of the founding of the city of Ethan, South Dakota. After 125 years, this progressive community will have a chance to reflect on its past and future, and I congratulate the people of Ethan for all that they have accomplished.

The city of Ethan was founded in 1883 as a railroad town named after Ethan Allen of historical fame. Jerome Miles was the primary landowner of Ethan Territory. The first school was built in 1885, followed by the first Catholic and Methodist churches which were both built in 1887.

Today, Ethan is a growing and developing small town community located in Davison County. Ethan has a population of 312 and is home to numerous colorful characters, including many descendants of the original founders. Ethan features several local businesses, including grain elevators, hotels, banks, restaurants, doctor's offices, churches, a public school, and a beautiful park. Ethan Coop Lumber just celebrated their 100 year anniversary in 2007, and Ethan Public School has been declared a Blue Ribbon School of Excellence by the U.S. Department of Education.

Ethan will be commemorating its anniversary with a celebration on the weekend of June 13-15. The town plans to hold the Miss Ethan Pageant, a street dance, a parade, and hot air balloon rides. The events of the weekend promise to provide great opportunities to celebrate such a historic milestone.

Even 125 years after its founding, Ethan continues to be a vibrant community. I am proud to honor the accomplishments of the people of Ethan, and congratulate them on this impressive achievement.●

##### 125TH ANNIVERSARY OF CORONA, SOUTH DAKOTA

• Mr. JOHNSON. Madam President, today I recognize the community of Corona, SD, on reaching the 125th anniversary of its founding. Corona is a rural community located in Roberts County, and will be celebrating its

quasiquicentennial the weekend of June 20-22 with a street dance, a 5k walk/run, hot air balloon rides, a parade, and fireworks.

In 1881, a town site called Prior was plotted approximately 1½ miles north of the future site of Corona, named for its owner, C. H. Prior. Prior was the original stopping point for the postal service until moving to the present location of Corona in 1883, which provided closer access to the railroad.

The early business district of Corona was comprised of a doctor, a newspaper, two banks, four grocery stores, a butcher shop, a post office, four grain elevators, a general store, a hardware store, a creamery, and two lumber yards. Main Street was marked with hitching posts, gasoline lights, and wooden sidewalks that were notorious for their hazardous conditions when wet.

Today, Corona still boasts several businesses including a café, a post office, a grain elevator, and most importantly, the Corona Learning Center. Three industrial enterprises are also based in the area: Mark's Custom Woodworking, Ammann Honey Farm, and Dakota Machine Works. Despite the hardworking nature of Corona's inhabitants, they still manage to celebrate St. Patrick's Day with one of the longest parades in the State, whether rain, snow, or shine.

Most South Dakotans call small towns like Corona home. South Dakota's small communities are the bedrock of our economy and vital to the future of our State. It is especially because of our small communities, and the feelings of loyalty and familiarity that they engender, that I am proud to call South Dakota home. Towns like Corona and its citizens are no different and truly know what it means to be a South Dakotan. Even 125 years after its founding, Corona continues to be a vibrant addition to our wonderful State, and I once again congratulate them on this achievement.●

#### MESSAGES FROM THE PRESIDENT

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

#### EXECUTIVE MESSAGES REFERRED

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

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

#### MESSAGE FROM THE HOUSE

At 2:13 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the

following bill, with an amendment, in which it requests the concurrence of the Senate:

S. 2146. An act 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.

The message also announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 1553. An act to amend the Public Health Service Act to advance medical research and treatments into pediatric cancers, ensure patients and families have access to information regarding pediatric cancers and current treatments for such cancers, establish a national childhood cancer registry, and promote public awareness of pediatric cancer.

#### MEASURES PLACED ON THE CALENDAR DURING ADJOURNMENT OF SENATE

Under the authority of the order of the Senate of June 12, 2008, the following bill was read the second time, and placed on the calendar:

H.R. 5749. An act to provide for a program of emergency unemployment compensation.

#### 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-6586. 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 "Amendments to Treatments for Plant Pests" (Docket No. APHIS-2006-0091) received on June 9, 2008; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6587. 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 "Mexican Fruit Fly; Designation of Portion of Willacy County, TX, as a Quarantined Area" (Docket No. APHIS-2008-0057) received on June 16, 2008; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6588. 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 "Temporary Importation of Horses; Noncompetitive Entertainment Horses From Countries Affected With Contagious Equine Metritis" (Docket No. APHIS-2006-0164) received on June 9, 2008; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6589. A communication from the Director of the Regulatory Review Group, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Cotton World Price Determination" (RIN0560-AH78) received on June 9, 2008; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6590. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Flutolanil; Pesticide Tolerances" (FRL No.

8365-6) received on June 9, 2008; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6591. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Bifenthrin; Pesticide Tolerances" (FRL No. 8366-4) received on June 9, 2008; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6592. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "(Z)-7,8-epoxy-2-methyloctadecane; Exemption from the Requirement of a Tolerance" (FRL No. 8367-7) received on June 9, 2008; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6593. A communication from the Secretary, Department of Homeland Security, transmitting, pursuant to law, the report of a violation of the Antideficiency Act within the Federal Law Enforcement Training Center; to the Committee on Appropriations.

EC-6594. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a report on the national emergency with respect to the Western Balkans; to the Committee on Banking, Housing, and Urban Affairs.

EC-6595. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, 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 Bering Sea and Aleutian Islands Management Area" (RIN0648-XI07) received on June 9, 2008; to the Committee on Commerce, Science, and Transportation.

EC-6596. A communication from the Chairman of the Office of Proceedings, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Disclosure of Rail Interchange Commitments" (OMB Control No. 2140-0016) received on June 9, 2008; to the Committee on Commerce, Science, and Transportation.

EC-6597. A communication from the Secretary of Energy, transmitting, pursuant to law, a report concerning operations at the Naval Petroleum Reserves for fiscal year 2007; to the Committee on Energy and Natural Resources.

EC-6598. A communication from the Secretary of Energy, transmitting, pursuant to law, a report entitled, "Department of Energy Activities Relating to the Defense Nuclear Facilities Safety Board"; to the Committee on Energy and Natural Resources.

EC-6599. A communication from the Administrator, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, notification that response and recovery efforts in the State of Texas have exceeded the \$5,000,000 limit for a single emergency declaration; to the Committee on Environment and Public Works.

EC-6600. A communication from the Assistant Secretary of the Army (Civil Works), transmitting, pursuant to law, a report on the re-authorization of the Upper Guadalupe River flood damage reduction project; to the Committee on Environment and Public Works.

EC-6601. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Protection of the Stratospheric Ozone: Alternatives for the Motor Vehicle Air Conditioning Sector Under the Significant New Alternatives Policy Program" (FRL No. 8578-1)

received on June 9, 2008; to the Committee on Environment and Public Works.

EC-6602. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Protection of Stratospheric Ozone: Allocation of Essential Use Allowances for Calendar Year 2008" (FRL No. 8577-9) received on June 9, 2008; to the Committee on Environment and Public Works.

EC-6603. A communication from the Attorney, Office of Assistant General Counsel for Legislation and Regulatory Law, Department of Energy, transmitting, pursuant to law, the report of a rule entitled "Identification and Protection of Unclassified Controlled Nuclear Information" (RIN1992-AA35) received on June 9, 2008; to the Committee on Environment and Public Works.

EC-6604. A communication from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Revision of Fee Schedules; Fee Recovery for Fiscal Year 2008" (RIN3159-A128) received on June 9, 2008; to the Committee on Environment and Public Works.

EC-6605. A communication from the Acting Regulations Officer of Social Security, Social Security Administration, transmitting, pursuant to law, the report of a rule entitled "Extension of the Expiration Date for Several Body Systems Listings" (AG81) received on June 9, 2008; to the Committee on Finance.

EC-6606. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled, "Third Report to Congress on the Evaluation of the Medicare Coordinated Care Demonstration"; to the Committee on Finance.

EC-6607. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Coordinated Issue: Conversion of Nonprofit Organizations" (LMSB-04-0408-024) received on June 9, 2008; to the Committee on Finance.

EC-6608. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Change of Accounting Method for Contributions to Capital" (Rev. Rule 2008-30) received on June 9, 2008; to the Committee on Finance.

EC-6609. A communication from the Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medical Devices; Immunology and Microbiology Devices; Classification of Plasmodium Species Antigen Detection Assays" (Docket No. FDA-2008-N-0231); to the Committee on Health, Education, Labor, and Pensions.

EC-6610. A communication from the Deputy Administrator, Small Business 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-6611. A communication from the Chairman, National Labor Relations Board, 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-6612. A communication from the Administrator, U.S. Agency for International Development, transmitting, pursuant to law, the Office of Inspector General's Semiannual Report for the period ending March 31, 2008; to the Committee on Homeland Security and Governmental Affairs.

EC-6613. A communication from the White House Liaison, Department of Justice, transmitting, pursuant to law, the report of a vacancy in the position of U.S. Attorney of the Western District of Tennessee, received on June 9, 2008; to the Committee on the Judiciary.

EC-6614. A communication from the White House Liaison, Department of Justice, transmitting, pursuant to law, the report of a vacancy and designation of an acting officer for the position of Assistant Attorney General received on June 9, 2008; to the Committee on the Judiciary.

EC-6615. A communication from the White House Liaison, Department of Justice, transmitting, pursuant to law, the report of the designation of an acting officer for the position of Assistant Attorney General, received on June 9, 2008; to the Committee on the Judiciary.

EC-6616. A communication from the President of the United States, transmitting, pursuant to law, a report relative to operations in support of the war on terror and in Kosovo; to the Committee on Foreign Relations.

### REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. BINGAMAN, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute:

S. 570. A bill to designate additional National Forest System lands in the State of Virginia as wilderness or a wilderness study area, to designate the Kimberling Creek Potential Wilderness Area for eventual incorporation in the Kimberling Creek Wilderness, to establish the Seng Mountain and Bear Creek Scenic Areas, to provide for the development of trail plans for the wilderness areas and scenic areas, and for other purposes (Rept. No. 110-349).

By Mr. BINGAMAN, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute and an amendment to the title:

S. 617. A bill to make the National Parks and Federal Recreational Lands Pass available at a discount to certain veterans (Rept. No. 110-350).

By Mr. BINGAMAN, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute:

S. 662. A bill to authorize the Secretary of the Interior to conduct a special resource study to evaluate resources at the Harriet Beecher Stowe House in Brunswick, Maine, to determine the suitability and feasibility of establishing the site as a unit of the National Park System, and for other purposes (Rept. No. 110-351).

S. 783. A bill to adjust the boundary of the Barataria Preserve Unit of the Jean Lafitte National Historical Park and Preserve in the State of Louisiana, and for other purposes (Rept. No. 110-352).

S. 827. A bill to establish the Freedom's Way National Heritage Area in the States of Massachusetts and New Hampshire, and for other purposes (Rept. No. 110-353).

By Mr. BINGAMAN, from the Committee on Energy and Natural Resources, with amendments:

S. 832. A bill to provide for the sale of approximately 25 acres of public land to the Turnabout Ranch, Escalante, Utah, at fair market value (Rept. No. 110-354).

By Mr. BINGAMAN, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute:

S. 868. A bill to amend the Wild and Scenic Rivers Act to designate segments of the Taunton River in the Commonwealth of Mas-

sachusetts as a component of the National Wild and Scenic Rivers System (Rept. No. 110-355).

By Mr. BINGAMAN, from the Committee on Energy and Natural Resources, with an amendment:

S. 900. A bill to authorize the Boy Scouts of America to exchange certain land in the State of Utah acquired under the Recreation and Public Purposes Act (Rept. No. 110-356).

By Mr. BINGAMAN, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute:

S. 1281. A bill to amend the Wild and Scenic Rivers Act to designate certain rivers and streams of the headwaters of the Snake River System as additions to the National Wild and Scenic Rivers System (Rept. No. 110-357).

S. 1380. A bill to designate as wilderness certain land within the Rocky Mountain National Park and to adjust the boundaries of the Indian Peaks Wilderness and the Arapaho National Recreation Area of the Arapaho National Forest in the State of Colorado (Rept. No. 110-358).

By Mr. BINGAMAN, from the Committee on Energy and Natural Resources, with an amendment:

S. 1633. A bill to authorize the Secretary of the Interior to conduct a special resource study to determine the suitability and feasibility of including the battlefield and related sites of the Battle of Shepherdstown in Shepherdstown, West Virginia, as part of Harpers Ferry National Historical Park or Antietam National Battlefield, and for other purposes (Rept. No. 110-359).

By Mr. BINGAMAN, from the Committee on Energy and Natural Resources, without amendment:

S. 1929. A bill to authorize the Secretary of the Interior, acting through the Commissioner of Reclamation, to conduct a feasibility study of water augmentation alternatives in the Sierra Vista Subwatershed (Rept. No. 110-360).

S. 2124. A bill to direct the Secretary of Agriculture to convey certain land in the Beaverhead-Deerlodge National Forest, Montana, to Jefferson County, Montana, for use as a cemetery (Rept. No. 110-361).

By Mr. BINGAMAN, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute:

S. 2207. A bill to direct the Secretary of the Interior to study the suitability and feasibility of designating Green McAdoo School in Clinton, Tennessee, as a unit of the National Park System, and for other purposes (Rept. No. 110-362).

S. 2229. A bill to withdraw certain Federal land in the Wyoming Range from leasing and provide an opportunity to retire certain leases in the Wyoming Range (Rept. No. 110-363).

S. 2254. A bill to establish the Mississippi Hills National Heritage Area in the State of Mississippi, and for other purposes (Rept. No. 110-364).

S. 2262. A bill to authorize the Preserve America Program and Save America's Treasures Program, and for other purposes (Rept. No. 110-365).

By Mr. BINGAMAN, from the Committee on Energy and Natural Resources, with an amendment:

S. 2370. A bill to clear title to certain real property in New Mexico associated with the Middle Rio Grande Project, and for other purposes (Rept. No. 110-366).

By Mr. BINGAMAN, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute:

S. 2379. A bill to authorize the Secretary of the Interior to cancel certain grazing leases on land in Cascade-Siskiyou National Monument that are voluntarily waived by the les-

ees, to provide for the exchange of certain Monument land in exchange for private land, to designate certain Monument land as wilderness, and for other purposes (Rept. No. 110-367).

S. 2512. A bill to establish the Mississippi Delta National Heritage Area in the State of Mississippi, and for other purposes (Rept. No. 110-368).

By Mr. BINGAMAN, from the Committee on Energy and Natural Resources, without amendment:

S. 2513. A bill to modify the boundary of the Minute Man National Historical Park, and for other purposes (Rept. No. 110-369).

By Mr. BINGAMAN, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute:

S. 2593. A bill to establish a program at the Forest Service and the Department of the Interior to carry out collaborative ecological restoration treatments for priority forest landscapes on public land, and for other purposes (Rept. No. 110-370).

S. 2604. A bill to establish the Baltimore National Heritage Area in the State of Maryland, and for other purposes (Rept. No. 110-371).

S. 2804. A bill to adjust the boundary of the Everglades National Park, and for other purposes (Rept. No. 110-372).

By Mr. BINGAMAN, from the Committee on Energy and Natural Resources, without amendment:

S. 2814. A bill to authorize the Secretary of the Interior to provide financial assistance to the Eastern New Mexico Rural Water Authority for the planning, design, and construction of the Eastern New Mexico Rural Water System, and for other purposes (Rept. No. 110-373).

By Mr. BINGAMAN, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute:

S. 2833. A bill to provide for the management of certain public land in Owyhee County, Idaho, and for other purposes (Rept. No. 110-374).

By Mr. BINGAMAN, from the Committee on Energy and Natural Resources, without amendment:

H.R. 123. A bill to authorize appropriations for the San Gabriel Basin Restoration Fund (Rept. No. 110-375).

By Mr. BINGAMAN, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute:

H.R. 189. A bill to establish the Paterson Great Falls National Historical Park in the State of New Jersey and for other purposes (Rept. No. 110-376).

H.R. 356. A bill to remove certain restrictions on the Mammoth Community Water District's ability to use certain property acquired by that District from the United States (Rept. No. 110-377).

By Mr. BINGAMAN, from the Committee on Energy and Natural Resources, without amendment:

H.R. 523. A bill to require the Secretary of the Interior to convey certain public land located wholly or partially within the boundaries of the Wells Hydroelectric Project of Public Utility District No. 1 of Douglas County, Washington, to the utility district (Rept. No. 110-378).

H.R. 1285. A bill to provide for the conveyance of a parcel of National Forest System land in Kittitas County, Washington, to facilitate the construction of a new fire and rescue station, and for other purposes (Rept. No. 110-379).

H.R. 1311. To provide for the conveyance of the Alta-Hualapai Site to the Nevada Cancer Institute, and for other purposes (Rept. No. 110-380).

By Mr. BINGAMAN, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute:

H.R. 1483. A bill to amend the Omnibus Parks and Public Lands Management Act of 1996 to extend the authorization for certain national heritage areas, and for other purposes (Rept. No. 110-381).

H.R. 1528. A bill to amend the National Trails System Act to designate the New England National Scenic Trail, and for other purposes (Rept. No. 110-382).

By Mr. BINGAMAN, from the Committee on Energy and Natural Resources, with an amendment:

H.R. 1725. A bill to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the Rancho California Water District Southern Riverside County Recycled Non-Potable Distribution Facilities and Demineralization Desalination Recycled Water Treatment and Reclamation Facility Project (Rept. No. 110-383).

By Mr. BINGAMAN, from the Committee on Energy and Natural Resources, without amendment:

H.R. 1855. A bill to authorize the Secretary of the Interior, acting through the Bureau of Reclamation to enter into a cooperative agreement with the Madera Irrigation District for purposes of supporting the Madera Water Supply Enhancement Project (Rept. No. 110-384).

H.R. 2085. A bill to authorize the Secretary of the Interior to convey to the McGee Creek Authority certain facilities of the McGee Creek Project, Oklahoma, and for other purposes (Rept. No. 110-385).

H.R. 2197. A bill to modify the boundary of the Hopewell Culture National Historical Park in the State of Ohio, and for other purposes (Rept. No. 110-386).

By Mr. BINGAMAN, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute:

H.R. 2515. A bill to authorize appropriations for the Bureau of Reclamation to carry out the Lower Colorado River Multi-Species Conservation Program in the States of Arizona, California, and Nevada, and for other purposes (Rept. No. 110-387).

H.R. 2627. A bill to establish the Thomas Edison National Historical Park in the State of New Jersey as the successor to the Edison National Historic Site (Rept. No. 110-388).

By Mr. BINGAMAN, from the Committee on Energy and Natural Resources, without amendment:

H.R. 3332. A bill to provide for the establishment of a memorial within Kalaupapa National Historical Park located on the island of Molokai, in the State of Hawaii, to honor and perpetuate the memory of those individuals who were forcibly relocated to the Kalaupapa Peninsula from 1866 to 1969, and for other purposes (Rept. No. 110-389).

By Mr. BINGAMAN, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute:

H.R. 3998. A bill to authorize the Secretary of the Interior to conduct special resources studies of certain lands and structures to determine the appropriate means for preservation, use, and management of the resources associated with such lands and structures (Rept. No. 110-390).

By Mr. BINGAMAN, from the Committee on Energy and Natural Resources, with amendments:

H.R. 5151. A bill to designate as wilderness additional National Forest System lands in the Monongahela National Forest in the State of West Virginia, and for other purposes (Rept. No. 110-391).

and second times by unanimous consent, and referred as indicated:

By Mr. BIDEN:

S. 3137. A bill to encourage the entry of felony warrants into the NCIC database by States and provide additional resources for extradition; to the Committee on the Judiciary.

By Mrs. FEINSTEIN:

S. 3137. A bill for the relief of Jorge Rojas Gutierrez, Oliva Gonzalez Gonzalez, and Jorge Rojas Gonzalez; to the Committee on the Judiciary.

By Mr. SMITH (for himself, Mr. NELSON of Florida, Mr. PRYOR, and Ms. SNOWE):

S. 3138. A bill to prohibit text message spam; to the Committee on Commerce, Science, and Transportation.

By Mrs. CLINTON:

S. 3139. A bill to provide for greater accountability and transparency in the Federal contracting process, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. WEBB (for himself, Mr. WARNER, Mrs. CLINTON, Mr. SCHUMER, Ms. MIKULSKI, Mr. SANDERS, Mr. CARDIN, Mr. DURBIN, and Mr. KERRY):

S. 3140. A bill to provide that 4 of the 21 weeks of parental leave made available to a Federal employee shall be paid leave, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

#### SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mrs. LINCOLN (for herself, Mrs. HUTCHISON, and Mr. LEAHY):

S. Res. 595. A resolution designating September 2008 as "Gospel Music Heritage Month" and honoring gospel music for its valuable and longstanding contributions to the culture of the United States; considered and agreed to.

#### ADDITIONAL COSPONSORS

S. 186

At the request of Mr. SPECTER, the name of the Senator from Delaware (Mr. CARPER) was added as a cosponsor of S. 186, a bill to provide appropriate protection to attorney-client privileged communications and attorney work product.

S. 746

At the request of Mr. ALLARD, the name of the Senator from New York (Mrs. CLINTON) was added as a cosponsor of S. 746, a bill to establish a competitive grant program to build capacity in veterinary medical education and expand the workforce of veterinarians engaged in public health practice and biomedical research.

S. 1232

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

S. 1492

At the request of Mr. INOUE, the name of the Senator from Oregon (Mr. SMITH) was added as a cosponsor of S. 1492, a bill to improve the quality of federal and state data regarding the availability and quality of broadband services and to promote the deployment of affordable broadband services to all parts of the Nation.

S. 1926

At the request of Mr. DODD, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 1926, a bill to establish the National Infrastructure Bank to provide funding for qualified infrastructure projects, and for other purposes.

S. 2510

At the request of Ms. LANDRIEU, the name of the Senator from Minnesota (Mr. COLEMAN) was added as a cosponsor of S. 2510, a bill to amend the Public Health Service Act to provide revised standards for quality assurance in screening and evaluation of gynecologic cytology preparations, and for other purposes.

S. 2569

At the request of Mrs. BOXER, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 2569, a bill to amend the Public Health Service Act to authorize the Director of the National Cancer Institute to make grants for the discovery and validation of biomarkers for use in risk stratification for, and the early detection and screening of, ovarian cancer.

S. 2619

At the request of Mr. COBURN, the names of the Senator from Alabama (Mr. SHELBY) and the Senator from Kansas (Mr. BROWNBACK) were added as cosponsors of S. 2619, a bill to protect innocent Americans from violent crime in national parks.

S. 2736

At the request of Mr. KOHL, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 2736, a bill to amend section 202 of the Housing Act of 1959 to improve the program under such section for supportive housing for the elderly, and for other purposes.

S. 2892

At the request of Mr. LEAHY, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 2892, a bill 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.

S. 2920

At the request of Mr. KERRY, the names of the Senator from Connecticut (Mr. LIEBERMAN) and the Senator from South Dakota (Mr. THUNE) were added as cosponsors of S. 2920, a bill to reauthorize and improve the financing and entrepreneurial development programs of the Small Business Administration, and for other purposes.

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first

S. 3012

At the request of Mr. LEAHY, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 3012, a bill to amend title I of the Omnibus Crime Control and Safe Streets Act of 1968 to extend the authorization of the Bulletproof Vest Partnership Grant Program through fiscal year 2012.

S. 3022

At the request of Mr. LEVIN, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 3022, a bill to amend the Federal Water Pollution Control Act to prohibit the sale of dishwashing detergent in the United States if the detergent contains a high level of phosphorus.

S. 3032

At the request of Mr. SCHUMER, the name of the Senator from Connecticut (Mr. DODD) was added as a cosponsor of S. 3032, a bill to increase the standard mileage rate for use of an automobile for business, medical, and moving deduction purposes for 2008 and permanently increase such rate for charitable deduction purposes under the Internal Revenue Code of 1986 and to temporarily increase the reimbursement rate for use of an automobile by Federal employees.

S. 3044

At the request of Mr. REID, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of 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.

S. 3061

At the request of Mr. BROWNBACK, the name of the Senator from Utah (Mr. HATCH) was added as a cosponsor of S. 3061, a bill to authorize appropriations for fiscal years 2008 through 2011 for the Trafficking Victims Protection Act of 2000, to enhance measures to combat trafficking in persons, and for other purposes.

S. 3108

At the request of Mr. KERRY, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 3108, a bill to require the President to call a White House Conference on Food and Nutrition.

S. 3111

At the request of Mr. WICKER, the names of the Senator from Oklahoma (Mr. COBURN) and the Senator from Colorado (Mr. ALLARD) were added as cosponsors of 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.

S. CON. RES. 86

At the request of Mr. KERRY, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. Con. Res. 86, a concurrent resolution expressing the sense of Congress that the United States, through the

International Whaling Commission, should use all appropriate measures to end commercial whaling in all of its forms and seek to strengthen measures to conserve whale species.

S. RES. 575

At the request of Mr. STEVENS, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. Res. 575, a resolution expressing the support of the Senate for veteran entrepreneurs.

S. RES. 580

At the request of Mr. BAYH, the names of the Senator from South Dakota (Mr. JOHNSON), the Senator from Connecticut (Mr. LIEBERMAN), the Senator from South Carolina (Mr. DEMINT), the Senator from New Jersey (Mr. MENENDEZ) and the Senator from Minnesota (Mr. COLEMAN) were added as cosponsors 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. BIDEN:

S. 3136. A bill to encourage the entry of felony warrants into the NCIC database by States and provide additional resources for extradition; to the Committee on the Judiciary.

Mr. BIDEN. Mr. President, I rise today to introduce the Fugitive Information Networked Database Act of 2008, or the FIND Act. This bill provides resources to law enforcement to ensure the entry of felony warrants into the national FBI database and to assist in tracking down and extraditing fugitives. It helps ensure that fugitives who flee their States will be located, apprehended, and brought to justice. It protects our communities by taking dangerous criminals off the streets.

According to a recent series of articles in the St. Louis Post-Dispatch, anywhere from 1.9 million to 2.7 million felony fugitives are on the run from law enforcement. When State and local law enforcement issue a warrant for a fugitive's arrest, they are expected to enter it into the FBI's National Crime Information Center database as well as into their own State and local databases. The national database is accessible to all State and local law enforcement agencies, which use the national database to track fugitives around the country.

The national database is only as good as the information that States enter into it, however. Too often, State and local law enforcement agencies enter warrants into the State and local databases, but not into the national database. It is estimated that more than a third of all felony warrants have not been entered into the national database. That means anywhere from 800,000 to 1.6 million wanted felons can escape justice and remain at large in our communities simply by crossing State lines.

Unless a warrant is entered into the national database, a sheriff or police officer who stops a fugitive has no way of knowing that he is wanted in another jurisdiction—sometimes for a violent crime. Many fugitives go on to commit additional crimes in other States. Some know that if they can flee across State lines, there's a good chance they can—in some cases—get away with murder. This is inexcusable.

I have heard a range of reasons why State and local law enforcement have not been entering felony warrants into the national database. Some reasons are valid. For instance, if law enforcement is using a person suspected of a felony as an informant, it's understandable that they would not want to enter the informant's name into the database.

Many jurisdictions don't enter warrants into the national database, however, simply because they don't have the time and resources to update and validate warrant entries, which is a resource- and time-intensive process.

Fortunately, the burden of warrant entry and validation can be alleviated. By developing new databases, or by upgrading existing ones, to ensure compatibility and interoperability with the national database, State and local law enforcement can facilitate information sharing and seamless warrant entry into databases at all levels of government. With additional resources to hire personnel for the validation process, State and local law enforcement can enter felony warrants into the national database without worrying about not having the resources to validate them.

The FIND Act addresses the problem of warrant backlogs by providing State and local law enforcement with the resources necessary to develop and upgrade their systems, and hire additional personnel to perform the validation process. Specifically, it authorizes \$25 million for fiscal years 2009 and 2010 for grants to States to develop new systems or upgrade existing systems so that they are interoperable with the NCIC database.

Another reason law enforcement doesn't enter felony warrants into the national database is concern that the State will not have the resources to extradite the fugitive if he is found outside the State's borders. Helping State and local agencies enter their felony warrants into the national database is therefore only half the battle. We also need to ensure that when a dangerous fugitive is caught, the jurisdiction in which he is wanted can work with the U.S. Marshals Service to extradite him to face justice.

While I was drafting this bill, I spoke to one sheriff who apprehended an individual wanted for rape in another State. The sheriff notified that State that he had their criminal in custody, but when the State said they didn't have the resources to extradite him, the sheriff had no choice but to free the rapist into his community.

When we in Congress do not provide law enforcement with the basic resources they need to extradite dangerous criminals like this, we fail in our most basic duty to those we represent—the duty to protect them from violent crime.

The U.S. Marshals Service is on the front lines of fugitive apprehension and extradition. We authorized funds several years ago for the development of Regional Fugitive Task Forces that combine the resources and expertise of State and local law enforcement and the U.S. Marshals Service. These task forces have been very successful and could do much more to track down and extradite fugitives if they had the proper resources.

My bill authorizes an additional \$20 million in fiscal year 2009 to fund existing and develop new regional task forces, and it provides \$10 million for fiscal years 2010 through 2014. It also authorizes \$3 million for each of fiscal years 2009 through 2014 to assist in the extradition of fugitives through the Justice Prisoner and Alien Transport System.

The FIND Act provides essential resources to locate, capture, and bring to justice dangerous fugitives. It takes commonsense steps to protect our communities from rapists, murderers, and other violent criminals who have fled across State lines. I urge my colleagues to support it.

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

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

S. 3136

*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 “Fugitive Information Networked Database Act of 2008” or the “FIND Act”.

#### SEC. 2. DEFINITION.

In this Act, the term “National Crime Information Center database” is the computerized index of criminal justice information operated by the Federal Bureau of Investigation pursuant to section 534 of title 28, United States Code, and available to Federal, State, and local law enforcement and other criminal justice agencies.

#### SEC. 3. GRANTS TO ENCOURAGE STATES TO ENTER FELONY WARRANTS.

(a) STATE SYSTEM.—A State Attorney General may, in consultation with local law enforcement and any other relevant government agencies, apply for a grant from the United States Attorney General to—

(1) develop and implement secure, electronic warrant management systems that permit the prompt preparation, submission, and validation of warrants and are compatible and interoperable with the National Crime Information Center database; or

(2) upgrade existing electronic warrant management systems to ensure compatibility and interoperability with the National Crime Information Center database; to facilitate information sharing and to ensure that felony warrants entered into State and local warrant databases can be automatically entered into the National Crime

Information Center database. The grant funds may also be used to hire additional personnel, as needed, for the validation of warrants entered into the National Crime Information Center database.

(b) ELIGIBILITY.—In order to be eligible for a grant authorized under subsection (a), a State shall submit to the United States Attorney General—

(1) a plan to develop and implement, or upgrade, systems described in subsection (a);

(2) a report that—

(A) details the number of felony warrants outstanding in the State;

(B) describes any backlog of warrants that have not been entered into the State and local warrant databases or into the National Crime Information Center database, over the preceding 3 years (including the number of such felony warrants);

(C) explains the reasons for the failure of State and local government agencies to enter felony warrants into the National Crime Information Center database; and

(D) demonstrates that State and local government agencies have made good faith efforts to eliminate any such backlog; and

(3) guidelines for warrant entry by State and local government agencies that will ensure that felony warrants entered into State and local warrant databases will also be entered into the National Crime Information Center database and explain the circumstances in which, as a matter of policy, certain felony warrants will not be entered into the National Crime Information Center database.

(c) AUTHORIZATION.—There are authorized to be appropriated to the Attorney General \$25,000,000 for each of the fiscal years 2009 and 2010 for grants to State and local government agencies for resources to carry out the requirements of this section.

#### SEC. 4. FBI COORDINATION.

The Federal Bureau of Investigation shall provide to State and local government agencies the technological standard that ensures compatibility and interoperability of all State and local warrant databases with the National Crime Information Center database.

#### SEC. 5. REPORT REGARDING FELONY WARRANT ENTRY.

(a) IN GENERAL.—Not later than 270 days after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the House and Senate Committees on the Judiciary a report regarding—

(1) the number of felony warrants currently active in each State;

(2) the number of those felony warrants that State and local government agencies have entered into the National Crime Information Center database;

(3) the number of times State and local law enforcement in each State has been contacted regarding a fugitive apprehended in another State over the preceding 3 years; and

(4) the number of fugitives from each State who were apprehended in other States over the preceding 3 years but not extradited.

(b) ASSISTANCE.—To assist in the preparation of the report required by subsection (a), the Attorney General shall provide the Comptroller General of the United States with access to any information collected and reviewed in connection with the grant application process described in section 3.

(c) REPORT TO THE ATTORNEY GENERAL.—States that receive grants under section 3 shall, as a condition of receiving the grant, report to the Attorney General on an annual basis the number of felony warrants entered into the State and local warrant databases, the number of felony warrants entered into

the National Crime Information Center database, and, with respect to felony warrants not entered into the National Crime Information Center database, the reasons for not entering such warrants. On an annual basis, the Attorney General shall submit to the House and Senate Committees on the Judiciary a report containing the information received from the States under this subsection.

#### SEC. 6. ADDITIONAL RESOURCES FOR FUGITIVE TASK FORCES AND EXTRADITION.

(a) PRESIDENTIAL THREAT PROTECTION ACT OF 2000.—Section 6(b) of the Presidential Threat Protection Act of 2000 (28 U.S.C. 566 note) is amended by adding at the end the following: “There are authorized to be appropriated to the Attorney General for the United States Marshals Service to carry out the provisions of this section \$20,000,000 for fiscal year 2009 and \$10,000,000 for each of the fiscal years 2010 through 2014.”

(b) JUSTICE PRISONER AND ALIEN TRANSPORT SYSTEM.—There are authorized to be appropriated to the Attorney General for the United States Marshals Service \$3,000,000 for each of fiscal years 2009 through 2014 to assist in extradition of fugitives through the Justice Prisoner and Alien Transport System.

By Mrs. FEINSTEIN:

S. 3137. A bill for the relief of Jorge Rojas Gutierrez, Oliva Gonzalez Gonzalez, and Jorge Rojas Gonzalez; to the Committee on the Judiciary.

Mrs. FEINSTEIN. Mr. President, today I am introducing a private relief bill on behalf of Jorge Rojas Gutierrez, his wife, Oliva Gonzalez Gonzalez and their son, Jorge Rojas Gonzalez. The Rojas family are Mexican nationals living in the San Jose area of California.

The story of the Rojas family is compelling and I believe they merit Congress’ special consideration for such an extraordinary form of relief as a private bill.

Mr. Rojas and his wife Ms. Gonzalez originally came to the United States in 1990 when their son Jorge Rojas, Jr. was just 2 years old. In 1995, they left the country to attend a funeral, and then re-entered on visitor’s visas. The family has since expanded to include a son, Alexis Rojas now age 15 and a daughter Tania Rojas now age 14.

Since arriving in the United States, this family has dedicated themselves to community involvement, a strong work ethic and volunteerism. They have been paying taxes since their arrival in 1990. The family has been described by their friends and colleagues as a “model American family.” I would like to tell you some more about each member of the Rojas family.

Mr. Rojas is a hard-working individual who has been employed by Valley Crest Landscape Maintenance in San Jose, California, for the past 14 years. Currently, Mr. Rojas works on commercial landscaping projects. He is well-respected by his supervisor and his peers.

In addition to supporting his family, Jorge has volunteered his time and talents to provide modern green landscaping and a recreational jungle gym to Sherman Oaks Community Charter School, where his two youngest children attend school.

Ms. Gonzalez, in addition to raising her three children, has been very active in the local community. She has worked to help other immigrants assimilate to American life by working as a translator and a tutor for immigrant children at Sherman Oaks Community Charter School and the Y.M.C.A. Kids after-school program.

She has also coached soccer teams, and has recently directed a Second Harvest food drive for the school. Ms. Gonzalez also devotes many hours of her time to the organization People Acting in Community Together PACT, where she works to prevent crime, gangs and drug dealing in San Jose neighborhoods and schools.

Perhaps one of the most compelling reasons for permitting the family to remain in the United States is the impact their deportation would have on their three children. Two of the children, Alexis Rojas age 15 and Tania Rojas age 14, are U.S. citizens. Jorge Rojas, Jr. has lived in the United States since he was a toddler. For these children, this country is the only country they really know.

Jorge Rojas, Jr. is currently working at Jamba Juice. He graduated from Del Mar High School in 2007 and has been accepted to San Jose City College. However, his dreams and aspirations have been placed on hold because he remains subject to deportation.

Alexis and Tania Rojas are students at Sherman Oaks Community Charter School. They are described by their teachers as "fantastic, wonderful and gifted" students. In fact, the principal at Sherman Oaks has described all three of the children as "honest, hard-working academic honor students" and has commended all of them for their on-campus leadership.

It seems so clear to me that this family has embraced the American dream and their continued presence in our country would do so much to enhance the values we hold dear. I have received 30 letters from the community in support of this family. Enactment of the legislation I have introduced today will enable the Rojas family to continue to make significant contributions to their community as well as the United States.

I ask my colleagues to support this private bill.

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

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

S. 3137

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

**SECTION 1. PERMANENT RESIDENT STATUS FOR JORGE ROJAS GUTIERREZ, OLIVA GONZALEZ GONZALEZ, AND JORGE ROJAS GONZALEZ.**

(a) IN GENERAL.—Notwithstanding subsections (a) and (b) of section 201 of the Immigration and Nationality Act (8 U.S.C. 1151), Jorge Rojas Gutierrez, Oliva Gonzalez

Gonzalez, and Jorge Rojas Gonzalez shall each be eligible for the issuance of an immigrant visa or for adjustment of status to that of an alien lawfully admitted for permanent residence upon filing an application for issuance of an immigrant visa under section 204 of such Act or for adjustment of status to lawful permanent resident.

(b) ADJUSTMENT OF STATUS.—If Jorge Rojas Gutierrez, Oliva Gonzalez Gonzalez, and Jorge Rojas Gonzalez enters the United States before the filing deadline specified in subsection (c), Jorge Rojas Gutierrez, Oliva Gonzalez Gonzalez, and Jorge Rojas Gonzalez shall be considered to have entered and remained lawfully in the United States and shall be eligible for adjustment of status under section 245 of the Immigration and Nationality Act (8 U.S.C. 1255) as of the date of the enactment of this Act.

(c) DEADLINE FOR APPLICATION AND PAYMENT OF FEES.—Subsections (a) and (b) shall apply only if the application for the issuance of an immigrant visa or the application for adjustment of status is filed with appropriate fees not later than 2 years after the date of the enactment of this Act.

(d) REDUCTION OF IMMIGRANT VISA NUMBERS.—Upon granting an immigrant visa or permanent residence to Jorge Rojas Gutierrez, Oliva Gonzalez Gonzalez, and Jorge Rojas Gonzalez, the Secretary of State shall instruct the proper officer to reduce by 3, during the current or next following fiscal year, the total number of immigrant visas that are made available to natives of the country of birth of Jorge Rojas Gutierrez, Oliva Gonzalez Gonzalez, and Jorge Rojas Gonzalez under section 203(a) of the Immigration and Nationality Act or, if applicable, the total number of immigrant visas that are made available to natives of the country of birth of Jorge Rojas Gutierrez, Oliva Gonzalez Gonzalez, and Jorge Rojas Gonzalez under section 202(e) of such Act.

SAN JOSE, CA,  
March 14, 2008.

HON. DIANE FEINSTEIN,  
Post Street,  
San Francisco, CA.

DEAR SENATOR FEINSTEIN: We are the Rojas Family: Jorge Rojas, Sr., 43 years old, supervisor, Valley Crest Landscape Co.; Oliva Rojas, 40 years old, tutor, Sherman Oaks Charter School; Jorge Rojas 19 years old, son; Alexis Rojas, 15 years old, son; and Tania Rojas, 14 years old, daughter.

The reason for this letter is to ask for your help on our immigration status.

We came to the U.S.A. in 1990, there were three in the family at that time: my wife Oliva, my son Jorge, he was 1-year and 5 months old, and myself. Years later Alexis and Tania were born in California.

After a long immigration process we were denied to stay in the U.S.A. and now we are facing a voluntary departure schedule on or before April 18, 2008, in the meantime we are asking to extend our departure until the kids finish the school year that ends on June 13, 2008.

Our main goal is to stay in the U.S.A. as legal residents, my kids were born here and grew up here, even my son Jorge was too young to remember where he was born, this is all that they have ever known. What I want the most now is that my kids keep going with their hopes and dreams and be able to stay in school and someday be great citizens in this Great Country.

After several changes in immigration laws, we started a legal process trying to get a legal residence in this country. One day we knew thru other people that someone in the Los Angeles area could help us out to get a legal residence, wrongly we started a political asylum process, that later will be an ap-

plication for cancellation of removal, we were misled, we were told that its only a way to get a hearing with an immigration judge and because we were in the U.S.A. for more than 10 years and we have 2 citizen kids will be a lot easier, afterwards we found out that this person was not a lawyer and he was a notary, whom only submit political asylum applications and then turn everything to a lawyers that represent us in the hearings. A lot of trips to L.A. but one day received a call telling me that me case was move out to San Francisco and the next hearing will be there.

At the first hearing in San Francisco the Judge instructed me to get a lawyer that represent us in the upcoming process. We hire a lawyer with immigration speciality, a real lawyer, it was on March 2003. He represent us I think the best way that he could, after almost 3 years on April 2006, we were denied to stay and granted with voluntary departure within 60 days, this happen on April 2006.

Still we had another chance; appeal to the Court of Appeals for the Ninth Circuit, so in May 2006, we hired another lawyer with better knowledge in appeals. Our efforts to stay legally here never give up.

On February 24, 2008 we received a decision from the Board of Immigration Appeals saying that we have to leave the country voluntary in the remaining 32 days after the final decision that will be made on March 17, 2008.

Now our last hope is if you can help us.

We are a very close family that always been working and doing voluntary jobs and time to the community where for 14 years we belong participating not only with our kids, we were among parents and teacher helping.

My wife Oliva has been a soccer coach and she is involved in the community association named "PACT" (Parents Acting in Community Together), helping too in the distribution of food with "The Second Harvest Food Program". Myself I was a soccer coach too and involved in a lot of jobs done to the Sherman Oaks Charter School, were my three kids attended.

My kids now are emotionally affected because they can not understand all that is happening to us and of course to them, for me is really hard to explain them.

Even so we all know the decision that had been made, we keep on going everything; work, school and time together as a family. We have our hopes and faith in something or somebody that is going to help us to stay in The U.S.A.

I am pretty sure that with your help my whole family will keep this faith, hopes and dreams going and we will be part of this great country.

I want to say ahead that myself and my family are deeply grateful for you time and for whatever you can do for us.

Thank you so much.

JORGE ROJAS.

*Update on this letter*

MARCH 19, 2008.

On March 17, 2008 we were granted by de I.C.E. Office with 60 days more until my kids can finish the school year, now our voluntary departure is schedule on or before June 18, 2008. That gives us more comfort and time; hoping that you can help us.

Thanks again for your time and help.

JORGE ROJAS.

HOUSE OF REPRESENTATIVES,  
Washington, DC, June 13, 2008.

Senator DIANNE FEINSTEIN,  
Hart Senate Office Building,  
Washington, DC.

DEAR SENATOR FEINSTEIN: In late February, staff from my office met with Jorge

Rojas and his wife, Oliva Gonzalez Rojas in regards to their immigration case and that of their son, Jorge Rojas Gonzalez. After exhausting all appeals to the decision of the Immigration Judge, the family was scheduled to depart the United States under an order of voluntary departure to Mexico on April 18, 2008.

My office supported their request to get an extension of the voluntary departure order until June 18, 2008 so that the two younger United States citizen children could finish the school year. As of this moment the family is still scheduled to leave the United States on June 18th. At the time of the first meeting, my office also referred the Rojas family to their U.S. Senators offices to inquire about the possibility of a private bill being introduced.

Since February, my office has received many calls from individuals supportive of the Rojas family and concerned about their impending departure. My office was also contacted by People Acting in Community Together (PACT), members of the Santa Clara Interfaith Council, Santa Clara County Office of Human Relations, YMCA, and Sherman Oaks Community Charter School.

In addition, on March 9, 2008, the Rojas family participated in a community forum organized by First Presbyterian Church of Palo Alto. The Rojas family participated on a panel which included a San Francisco Immigration Judge, the Director of the Santa Clara County Office of Human Relations, and one of my staff members. The event was co-sponsored by the League of Women Voters of Palo Alto, the Santa Clara Council of Churches, Multifaith Voices for Peace and Justice, and El Buen Pastor, Iglesia Episcopal Church (Redwood City). The organizers have verified that there were a total of 115 attendees at the event, many of whom still inquire about the Rojas family and their situation.

It is apparent that the Rojas family is a hard-working, beloved family that has contributed much to their community through their volunteer work. My office has been as supportive as possible of this family and of their efforts to exhaust all possible avenues to remain legally in the United States.

Thank you for your attention to this important matter.

Sincerely,

ZOE LOFGREN,  
Member of Congress.

VALLEYCREST  
LANDSCAPE MAINTENANCE,  
San Jose, CA, 12 March 2008.

Re Jorge G. Rojas.

Hon. DIANNE FEINSTEIN,  
U.S. Senate.

DEAR SENATOR FEINSTEIN: Jorge G. Rojas has been working for our company ValleyCrest Landscape Maintenance since 1994.

Not only is he a valuable member of our team but has been instrumental in energizing the water conservation and sustainability issues as they relate to the LEED efforts in the Bay Area for commercial landscaping.

Jorge Rojas is a technician in Urban Construction. He obtained his degree from Conalet Technical School in Guadalajara.

Jorge's skills in that area will be a great loss not only to the company, but to the state of sustainability and green programs in Silicon Valley.

Commercial clients are seeking LEED certification for their existing buildings and industry talent in this arena is critical.

We at ValleyCrest urge our to consider drafting a private bill to secure permanent residency for him and his direct family.

Jorge is also seeking an extension from the Immigration office to allow his American resident children to complete their graduation.

We would appreciate your thoughtful consideration of this request.

Sincerely,

NADA DUNA,  
Regional Manager.

SHERMAN OAKS COMMUNITY  
CHARTER SCHOOL,  
San Jose, CA, March 13, 2008.

TO WHOM IT MAY CONCERN: I write this letter in support of the Oliva Gonzales Rojas and her family. Many years ago she and her husband, Jorge, left Mexico to come to the United States. At that time their oldest son was two years old. They have lived in the United States in California for the last eight years.

During that time they have consistently demonstrated their commitment to this country, appreciating the opportunities the United States has afforded them. In addition to their oldest son, they have two other children—a son and daughter, citizens of the United States. These children have demonstrated strong academic skills, and they have shown positive and consistent leadership. They understand the importance of service to community.

Yesterday, Alexis, their son volunteered at Sherman Oaks, organizing our book room and hanging posters on the wall. He has received excellent modeling from his parents who have donated many hours of service to our school. They have demonstrated discipline and excellence in their work. Olivia works at Sherman Oaks as yard duty and as a tutor. Jorge, the father, has developed a highly successful landscaping design business, which caters to large-scale corporations and business parks.

Olivia and Jorge are decent people, who came to America to live the American dream. For eighteen years they have worked hard, rearing their children, teaching them the values of perseverance, diligence, and sacrifice to achieve and to thrive. Pillars of the community, the family is universally loved and respected by all at Sherman Oaks School. It was Jorge, who planted trees and fixed the irrigation system to maintain the lush fields that are a mecca to our children and their families. Olivia serves as the liaison for our school to the neighborhood. She tutors their children, organizes support for families in need, and integrates new immigrants into the school. Olivia and Jorge are good people, model citizens, and contributors to society.

With great respect, I plead with you to consider the merit of this case. Specifically, I request that the family may stay, at least until the end of June, so that their children can complete this school year. Thank you for your consideration.

Sincerely,

NANCY ATKINSON,  
Principal.

PEOPLE ACTING IN  
COMMUNITY TOGETHER,  
San Jose, CA, March 17, 2008.

Senator DIANNE FEINSTEIN,  
Post Street,  
San Francisco, CA.

DEAR SENATOR FEINSTEIN: I am writing to express my strong support for Oliva Rojas and her family and to ask for your assistance in postponing—and we hope canceling—their order of removal from the DOHS.

Olivia was an active PACT volunteer leader for several years in the early 2000s and has continued to support our organization since then. PACT is a multi-ethnic, inter-faith grassroots organization that empowers every day people to create a more just community.

For more than 20 years, PACT has helped ordinary people win extraordinary victories for our community, not by speaking for them, but by teaching them how to speak, act, and engage in the public arena for them-

selves. Thousands of PACT-trained, volunteer community leaders have worked together across ethnic, religious and socio-economic lines to create innovative and effective public policies that have improved the lives of hundreds of thousands of people throughout Santa Clara County. For example, PACT co-founded Santa Clara County's innovative Children's Health Initiative, which provides access to health insurance to all low-income children in the County and has served as a model for similar programs in twenty-three other California counties plus many other states, as well.

Olivia was active with the PACT parent group at her child's charter school. She put in many hours every week to help improve the school for the benefit of all the children. She was also a leader in the effort to fight crime, gangs, and drug dealing in the neighborhood around the school, and helped organize large meetings with this purpose.

I've been working for more than 15 years to involve everyday people in the public life of their communities. While most people feel disconnected and apathetic, Olivia is full of hope and exudes inspiration about her community. Even though she is new to this country, she embodies the values we hold dear, as individuals and as a society: committed to her family, hard working, involved in the community, participant in the democratic process.

Our community needs Olivia and her family. We need so many more people like her. We would be a much weaker community without her.

Thank you for your assistance.

MATT HAMMER,  
Executive Director.

SHERMAN OAKS  
COMMUNITY CHARTER SCHOOL,  
San Jose, CA, March 10, 2008.

DIANE FEINSTEIN,  
U.S. Senator,  
San Francisco, CA.

HONORABLE SENATOR FEINSTEIN: I am writing in behalf of the Jorge and Oliva Rojas Family and their eminent "removal" from the United States. I have had the good fortune to have known the Rojas family since 1999, when Tania Rojas was in my Kindergarten class. We did home visits that year, and I was immediately impressed with the close family ties and structure within the Rojas household. Tania was a fantastic student and we had a great year. Her mother, Oliva, was a ready volunteer for anything that she could help out with at school, and was always an integral part of our school community. Two years later, I had Alexis in my fourth grade class. Another wonderful, intelligent, GATE (Gifted and Talented) student. That year, he talked about being an astronaut some day. And, of course, Olivia continued to do anything and everything to help out. Always with a positive "can-do" attitude and sense of humor.

Olivia started out volunteering, but because she is so capable, she was soon hired by our school to do almost everything! As a charter school, we have had more flexibility in hiring than some schools. In the past, Olivia has helped out as a substitute, an art teacher, yard duty, tutor, and parent liaison. Students love and respect her. She is someone who is always willing to help out where needed. She has been a lifesaver to me, as a teacher, many times. Whether it's making copies for me at the last minute, or helping out with our 4th grade overnight at Sanborn Park when my partner teacher got sick, or helping me design and build our altar for Day of the Dead—Olivia is always there. Her

background design for the 4th grade Opera every year, is always spectacular. She helps students with homework. She helps our Kindergartners in our "mid day block". Our structure is very different from traditional schools, and Oliva is someone who helps make it work. She helps make everything work at our school. I can't even imagine what our school will be like without her here. Her own 3 children, Jorge, Alexis and Tania are no longer students at our school, but truly, all the students at Sherman Oaks are Oliva's kids.

Oliva soon started working in the YMCA's after school and summer school program, where, once again, she was loved by all who worked with her. I believe she has worked with them for over 4 years. I am attaching this year's YMCA brochure, which, ironically, came to my house just this week. On page 7 is a picture of smiling staff members. Center front, is Oliva Rojas.

Every October, the Rojas family participates with my husband with his theater group, Familia Aztlán, in their multicultural event celebrating Day of the Dead in San Jose. Both Jorge Sr. and Jr. along with Tania and Alexis, participate in the parade, wielding large, life sized, skeleton puppets. Oliva puts her creativity to use, painting the faces of children and adults alike.

Oliva's removal from this country in mid April will put an extreme hardship on all the students and teachers at Sherman Oaks Community Charter School in San Jose for this school year. As a teacher at this school for 10 years, I can truthfully say that Oliva Rojas' position at our school touches every single student. I can't imagine how we would explain to our students why she was all of a sudden gone—mid year. What could we say to explain it to them? And they will ask.

I respectfully ask for your intervention, in whatever way you can, to get an extension of at least until June for the removal of the Rojas Family. Ideally, this family merits full time, legal status in this country based on their many civic and artistic contributions, stable family, and work ethic. But, if this is not possible, at least, for the sake of the students, families, and faculty of Sherman Oaks Community Charter School, please intervene for an extension until June, 2008.

It is truly this country's loss if/when the Rojas Family is "removed."

Respectfully and hopefully,

BARBARA LYNN,  
4th Grade Teacher.

SAN JOSE, CA, March 5, 2008.

SENATOR FEINSTEIN, I am writing to you because of my concern for a co-worker and friend, Oliva Rojas. Although she and her family have been trying to legally stay in the United States for many years, her appeals have run out and she and her family will be leaving on a volunteer departure on April 18th.

I am Oliva's supervisor at Sherman Oaks Elementary School in San Jose in the Campbell Elementary School District, a bilingual, dual-immersion school. Oliva reports to me everyday for 2 hours and works with grades K-6 with a specialty in Kindergarten. (She works other hours for a different supervisor.)

I can't think of a time when I have been so disappointed in our government. This is a family that is a vital part of our community and Oliva is a valued co-worker. Because she is smart, trusted, responsible and nurturing, Oliva has been given many duties that go beyond her job description. (At one time, we were a charter school and Oliva was even able to substitute teach in classrooms and did a fabulous job.) Oliva's family has always been the first to step up and take action if something needed to be done at our school to

improve the grounds or atmosphere. They would be the first to volunteer to help at the many gatherings we would have. Oliva and her family are some of the most involved, unselfish people I have ever met.

If Oliva leaves on April 18th, it would be a hardship to not only me and her fellow co-workers, but to each and every child she works with on a daily basis. We depend on her to be there because she handles the children in a very special loving way. Nobody could replace her. I have tried to fill her position with other employees at times when she is sick or at immigration hearings and it has not worked out. We need Oliva to be with us throughout this school year and beyond.

I would like you to take a look at her case and help her and her family out in this matter. Please do whatever you can do to keep the family here in the United States.

Thank you,

LYNDA ZOLEZZI.

SAN JOSE, CA, MARCH 11, 2008.

Senator DIANNE FEINSTEIN,  
*One Post Street,  
San Francisco, CA.*

DEAR SENATOR FEINSTEIN: We ask you to please urge ICE to allow Jorge Rojas, Sr., Oliva Rojas (his wife) and Jorge Rojas, Jr. (their 19 year old son) to remain in this country at least till the end of this school year, June 13, so that their U.S. citizen children, Alexis and Tania, may finish school. In fact, I would hope that the whole Rojas family could stay legally for the rest of their lives.

The Rojas family has been a fixture of our community in San Jose for at least 16 years. We raised our sons, their Jorge Jr. and our Sam, together from 2nd grade on (both are now 19 and 20 years old respectively), spending many hours together. We were active together in People Acting Together (PACT) successfully pushing for health insurance for all children in Santa Clara Co. in 2000. Oliva is well-know to all children at Sherman Oaks Community Charter School (Campbell Union School District) due to her early volunteer work at the school, then her paid position as an aide, and then as a YMCA worker running after school programs.

Jorge Rojas, Sr. has been an active parent leader in the Sherman Oaks Community Charter School neighborhood in west center San Jose. It was Jorge, as a trained landscaping professional, who enlisted other parents to reseed and regrade parts of the school playground and to repair the irrigation system when the school district had no funds to do so. It was Jorge who led the work to plant trees from Our City Forest in front of the school to reduce heat and glare. It was Jorge who volunteered his weekend operating the equipment and then doing the hand digging necessary to install a French drainage system (6 feet deep) into holes cut in the concrete to ensure proper drainage.

It was both Jorge and Oliva who for years volunteered to coach soccer teams for neighborhood children after school. As bilingual parents, Jorge and Oliva have been key to bridging the cultural/language gap between neighbors in our multicultural neighborhood and school community. If this family leaves, they will leave a big hole in our community which has come to depend on them for leadership, translation, advice, hard work, and friendship. They will also leave a big hole in the hearts of many of us who count them as close friends.

It is tragic that a whole community would suffer such a loss due to a legal error made by an untrained, irresponsible "notario" years ago. This family has spent thousands and thousands of dollars in an effort to overcome the error of that notario and to legalize their status.

We ask for your assistance on behalf of the Rojas Family and our community.

Sincerely,

SUSAN PRICE-JANG and VICTOR JANG.

By Mr. WEBB. (for himself, Mr. WARNER, Mrs. CLINTON, Mr. SCHUMER, Ms. MIKULSKI, Mr. SANDERS, Mr. CARDIN, Mr. DURBIN, and Mr. KERRY):

S. 3140. A bill to provide that 4 of the 21 weeks of parental leave made available to a Federal employee shall be paid leave, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

Mr. WEBB. Mr. President, today I rise to introduce the bipartisan Federal Employees Paid Parental Leave Act of 2008. I introduce this bill with Senators WARNER, CLINTON, KERRY, SCHUMER, MIKULSKI, SANDERS, and DURBIN.

This bill has a simple and yet important requirement: that Federal employees be granted 4 weeks of paid paternity and maternity leave.

The Federal Government is the country's largest employer, with more than 2.7 million employees. My state of Virginia is home to more than 100,000 Federal employees. As the Nation's largest employer, the Federal Government should be the leader in workplace policy. The Federal Government should provide benefits that are equal to what we call best practices in the private sector.

Furthermore, according to the Office of Personnel Management, more than half of the Federal Government's employees will become eligible for retirement within the next 10 years. The Federal workforce is aging faster than the private workforce. The benefits desired by younger workers are offered by private sector employers, but not by the Federal Government. Although the Federal Government cannot compete with private sector salaries, we should be offering comparable benefits.

The current parental leave law for Federal employees is in need of an update. The Federal Employees Paid Parental Leave Act provides that, of the 12 weeks of unpaid leave guaranteed by the Family and Medical Leave Act, federal employees will be allowed to substitute 4 weeks of paid leave, as well as any accrued annual or sick leave for the birth or adoption of a child.

This requirement mirrors a recent provision put forward by the Senate Armed Services Committee in the National Defense Authorization Act, which would allow 21 days of paid paternity leave for our military personnel.

The legislation we are introducing today is also an issue of fairness for the working family. The U.S. Census Bureau reports that more than 70 percent of women with children over the age of 1 are in the workforce and that both parents work in most families.

Additionally, according to the National Partnership for Women and Families, in today's highly competitive jobs environment, there is little workforce flexibility to help working

women and men care for their families and still succeed at their jobs. This is particularly true for those Americans whose economic security is most at risk.

It is important to note the parental leave practices of non-Federal employers. Research by the Joint Economic Committee has found that Fortune 100 firms offer paid leave typically lasting 6 to 8 weeks. Additionally, most of America's economic rivals provide paid parental leave, as do many other nations. The European Union requires that member countries offer 14 weeks of paid leave and most offer more than the required amount.

By contrast, our Nation's current laws force healthy, long-term federal employees to save up their sick days and vacation time so they can use this paid time off to care for their newborn or newly adopted child. Asking employees to cobble together accrued leave makes it difficult for relatively new employees or those who experience health problems to save up enough time for parental leave. We owe our civil servants a more thoughtful, work-friendly policy.

I note that the House of Representatives recently reported a similar bill out of the appropriate House committee by a strong bipartisan vote. I hope the Senate begins similar action on this bill.

I urge my colleagues to support this pro-family, pro-Federal worker legislation.

#### SUBMITTED RESOLUTIONS

**SENATE RESOLUTION 595—DESIGNATING SEPTEMBER 2008 AS “GOSPEL MUSIC HERITAGE MONTH” AND HONORING GOSPEL MUSIC FOR ITS VALUABLE AND LONGSTANDING CONTRIBUTIONS TO THE CULTURE OF THE UNITED STATES**

Mrs. LINCOLN (for herself, Mrs. HUTCHISON, and Mr. LEAHY) submitted the following resolution; which was considered and agreed to:

S. RES. 595

Whereas gospel music is a beloved art form unique to the United States, spanning decades, generations, and races;

Whereas gospel music is one of the cornerstones of the musical tradition of the United States and has grown beyond its roots to achieve pop-culture and historical relevance;

Whereas gospel music has spread beyond its geographic origins to touch audiences around the world;

Whereas the history of gospel music can be traced to multiple and diverse influences and foundations, including African-American spirituals that blended diverse elements from African music and melodic influences from Irish folk songs and hymns, and gospel music ultimately borrowed from uniquely American musical styles including ragtime, jazz, and blues;

Whereas that tradition of diversity remains today, as the influence of gospel music can be found infused in all forms of secular music, including rock and roll, country, soul,

rhythm and blues, and countless other styles;

Whereas the legacy of gospel music includes some of the most memorable voices and musical pioneers in the history of the United States, such as Thomas Dorsey, Mahalia Jackson, James Vaughan, Roberta Martin, Virgil Stamps, Diana Washington, Stamps Quartet, The Highway QCs, The Statesmen, The Soul Stirrers, Point of Grace, Smokie Norful, Terry Woods, James Cleveland, Billy Ray Hearn, Rex Humbard, Joe Ligon and The Mighty Clouds of Joy, Kirk Franklin, V. Michael McKay, Theola Booker, Yolanda Adams, Edwin and Walter Hawkins, Sandi Patty, The Winans, Kathy Taylor, and Brenda Waters, Carl Preacher, and Shirley Joiner of B, C & S;

Whereas many of the biggest names in music emerged from the gospel music tradition or have recorded gospel music, including Sam Cooke, Al Green, Elvis Presley, Marvin Gaye, Aretha Franklin, Whitney Houston, Little Richard, Ray Charles, Buddy Holly, Alan Jackson, Dolly Parton, Mariah Carey, Bob Dylan, Randy Travis, and Glenn Campbell;

Whereas, regardless of their musical styles, those artists and so many more have turned to gospel music as the source and inspiration for their music, which has blurred the boundaries between secular and gospel music;

Whereas, beyond its contribution to the musical tradition of the United States, gospel music has provided a cultural and musical backdrop across all of mainstream media, from hit television series to major Hollywood motion pictures, including “American Idol”, “Heroes”, “Dancing with the Stars”, “O Brother, Where Art Thou?”, “Sister Act”, “The Preacher’s Wife”, “Evan Almighty”, and more; and

Whereas gospel music has a huge audience around the country and around the world, a testament to the universal appeal of a historical American art form that both inspires and entertains across racial, ethnic, religious, and geographic boundaries: Now, therefore, be it

*Resolved*, That the Senate—

(1) designates September 2008 as “Gospel Music Heritage Month”; and

(2) recognizes the great contributions to the culture of the United States derived from the rich heritage of gospel music and gospel music artists.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 4982. Mr. WHITEHOUSE (for Mr. INOUE (for himself, Mr. STEVENS, Mr. NELSON, of Florida, and Ms. SNOWE)) proposed an amendment to the bill H.R. 3403, to promote and enhance public safety by facilitating the rapid deployment of IP-enabled 911 and E-911 services, encourage the Nation's transition to a national IP-enabled emergency network, and improve 911 and E-911 access to those with disabilities.

#### TEXT OF AMENDMENTS

**SA 4982.** Mr. WHITEHOUSE (for Mr. INOUE (for himself, Mr. STEVENS, Mr. NELSON of Florida, and Ms. SNOWE)) proposed an amendment to the bill H.R. 3403, to promote and enhance public safety by facilitating the rapid deployment of IP-enabled 911 and E-911 services, encourage the Nation's transition to a national IP-enabled emergency network, and improve 911 and E-911 access to those with disabilities; as follows:

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “New and Emerging Technologies 911 Improvement Act of 2008” or the “NET 911 Improvement Act of 2008”.

#### TITLE I—911 SERVICES AND IP-ENABLED VOICE SERVICE PROVIDERS

##### SEC. 101. DUTY TO PROVIDE 911 AND ENHANCED 911 SERVICE.

The Wireless Communications and Public Safety Act of 1999 is amended—

(1) by redesignating section 6 (47 U.S.C. 615b) as section 7;

(2) by inserting after section 5 the following new section:

##### “SEC. 6. DUTY TO PROVIDE 9-1-1 AND ENHANCED 9-1-1 SERVICE.

“(a) DUTIES.—It shall be the duty of each IP-enabled voice service provider to provide 9-1-1 service and enhanced 9-1-1 service to its subscribers in accordance with the requirements of the Federal Communications Commission, as in effect on the date of enactment of the New and Emerging Technologies 911 Improvement Act of 2008 and as such requirements may be modified by the Commission from time to time.

“(b) PARTY FOR IP-ENABLED VOICE SERVICE PROVIDERS.—An IP-enabled voice service provider that seeks capabilities to provide 9-1-1 and enhanced 9-1-1 service from an entity with ownership or control over such capabilities, to comply with its obligations under subsection (a), shall, for the exclusive purpose of complying with such obligations, have a right of access to such capabilities, including interconnection, to provide 9-1-1 and enhanced 9-1-1 service on the same rates, terms, and conditions that are provided to a provider of commercial mobile service (as such term is defined in section 332(d) of the Communications Act of 1934 (47 U.S.C. 332(d))), subject to such regulations as the Commission prescribes under subsection (c).

“(c) REGULATIONS.—The Commission—

“(1) within 90 days after the date of enactment of the New and Emerging Technologies 911 Improvement Act of 2008, shall issue regulations implementing such Act, including regulations that—

“(A) ensure that IP-enabled voice service providers have the ability to exercise their rights under subsection (b);

“(B) take into account any technical, network security, or information privacy requirements that are specific to IP-enabled voice services; and

“(C) provide, with respect to any capabilities that are not required to be made available to a commercial mobile service provider but that the Commission determines under subparagraph (B) of this paragraph or paragraph (2) are necessary for an IP-enabled voice service provider to comply with its obligations under subsection (a), that such capabilities shall be available at the same rates, terms, and conditions as would apply if such capabilities were made available to a commercial mobile service provider;

“(2) shall require IP-enabled voice service providers to which the regulations apply to register with the Commission and to establish a point of contact for public safety and government officials relative to 9-1-1 and enhanced 9-1-1 service and access; and

“(3) may modify such regulations from time to time, as necessitated by changes in the market or technology, to ensure the ability of an IP-enabled voice service provider to comply with its obligations under subsection (a) and to exercise its rights under subsection (b).

“(d) DELEGATION OF ENFORCEMENT TO STATE COMMISSIONS.—The Commission may delegate authority to enforce the regulations

issued under subsection (c) to State commissions or other State or local agencies or programs with jurisdiction over emergency communications. Nothing in this section is intended to alter the authority of State commissions or other State or local agencies with jurisdiction over emergency communications, provided that the exercise of such authority is not inconsistent with Federal law or Commission requirements.

“(e) IMPLEMENTATION.—

“(1) LIMITATION.—Nothing in this section shall be construed to permit the Commission to issue regulations that require or impose a specific technology or technological standard.

“(2) ENFORCEMENT.—The Commission shall enforce this section as if this section was a part of the Communications Act of 1934. For purposes of this section, any violations of this section, or any regulations promulgated under this section, shall be considered to be a violation of the Communications Act of 1934 or a regulation promulgated under that Act, respectively.

“(f) STATE AUTHORITY OVER FEES.—

“(1) AUTHORITY.—Nothing in this Act, the Communications Act of 1934 (47 U.S.C. 151 et seq.), the New and Emerging Technologies 911 Improvement Act of 2008, or any Commission regulation or order shall prevent the imposition and collection of a fee or charge applicable to commercial mobile services or IP-enabled voice services specifically designated by a State, political subdivision thereof, Indian tribe, or village or regional corporation serving a region established pursuant to the Alaska Native Claims Settlement Act, as amended (85 Stat. 688) for the support or implementation of 9-1-1 or enhanced 9-1-1 services, provided that the fee or charge is obligated or expended only in support of 9-1-1 and enhanced 9-1-1 services, or enhancements of such services, as specified in the provision of State or local law adopting the fee or charge. For each class of subscribers to IP-enabled voice services, the fee or charge may not exceed the amount of any such fee or charge applicable to the same class of subscribers to telecommunications services.

“(2) FEE ACCOUNTABILITY REPORT.—To ensure efficiency, transparency, and accountability in the collection and expenditure of a fee or charge for the support or implementation of 9-1-1 or enhanced 9-1-1 services, the Commission shall submit a report within 1 year after the date of enactment of the New and Emerging Technologies 911 Improvement Act of 2008, and annually thereafter, to the Committee on Commerce, Science and Transportation of the Senate and the Committee on Energy and Commerce of the House of Representatives detailing the status in each State of the collection and distribution of such fees or charges, and including findings on the amount of revenues obligated or expended by each State or political subdivision thereof for any purpose other than the purpose for which any such fees or charges are specified.

“(g) AVAILABILITY OF PSAP INFORMATION.—The Commission may compile a list of public safety answering point contact information, contact information for providers of selective routers, testing procedures, classes and types of services supported by public safety answering points, and other information concerning 9-1-1 and enhanced 9-1-1 elements, for the purpose of assisting IP-enabled voice service providers in complying with this section, and may make any portion of such information available to telecommunications carriers, wireless carriers, IP-enabled voice service providers, other emergency service providers, or the vendors to or agents of any such carriers or providers, if such availability would improve public safety.

“(h) DEVELOPMENT OF STANDARDS.—The Commission shall work cooperatively with

public safety organizations, industry participants, and the E-911 Implementation Coordination Office to develop best practices that promote consistency, where appropriate, including procedures for—

“(1) defining geographic coverage areas for public safety answering points;

“(2) defining network diversity requirements for delivery of IP-enabled 9-1-1 and enhanced 9-1-1 calls;

“(3) call-handling in the event of call overflow or network outages;

“(4) public safety answering point certification and testing requirements;

“(5) validation procedures for inputting and updating location information in relevant databases; and

“(6) the format for delivering address information to public safety answering points.

“(i) RULE OF CONSTRUCTION.—Nothing in the New and Emerging Technologies 911 Improvement Act of 2008 shall be construed as altering, delaying, or otherwise limiting the ability of the Commission to enforce the Federal actions taken or rules adopted obligating an IP-enabled voice service provider to provide 9-1-1 or enhanced 9-1-1 service as of the date of enactment of the New and Emerging Technologies 911 Improvement Act of 2008.”; and

(3) in section 7 (as redesignated by paragraph (1) of this section) by adding at the end the following new paragraph:

“(8) IP-ENABLED VOICE SERVICE.—The term ‘IP-enabled voice service’ has the meaning given the term ‘interconnected VoIP service’ by section 9.3 of the Federal Communications Commission’s regulations (47 CFR 9.3).”.

**SEC. 102. MIGRATION TO IP-ENABLED EMERGENCY NETWORK.**

Section 158 of the National Telecommunications and Information Administration Organization Act (47 U.S.C. 942) is amended—

(1) in subsection (b)(1), by inserting before the period at the end the following: “and for migration to an IP-enabled emergency network”;

(2) by redesignating subsections (d) and (e) as subsections (e) and (f), respectively; and

(3) by inserting after subsection (c) the following new subsection:

“(d) MIGRATION PLAN REQUIRED.—

“(1) NATIONAL PLAN REQUIRED.—No more than 270 days after the date of enactment of the New and Emerging Technologies 911 Improvement Act of 2008, the Office shall develop and report to Congress on a national plan for migrating to a national IP-enabled emergency network capable of receiving and responding to all citizen-activated emergency communications and improving information sharing among all emergency response entities.

“(2) CONTENTS OF PLAN.—The plan required by paragraph (1) shall—

“(A) outline the potential benefits of such a migration;

“(B) identify barriers that must be overcome and funding mechanisms to address those barriers;

“(C) provide specific mechanisms for ensuring the IP-enabled emergency network is available in every community and is coordinated on a local, regional, and statewide basis;

“(D) identify location technology for nomadic devices and for office buildings and multi-dwelling units;

“(E) include a proposed timetable, an outline of costs, and potential savings;

“(F) provide specific legislative language, if necessary, for achieving the plan;

“(G) provide recommendations on any legislative changes, including updating definitions, that are necessary to facilitate a national IP-enabled emergency network;

“(H) assess, collect, and analyze the experiences of the public safety answering points

and related public safety authorities who are conducting trial deployments of IP-enabled emergency networks as of the date of enactment of the New and Emerging Technologies 911 Improvement Act of 2008;

“(I) identify solutions for providing 9-1-1 and enhanced 9-1-1 access to those with disabilities and needed steps to implement such solutions, including a recommended timeline; and

“(J) analyze efforts to provide automatic location for enhanced 9-1-1 services and provide recommendations on regulatory or legislative changes that are necessary to achieve automatic location for enhanced 9-1-1 services.

“(3) CONSULTATION.—In developing the plan required by paragraph (1), the Office shall consult with representatives of the public safety community, groups representing those with disabilities, technology and telecommunications providers, IP-enabled voice service providers, Telecommunications Relay Service providers, and other emergency communications providers and others it deems appropriate.”.

**TITLE II—PARITY OF PROTECTION**

**SEC. 201. LIABILITY.**

(a) AMENDMENTS.—Section 4 of the Wireless Communications and Public Safety Act of 1999 (47 U.S.C. 615a) is amended—

(1) by striking “**PARITY OF PROTECTION FOR PROVISION OR USE OF WIRELESS SERVICE.**” in the section heading and inserting “**SERVICE PROVIDER PARITY OF PROTECTION.**”;

(2) in subsection (a)—

(A) by striking “wireless carrier,” and inserting “wireless carrier, IP-enabled voice service provider, or other emergency communications provider,”;

(B) by striking “its officers” the first place it appears and inserting “their officers”;

(C) by striking “emergency calls or emergency services” and inserting “emergency calls, emergency services, or other emergency communications services”;

(3) in subsection (b)—

(A) by striking “using wireless 9-1-1 service shall” and inserting “using wireless 9-1-1 service, or making 9-1-1 communications via IP-enabled voice service or other emergency communications service, shall”;

(B) by striking “that is not wireless” and inserting “that is not via wireless 9-1-1 service, IP-enabled voice service, or other emergency communications service”;

(4) in subsection (c)—

(A) by striking “wireless 9-1-1 communications, a PSAP” and inserting “9-1-1 communications via wireless 9-1-1 service, IP-enabled voice service, or other emergency communications service, a PSAP”;

(B) by striking “that are not wireless” and inserting “that are not via wireless 9-1-1 service, IP-enabled voice service, or other emergency communications service”.

(b) DEFINITION.—Section 7 of the Wireless Communications and Public Safety Act of 1999 (as redesignated by section 101(1) of this Act) is further amended by adding at the end the following new paragraphs:

“(8) OTHER EMERGENCY COMMUNICATIONS SERVICE.—The term ‘other emergency communications service’ means the provision of emergency information to a public safety answering point via wire or radio communications, and may include 9-1-1 and enhanced 9-1-1 service.

“(9) OTHER EMERGENCY COMMUNICATIONS SERVICE PROVIDER.—The term ‘other emergency communications service provider’ means—

“(A) an entity other than a local exchange carrier, wireless carrier, or an IP-enabled

voice service provider that is required by the Federal Communications Commission consistent with the Commission's authority under the Communications Act of 1934 to provide other emergency communications services; or

“(B) in the absence of a Commission requirement as described in subparagraph (A), an entity that voluntarily elects to provide other emergency communications services and is specifically authorized by the appropriate local or State 9-1-1 service governing authority to provide other emergency communications services.

“(10) ENHANCED 9-1-1 SERVICE.—The term ‘enhanced 9-1-1 service’ means the delivery of 9-1-1 calls with automatic number identification and automatic location identification, or successor or equivalent information features over the wireline E911 network (as defined in section 9.3 of the Federal Communications Commission's regulations (47 C.F.R. 9.3) as of the date of enactment of the New and Emerging Technologies 911 Improvement Act of 2008) and equivalent or successor networks and technologies. The term also includes any enhanced 9-1-1 service so designated by the Commission in its Report and Order in WC Docket Nos. 04-36 and 05-196, or any successor proceeding.”

### TITLE III—AUTHORITY TO PROVIDE CUSTOMER INFORMATION FOR 911 PURPOSES

#### SEC. 301. AUTHORITY TO PROVIDE CUSTOMER INFORMATION.

Section 222 of the Communications Act of 1934 (47 U.S.C. 222) is amended—

(1) by inserting “or the user of an IP-enabled voice service (as such term is defined in section 7 of the Wireless Communications and Public Safety Act of 1999 (47 U.S.C. 615b))” after “section 332(d)” each place it appears in subsections (d)(4) and (f)(1);

(2) by striking “WIRELESS” in the heading of subsection (f); and

(3) in subsection (g), by inserting “or a provider of IP-enabled voice service (as such term is defined in section 7 of the Wireless Communications and Public Safety Act of 1999 (47 U.S.C. 615b))” after “telephone exchange service”.

### NOTICE OF HEARING

#### COMMITTEE ON RULES AND ADMINISTRATION

Mrs. FEINSTEIN. Mr. President, I wish to announce that the Committee on Rules and Administration will meet on Wednesday, June 18, 2008, at 10 a.m., to hear testimony on Improving Energy Efficiency, Increasing the Use of Renewable Sources of Energy, and Reducing the Carbon Footprint of the Capitol Complex.

For further information regarding this hearing, please contact Howard Gantman at the Rules and Administration Committee, 224-6352.

### PRIVILEGES OF THE FLOOR

Mr. HARKIN. Mr. President, I ask unanimous consent that Rodney Brown and Caitlin Staebell of my staff be granted floor privileges for the duration of today's session.

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

### CHILDREN'S GASOLINE BURN PREVENTION ACT

Mr. WHITEHOUSE. Madam President, I ask unanimous consent the Commerce Committee be discharged from further consideration of H.R. 814, and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (H.R. 814) to require the Consumer Product Safety Commission to issue regulations mandating child-resistant closures on all portable gasoline containers.

There being no objection, the Senate proceeded to consider the bill.

Mr. WHITEHOUSE. I ask unanimous consent that the bill be read a third time and passed, the motion to reconsider be laid upon the table, with no intervening action or debate, and any statements be printed in the RECORD.

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

The bill (H.R. 814) was ordered to a third reading, was read the third time, and passed.

### 911 MODERNIZATION AND PUBLIC SAFETY ACT OF 2007

Mr. WHITEHOUSE. Madam President, I ask unanimous consent the Commerce committee be discharged from further consideration of H.R. 3403 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (H.R. 3403) to promote and enhance public safety by facilitating the rapid deployment of IP-enabled 911 and E-911 services, encourage the Nation's transition to a national IP-enabled emergency network, and improve 911 and E-911 access to those with disabilities.

There being no objection, the Senate proceeded to consider the bill.

Mr. INOUE. Madam President, I rise today in support of the substitute to H.R. 3403, the New and Emerging Technologies 911 Improvement Act of 2008. The Senate companion, S. 428, was passed by unanimous consent on February 26, 2008. This bill would provide 911 service for Voice over Internet Protocol, VoIP, subscribers.

I can think of few government initiatives that have been as successful as 911. Since its creation nearly 30 years ago, 911 has become a lifeline for people in trouble. I think it is safe to say that just about every American today knows that 911 is the easiest and most effective means to contact emergency services.

As technology has advanced, so has 911 service. Today, many places in the Nation have E911. In these areas, when you call for help, your phone number and location are automatically transmitted to emergency personnel. If your

call is disconnected, you are disoriented, or do not know your location, this information can make all the difference in securing your safety.

But the E911 system was built for wireline service. So as technology advanced and wireless phones grew in popularity, we worked to apply E911 principles to wireless service. With the advent of VoIP, we are challenged again to ensure that our 911 policies are up to date.

I believe that the New and Emerging Technologies 911 Improvement Act of 2008 does an excellent job of improving 911 service and adapting it to the latest telecommunications technology, and I ask my colleagues to join me in supporting this important legislation.

Senator BILL NELSON, the sponsor of the Senate bill, Senator SNOWE, Senator STEVENS, and I have worked with our colleagues in the House to develop this substitute. Once the Senate passes H.R. 3403, as amended, we expect the House to act expeditiously so that this bill can become law, allowing our 911 system to continue to save lives and ensuring individuals can always call for help regardless of the underlying technology they use.

Mr. WHITEHOUSE. I ask unanimous consent that an Inouye-Stevens substitute amendment, which is at the desk, be agreed to, the bill as amended be read a third time and passed, the motions to reconsider be laid upon the table with no intervening action or debate, and any statements be printed in the RECORD.

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

The amendment (No. 4982), in the nature of a substitute, was agreed to.

(The amendment is printed in today's RECORD under “Text of Amendments.”) The amendment was ordered to be engrossed and the bill read a third time.

The bill (H.R. 3403), as amended, was read the third time and passed.

### THE DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY INDEPENDENCE PRESERVATION ACT

Mr. WHITEHOUSE. I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 5778, which was received from the House.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (H.R. 5778) to preserve the independence of the District of Columbia Water and Sewer Authority.

There being no objection, the Senate proceeded to consider the bill.

Mr. WHITEHOUSE. I ask unanimous consent the bill be read three times, passed, and the motion to reconsider be laid upon the table, with no intervening action or debate, and any statements related to the bill be printed in the RECORD.

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

The bill (H.R. 5778) was ordered to a third reading, was read the third time, and passed.

#### GOSPEL MUSIC HERITAGE MONTH

Mr. WHITEHOUSE. I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 595 submitted earlier today by Senator LINCOLN.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 595) designating September 2008 as "Gospel Music Heritage Month" and honoring gospel music for its valuable and longstanding contributions to the culture of the United States.

There being no objection, the Senate proceeded to consider the resolution.

Mr. WHITEHOUSE. I ask unanimous consent the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate, and any statements related to the resolution be printed in the RECORD.

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

The resolution (S. Res. 595) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

#### S. RES. 595

Whereas gospel music is a beloved art form unique to the United States, spanning decades, generations, and races;

Whereas gospel music is one of the cornerstones of the musical tradition of the United States and has grown beyond its roots to achieve pop-culture and historical relevance;

Whereas gospel music has spread beyond its geographic origins to touch audiences around the world;

Whereas the history of gospel music can be traced to multiple and diverse influences and foundations, including African-American spirituals that blended diverse elements from African music and melodic influences from Irish folk songs and hymns, and gospel music ultimately borrowed from uniquely American musical styles including ragtime, jazz, and blues;

Whereas that tradition of diversity remains today, as the influence of gospel music can be found infused in all forms of secular music, including rock and roll, country, soul, rhythm and blues, and countless other styles;

Whereas the legacy of gospel music includes some of the most memorable voices and musical pioneers in the history of the United States, such as Thomas Dorsey, Mahalia Jackson, James Vaughan, Roberta Martin, Virgil Stamps, Diana Washington, Stamps Quartet, The Highway QCs, The Statesmen, The Soul Stirrers, Point of Grace, Smokie Norful, Terry Woods, James Cleveland, Billy Ray Hearn, Rex Humbard, Joe Ligon and The Mighty Clouds of Joy, Kirk Franklin, V. Michael McKay, Theola Booker, Yolanda Adams, Edwin and Walter Hawkins, Sandi Patty, The Winans, Kathy Taylor, and Brenda Waters, Carl Preacher, and Shirley Joiner of B. C. & S.;

Whereas many of the biggest names in music emerged from the gospel music tradition or have recorded gospel music, includ-

ing Sam Cooke, Al Green, Elvis Presley, Marvin Gaye, Aretha Franklin, Whitney Houston, Little Richard, Ray Charles, Buddy Holly, Alan Jackson, Dolly Parton, Mariah Carey, Bob Dylan, Randy Travis, and Glenn Campbell;

Whereas, regardless of their musical styles, those artists and so many more have turned to gospel music as the source and inspiration for their music, which has blurred the boundaries between secular and gospel music;

Whereas, beyond its contribution to the musical tradition of the United States, gospel music has provided a cultural and musical backdrop across all of mainstream media, from hit television series to major Hollywood motion pictures, including "American Idol", "Heroes", "Dancing with the Stars", "O Brother, Where Art Thou?", "Sister Act", "The Preacher's Wife", "Evan Almighty", and more; and

Whereas gospel music has a huge audience around the country and around the world, a testament to the universal appeal of a historical American art form that both inspires and entertains across racial, ethnic, religious, and geographic boundaries: Now, therefore, be it

*Resolved*, That the Senate—

(1) designates September 2008 as "Gospel Music Heritage Month"; and

(2) recognizes the great contributions to the culture of the United States derived from the rich heritage of gospel music and gospel music artists.

#### HONORING ROBERT MONDAVI

Mr. WHITEHOUSE. Madam President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of S. Con. Res. 84 and the Senate proceed to its immediate consideration.

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

The clerk will report the concurrent resolution by title.

The assistant legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 84) honoring the memory of Robert Mondavi.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. WHITEHOUSE. I ask unanimous consent that the concurrent resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate, and any statements related to the measure be printed in the RECORD.

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

The concurrent resolution (S. Con. Res. 84) was agreed to.

The preamble was agreed to.

The concurrent resolution, with its preamble, reads as follows:

#### S. CON. RES. 84

Whereas Robert Mondavi, a much-loved and admired man of many talents, passed away on May 16, 2008, at the age of 94;

Whereas Robert Mondavi will be fondly and most famously remembered for his work in producing and promoting California wines on an international scale;

Whereas Robert Gerald Mondavi was born to Italian immigrant parents, Cesare and Rosa, on June 18, 1913, in Virginia, Minnesota, and his family later moved to Lodi,

California, where he attended Lodi High School;

Whereas, after graduating from Stanford University in 1937 with a degree in economics and business administration, Robert Mondavi joined his father and younger brother Peter in running the Charles Krug Winery in the Napa Valley of California;

Whereas Robert Mondavi left Krug Winery in 1965 to establish his own winery in the Napa Valley, and, in 1966, motivated by his vision that California could produce world-class wines, he founded the first major winery built in Napa Valley since Prohibition: the Robert Mondavi Winery;

Whereas, in the late 1960s, the release of the Robert Mondavi Winery's Cabernet Sauvignon opened the eyes of the world to the potential of the Napa Valley region;

Whereas Robert Mondavi introduced new and innovative techniques of wine production, such as the use of stainless steel tanks to produce wines like his now-legendary Fumé Blanc;

Whereas, as a tireless advocate for California wine and food, and the Napa Valley, Robert Mondavi was convinced that California wines could compete with established European brands, and his confidence in the potential of Napa Valley wines was confirmed in 1976 when California wines defeated some well-known French vintages at the historic Paris Wine Tasting, or "Judgment of Paris", wine competition;

Whereas, in the late 1970s, Robert Mondavi created the first French-American wine venture when he joined with Baron Philippe de Rothschild in creating the Opus One Winery in Oakville, which produced its first vintage in 1979;

Whereas the success of the Robert Mondavi Winery, and the many international ventures Robert Mondavi pursued, allowed him to donate generously to various charitable causes, including the Robert Mondavi Institute for Wine and Food Science and Robert and Margrit Mondavi Center for the Performing Arts, both affiliated with the University of California, Davis, and the establishment of the American Center for Wine, Food and the Arts;

Whereas those who knew Robert Mondavi recognized him as a uniquely passionate and brilliant man who took pride in promoting causes that he held close to his heart;

Whereas Robert Mondavi's work as an ambassador for wine will be remembered fondly by all those whose lives he touched; and

Whereas Robert Mondavi will be deeply missed in the Napa Valley, in California, and throughout the world: Now, therefore, be it

*Resolved by the Senate (the House of Representatives concurring)*, That Congress honors the life of Robert Mondavi, a true pioneer and a patriarch of the California wine industry.

#### APPOINTMENT

The PRESIDING OFFICER. The Chair, on behalf of the Vice President, pursuant to Public Law 83-420, as amended by Public Law 99-371, appoints the Senator from Ohio (Mr. BROWN) to the Board of Trustees of Gallaudet University.

#### ORDERS FOR TUESDAY, JUNE 17, 2008

Mr. WHITEHOUSE. Madam President, I ask unanimous consent that when the Senate completes its business today, it stand adjourned until 10 a.m., Tuesday, June 17; 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, the Senate proceed to a period of morning business for up to 1 hour, with Senators permitted to speak for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the Republicans controlling the first half and the majority controlling the second half; that following morning business, the Senate resume consideration of the motion to proceed to H.R. 6049, the Renewable Energy and Job Creation Act, and the time until 12:30 p.m. be equally divided between the two leaders or their designees. I further ask that the Senate recess from 12:30 until 2:15 p.m. to allow for the weekly caucus luncheons to meet.

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

**PROGRAM**

Mr. WHITEHOUSE. Madam President, under a previous order, at 2:15 tomorrow, the Senate will proceed to a cloture vote on the motion to proceed to H.R. 6049, the Renewable Energy and Job Creation Act.

**ADJOURNMENT UNTIL 10 A.M. TOMORROW**

Mr. WHITEHOUSE. If there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 5:54 p.m., adjourned until Tuesday, June 17, 2008, at 10 a.m.

**NOMINATIONS**

Executive nominations received by the Senate:

**DEPARTMENT OF STATE**

JAMES CHRISTOPHER SWAN, OF CALIFORNIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF DJIBOUTI.

MICHELE JEANNE SISON, OF MARYLAND, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF LEBANON.

**IN THE ARMY**

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADES INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

*To be major general*

BRIGADIER GENERAL TIMOTHY E. ALBERTSON  
BRIGADIER GENERAL NORMAN E. ARFLACK  
BRIGADIER GENERAL TOD J. CARMONY  
BRIGADIER GENERAL WILLIAM L. ENYART, JR.  
BRIGADIER GENERAL DENNIS E. JACOBSON  
BRIGADIER GENERAL KEVIN R. MCBRIDE  
BRIGADIER GENERAL OLIN O. OEDEKOVEN

*To be brigadier general*

COLONEL DEAN W. BROWN  
COLONEL ANNETTE M. DENNER  
COLONEL DAVID B. ENYEART  
COLONEL CHARLES H. GAILES, JR.  
COLONEL JAMES R. GORHAM  
COLONEL JAMES J. GRANT  
COLONEL EARNEST L. HARRINGTON, JR.  
COLONEL WAYNE M. HAYES  
COLONEL REYNOLD N. HOOVER

COLONEL WARD K. JOHNSON III  
COLONEL DANIEL R. KERN  
COLONEL LOUIS J. LANDRETH  
COLONEL MARTIN A. LEPPERT  
COLONEL HARRY E. MILLER, JR.  
COLONEL RAFAEL O. FERRALL  
COLONEL RENWICK L. PAYNE  
COLONEL KENDALL W. PENN  
COLONEL JOSEPH M. RICHIE  
COLONEL WILLIAM F. ROY  
COLONEL WILLIAM L. SEEKINS  
COLONEL NORMAN E. STEEN  
COLONEL LARRY W. TRIPHAHN

**IN THE MARINE CORPS**

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE OF LIEUTENANT GENERAL IN THE UNITED STATES MARINE CORPS WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be lieutenant general*

MAJ. GEN. JOHN R. ALLEN

**IN THE AIR FORCE**

THE FOLLOWING NAMED AIR NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE AIR FORCE UNDER TITLE 10, U.S.C. SECTIONS 12203 AND 12212:

*To be colonel*

JAMES D. BARBER, JR.  
AARON W. BARRICK  
JULIO R. BARRON  
ROBERT L. BELL  
MICHAEL T. BIENIEWICZ  
IAN P. BIGGINS  
DAVID A. BRADLEY  
ROBERT DOUGLAS BRAZEL  
GREGORY F. BREDEMEIER  
JEFFREY D. BUCKLEY  
CHRISTINE M. BURCKLE  
STEPHEN R. CARR  
DARWIN L. CRAIG  
ZONNA M. CRAYNE  
PERRY S. CUBETA  
THOMAS B. CUCCHI  
TAMHRA L. CUCUMANO  
ADAM J. DABROWSKI  
JOHN B. DANIEL  
DAVID A. DEPUTY  
FRANCIS N. DETORIE  
JOHN J. DICKINSON  
PENNY J. DIERYCK  
PRESTON L. EATMAN  
CALVIN H. ELAM  
DEON A. FORD  
KERRY M. GENTRY  
RICKY D. GIBNEY  
ANDREW E. HALTER  
PAUL J. HARGROVE  
TIMOTHY J. HARMESON  
DENNIS B. HAYWARD  
ROBERT M. HICKS  
MICHAEL J. HOWARD  
MICHAEL A. HUDSON  
THEODORE K. INOUIYE  
SHEILA R. JIMENEZ  
DAVID E. JOHNS  
JAMES T. JOHNSON  
LOREN J. JOHNSON  
PATRICK M. JONES  
RONALD G. KESSINGER  
KEVIN D. KING  
MARSHALL L. KJELVIK  
THOMAS E. KOERTGE  
JAMES R. KRIESEL  
THEODORE HAROLD LIMPERT  
MARK M. MALMBERG  
TIMOTHY D. MARSANO  
MICHAEL MAYO  
GARY A. MCCUE  
BRADLEY N. MCREE  
LAWRENCE J. MCWHERTER  
THOMAS H. MORA  
BARBARA C. MORROW  
JAMES R. NELSON  
KELLY G. NOLER  
ERIC D. OSTREM  
WILLIAM T. PALLEN  
SCOTT E. PATTEN  
RONALD E. PAUL  
JAY A. PENO  
HOWARD P. PURCELL  
RICHARD M. ROBICHAUD  
CHARLES R. RODKE  
JEFFREY S. ROOKS  
JOHN P. RUSSO  
DANNY M. SAID  
SAMI D. SAID  
MATTHEW B. SMITH  
WILLIAM L. SPARROW  
CHRISTINA G. STEVENS  
RANDALL E. STRAKA  
PETER F. SULLIVAN, JR.  
MICHAEL R. TAHERI  
PETER TUNISON  
STERLING D. UNDERHILL  
STEVEN WABROWETZ  
CURTIS A. WAITE  
GREGORY N. WALTERS  
RALPH L. WARREN  
MARK H. WHITE  
SCOTT R. WIGGINS

ROGER E. WILLIAMS, JR.  
MICHAEL WOODARD  
MARK JOHN ZECHMAN

**IN THE ARMY**

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS PERMANENT PROFESSOR AT THE UNITED STATES MILITARY ACADEMY IN THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 4333(B) AND 4336(A):

*To be colonel*

DAISIE D. BOETTNER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

*To be colonel*

THOMAS C. POWELL

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

*To be colonel*

JOHN M. ANDERSON

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

*To be colonel*

ROWELL A. STANLEY, JR.

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

*To be colonel*

MICHAEL E. DUNN  
KEVIN J. MURPHY

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

*To be colonel*

TODD D. KOSTELECKY  
LEESA J. PAPIER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL SERVICE CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

*To be major*

CHRISTOPHER C. EVERITT

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

*To be major*

DENNIS P. COLLINS

THE FOLLOWING NAMED INDIVIDUALS FOR REGULAR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

*To be major*

CHRISTOPHER W. BAKER  
ROBERTY P. BEJNAROWICZ  
MARK C. GUERDAN  
JOSEPH J. HUDAK  
MARK Y. LEE  
CHRISTINA M. LONG

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY AS CHAPLAINS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

*To be lieutenant colonel*

ERIC J. ALBERTSON  
JAMES L. BRISSON, JR.  
CLAUDE A. CRISP  
JAMES E. DUKE  
SAMUEL K. GODFREY  
KEITH N. GOODE  
WILLIAM GREEN, JR.  
SCOTT A. HAMMOND  
JUDITH A. HAMRICK  
KENNETH J. HANCOCK  
JEFFREY D. HAWKINS  
ROBERT J. HEARN  
JON N. HOLLENBECK  
SCOTT F. JONES  
STEVEN M. JONES  
JOHN L. KALLERSON  
MARK R. KNOX  
ROBERT P. LASLEY  
KEVIN M. LEIDERITZ  
TIMOTHY S. MALLARD  
HAROLD B. MESSINGER  
DAVID P. MIKKELSON  
ABDUL R. HAMMAD  
BRENT A. NELSON  
CHARLES R. OWEN III  
MATTHEW P. PAWLKOWSKI  
ROBERT E. PHILLIPS  
JOHN A. ROUTHAWN, JR.  
JOEL L. RUSSELL  
JERZY RZASOWSKI  
WILLIAM A. SAGER

CLYDE E. SCOTT  
WILLIAM E. SHEFFIELD  
BLAINE E. SMREKAR  
DAVID G. SNYDER  
SCOTT A. STERLING  
KEVIN P. STROOP  
MARK E. THOMPSON  
GREGORY O. TYREE  
JEFFREY L. VOYLES  
GREGORY B. WALKER  
KEVIN B. WESTON  
JEFFREY L. ZUST

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICERS FOR REGULAR APPOINTMENT IN THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 531:

*To be major*

JOHN E. BILAS  
BRYAN J. BOYLE  
CHRISTIAN T. DEVINE

RICHARD H. HARNEY  
DAVID A. JOHNSON  
KEVIN R. KORPINEN  
DAWN A. LOISEL  
MATTHEW MESTEMAKER  
JOHN I. NINDL II  
THOMAS H. PRESECAN  
ALAN R. SINGLETON II

THE FOLLOWING NAMED OFFICERS FOR REGULAR APPOINTMENT IN THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 531:

*To be major*

JOSEPH R. CORNELL  
MICHAELA C. COUGHLIN  
JOHN F. DASTOLI  
MICHAEL L. FITTS  
JONATHAN M. HINCKLEY  
DEWAN M. KELLEY  
WILSON S. LEECH III  
TERENCE F. MORONEY  
MICHAEL A. STOLZENBURG

JOHN J. SWINCINSKI

IN THE NAVY

THE FOLLOWING NAMED INDIVIDUAL FOR APPOINTMENT IN THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 531:

*To be lieutenant commander*

PAUL E. LEVY

THE FOLLOWING NAMED INDIVIDUAL FOR APPOINTMENT IN THE GRADE INDICATED IN THE U.S. NAVY UNDER TITLE 10, U.S.C., SECTION 531:

*To be lieutenant commander*

ROBERT N. LADD

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

*To be lieutenant commander*

RAMON J. BERROCAL  
BRIAN A. MERRITT

## EXTENSIONS OF REMARKS

## 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 Tuesday, June 17, 2008 may be found in the Daily Digest of today's RECORD.

## MEETINGS SCHEDULED

JUNE 18

10 a.m.  
Appropriations  
Commerce, Justice, Science, and Related Agencies Subcommittee  
Business meeting to markup proposed budget estimates for fiscal year 2009 for Commerce, Justice, Science, and related agencies. SD-192

Commerce, Science, and Transportation  
To hold hearings to examine privacy implications of online advertising. SR-253

Finance  
Business meeting to consider S.J. Res. 38, waiving certain provisions of the Trade Act of 1974 relating to the appointment of a Deputy United States Trade Representative, an original bill entitled "the Iran Sanctions of 2008", and the nominations of Richard T. Morrison, David Gustafson, both of Virginia, and Elizabeth Crewson Paris, of the District of Columbia, each to be a Judge of the United States Tax Court, Eric M. Thorson, of Virginia, to be Inspector General, Department of the Treasury, Edwin Eck, of Montana, to be a Member of the Internal Revenue Service Oversight Board, and Deanna Tanner Okun, of Idaho, to be a Deputy United States Trade Representative, with the rank of Ambassador, Executive Office of the President. SD-215

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 en-

ergy, 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

11 a.m.  
Appropriations  
Homeland Security Subcommittee  
Business meeting to markup proposed budget estimates for fiscal year 2009 for the Department of Homeland Security. S-127, Capitol

12:15 p.m.  
Armed Services  
To receive a closed briefing on the report titled "Investigation into the Shipment of Sensitive Missile Components to Taiwan," also known as the "Donald Report". S-407, Capitol

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

9:30 a.m.  
Indian Affairs  
Business meeting to consider pending calendar legislation; to be immediately followed by a hearing to examine an original bill to address law and order in Indian country. SD-562

10 a.m.  
Health, Education, Labor, and Pensions  
Employment and Workplace Safety Subcommittee  
To hold hearings to examine the efficacy of the Mine Improvement and New Emergency Response Act (MINER) (Public Law 109-236), focusing on a two year review. SD-430

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

Joint Economic Committee  
To hold hearings to examine the cost of the United States drug policy. SD-106

2 p.m.  
Appropriations  
Business meeting to markup approval of fiscal year 2009 302(b) allocations, an original bill making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2009, and an original bill making appropriations for Commerce, Justice, Science, and related agencies for the fiscal year ending September 30, 2009. SD-106

Homeland Security and Governmental Affairs  
Oversight of Government Management, the Federal Workforce, and the District of Columbia Subcommittee  
To hold hearings to examine management challenges facing the Federal Protective Service, focusing on a recent report from the Government Accountability Office. SD-342

2:15 p.m.  
Foreign Relations  
To hold hearings to examine pending nominations. SD-419

2:30 p.m.  
Banking, Housing, and Urban Affairs  
Securities, Insurance and Investment Subcommittee  
To hold hearings to examine risk management, focusing on its implications for systemic risk. SD-538

Intelligence  
To hold closed hearings to examine certain intelligence matters. SH-219

JUNE 20

10 a.m.  
Homeland Security and Governmental Affairs  
To hold hearings to examine the nomination of Elaine C. Duke, of Virginia, to be Under Secretary for Management, Department of Homeland Security. SD-342

JUNE 24

10:30 a.m.  
Commerce, Science, and Transportation  
To hold hearings to examine climate change impacts on the transportation sector. SR-253

Judiciary  
Human Rights and the Law Subcommittee  
To hold hearings to examine from Nuremberg to Darfur, focusing on accountability for crimes against humanity. SD-226

2:30 p.m.  
Commerce, Science, and Transportation  
Business meeting to consider pending calendar business. 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

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

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

# Daily Digest

## Senate

### Chamber Action

*Routine Proceedings, pages S5639–S5668*

**Measures Introduced:** Five bills and one resolution were introduced, as follows: S. 3136–3140, and S. Res. 595. **Page S5657**

#### Measures Reported:

S. 570, to designate additional National Forest System lands in the State of Virginia as wilderness or a wilderness study area, to designate the Kimberling Creek Potential Wilderness Area for eventual incorporation in the Kimberling Creek Wilderness, to establish the Seng Mountain and Bear Creek Scenic Areas, to provide for the development of trail plans for the wilderness areas and scenic areas, with an amendment in the nature of a substitute. (S. Rept. No. 110–349)

S. 617, to make the National Parks and Federal Recreational Lands Pass available at a discount to certain veterans, with an amendment in the nature of a substitute. (S. Rept. No. 110–350)

S. 662, to authorize the Secretary of the Interior to conduct a special resource study to evaluate resources at the Harriet Beecher Stowe House in Brunswick, Maine, to determine the suitability and feasibility of establishing the site as a unit of the National Park System, with an amendment in the nature of a substitute. (S. Rept. No. 110–351)

S. 783, to adjust the boundary of the Barataria Preserve Unit of the Jean Lafitte National Historical Park and Preserve in the State of Louisiana, with an amendment in the nature of a substitute. (S. Rept. No. 110–352)

S. 827, to establish the Freedom's Way National Heritage Area in the States of Massachusetts and New Hampshire, with an amendment in the nature of a substitute. (S. Rept. No. 110–353)

S. 832, to provide for the sale of approximately 25 acres of public land to the Turnabout Ranch, Escalante, Utah, at fair market value, with amendments. (S. Rept. No. 110–354)

S. 868, to amend the Wild and Scenic Rivers Act to designate segments of the Taunton River in the Commonwealth of Massachusetts as a component of the National Wild and Scenic Rivers System, with

an amendment in the nature of a substitute. (S. Rept. No. 110–355)

S. 900, to authorize the Boy Scouts of America to exchange certain land in the State of Utah acquired under the Recreation and Public Purposes Act, with an amendment. (S. Rept. No. 110–356)

S. 1281, to amend the Wild and Scenic Rivers Act to designate certain rivers and streams of the headwaters of the Snake River System as additions to the National Wild and Scenic Rivers System, with an amendment in the nature of a substitute. (S. Rept. No. 110–357)

S. 1380, to designate as wilderness certain land within the Rocky Mountain National Park and to adjust the boundaries of the Indian Peaks Wilderness and the Arapaho National Recreation Area of the Arapaho National Forest in the State of Colorado, with an amendment in the nature of a substitute. (S. Rept. No. 110–358)

S. 1633, to authorize the Secretary of the Interior to conduct a special resource study to determine the suitability and feasibility of including the battlefield and related sites of the Battle of Shepherdstown in Shepherdstown, West Virginia, as part of Harpers Ferry National Historical Park or Antietam National Battlefield, with an amendment. (S. Rept. No. 110–359)

S. 1929, to authorize the Secretary of the Interior, acting through the Commissioner of Reclamation, to conduct a feasibility study of water augmentation alternatives in the Sierra Vista Subwatershed. (S. Rept. No. 110–360)

S. 2124, to direct the Secretary of Agriculture to convey certain land in the Beaverhead-Deerlodge National Forest, Montana, to Jefferson County, Montana, for use as a cemetery. (S. Rept. No. 110–361)

S. 2207, to direct the Secretary of the Interior to study the suitability and feasibility of designating Green McAdoo School in Clinton, Tennessee, as a unit of the National Park System, with an amendment in the nature of a substitute. (S. Rept. No. 110–362)

S. 2229, to withdraw certain Federal land in the Wyoming Range from leasing and provide an opportunity to retire certain leases in the Wyoming

Range, with an amendment in the nature of a substitute. (S. Rept. No. 110-363)

S. 2254, to establish the Mississippi Hills National Heritage Area in the State of Mississippi, with an amendment in the nature of a substitute. (S. Rept. No. 110-364)

S. 2262, to authorize the Preserve America Program and Save America's Treasures Program, with an amendment in the nature of a substitute. (S. Rept. No. 110-365)

S. 2370, to clear title to certain real property in New Mexico associated with the Middle Rio Grande Project, with an amendment. (S. Rept. No. 110-366)

S. 2379, to authorize the Secretary of the Interior to cancel certain grazing leases on land in Cascade-Siskiyou National Monument that are voluntarily waived by the lessees, to provide for the exchange of certain Monument land in exchange for private land, to designate certain Monument land as wilderness, with an amendment in the nature of a substitute. (S. Rept. No. 110-367)

S. 2512, to establish the Mississippi Delta National Heritage Area in the State of Mississippi, with an amendment in the nature of a substitute. (S. Rept. No. 110-368)

S. 2513, to modify the boundary of the Minute Man National Historical Park. (S. Rept. No. 110-369)

S. 2593, to establish a program at the Forest Service and the Department of the Interior to carry out collaborative ecological restoration treatments for priority forest landscapes on public land, with an amendment in the nature of a substitute. (S. Rept. No. 110-370)

S. 2604, to establish the Baltimore National Heritage Area in the State of Maryland, with an amendment in the nature of a substitute. (S. Rept. No. 110-371)

S. 2804, to adjust the boundary of the Everglades National Park, with an amendment in the nature of a substitute. (S. Rept. No. 110-372)

S. 2814, to authorize the Secretary of the Interior to provide financial assistance to the Eastern New Mexico Rural Water Authority for the planning, design, and construction of the Eastern New Mexico Rural Water System. (S. Rept. No. 110-373)

S. 2833, to provide for the management of certain public land in Owyhee County, Idaho, with an amendment in the nature of a substitute. (S. Rept. No. 110-374)

H.R. 123, to authorize appropriations for the San Gabriel Basin Restoration Fund. (S. Rept. No. 110-375)

H.R. 189, to establish the Paterson Great Falls National Historical Park in the State of New Jersey

and for other purposes, with an amendment in the nature of a substitute. (S. Rept. No. 110-376)

H.R. 356, to remove certain restrictions on the Mammoth Community Water District's ability to use certain property acquired by that District from the United States, with an amendment in the nature of a substitute. (S. Rept. No. 110-377)

H.R. 523, to require the Secretary of the Interior to convey certain public land located wholly or partially within the boundaries of the Wells Hydroelectric Project of Public Utility District No. 1 of Douglas County, Washington, to the utility district. (S. Rept. No. 110-378)

H.R. 1285, to provide for the conveyance of a parcel of National Forest System land in Kittitas County, Washington, to facilitate the construction of a new fire and rescue station. (S. Rept. No. 110-379)

H.R. 1311, To provide for the conveyance of the Alta-Hualapai Site to the Nevada Cancer Institute. (S. Rept. No. 110-380)

H.R. 1483, to amend the Omnibus Parks and Public Lands Management Act of 1996 to extend the authorization for certain national heritage areas, with an amendment in the nature of a substitute. (S. Rept. No. 110-381)

H.R. 1528, to amend the National Trails System Act to designate the New England National Scenic Trail, with an amendment in the nature of a substitute. (S. Rept. No. 110-382)

H.R. 1725, to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the Rancho California Water District Southern Riverside County Recycled Non-Potable Distribution Facilities and Demineralization Desalination Recycled Water Treatment and Reclamation Facility Project, with an amendment. (S. Rept. No. 110-383)

H.R. 1855, to authorize the Secretary of the Interior, acting through the Bureau of Reclamation to enter into a cooperative agreement with the Madera Irrigation District for purposes of supporting the Madera Water Supply Enhancement Project. (S. Rept. No. 110-384)

H.R. 2085, to authorize the Secretary of the Interior to convey to the McGee Creek Authority certain facilities of the McGee Creek Project, Oklahoma. (S. Rept. No. 110-385)

H.R. 2197, to modify the boundary of the Hopewell Culture National Historical Park in the State of Ohio. (S. Rept. No. 110-386)

H.R. 2515, to authorize appropriations for the Bureau of Reclamation to carry out the Lower Colorado River Multi-Species Conservation Program in the States of Arizona, California, and Nevada, with

an amendment in the nature of a substitute. (S. Rept. No. 110–387)

H.R. 2627, to establish the Thomas Edison National Historical Park in the State of New Jersey as the successor to the Edison National Historic Site, with an amendment in the nature of a substitute. (S. Rept. No. 110–388)

H.R. 3332, to provide for the establishment of a memorial within Kalaupapa National Historical Park located on the island of Molokai, in the State of Hawaii, to honor and perpetuate the memory of those individuals who were forcibly relocated to the Kalaupapa Peninsula from 1866 to 1969. (S. Rept. No. 110–389)

H.R. 3998, to authorize the Secretary of the Interior to conduct special resources studies of certain lands and structures to determine the appropriate means for preservation, use, and management of the resources associated with such lands and structures, with an amendment in the nature of a substitute. (S. Rept. No. 110–390)

H.R. 5151, to designate as wilderness additional National Forest System lands in the Monongahela National Forest in the State of West Virginia, with amendments. (S. Rept. No. 110–391) **Pages S5656–57**

#### Measures Passed:

***Children's Gasoline Burn Prevention Act:*** Committee on Commerce, Science, and Transportation was discharged from further consideration of H.R. 814, to require the Consumer Product Safety Commission to issue regulations mandating child-resistant closures on all portable gasoline containers, and the bill was then passed, clearing the measure for the President. **Page S5665**

***911 Modernization and Public Safety Act:*** Committee on Commerce, Science, and Transportation was discharged from further consideration of H.R. 3403, to promote and enhance public safety by facilitating the rapid deployment of IP-enabled 911 and E-911 services, encourage the Nation's transition to a national IP-enabled emergency network, and improve 911 and E-911 access to those with disabilities, and the bill was then passed, after agreeing to the following amendment proposed thereto: **Page S5665**

Whitehouse (for Inouye) Amendment No. 4982, in the nature of a substitute. **Page S5665**

***District of Columbia Water and Sewer Authority Independence Preservation Act:*** Senate passed H.R. 5778, to preserve the independence of the District of Columbia Water and Sewer Authority, clearing the measure for the President. **Pages S5665–66**

***Gospel Music Heritage Month:*** Senate agreed to S. Res. 595, designating September 2008 as "Gospel

Music Heritage Month" and honoring gospel music for its valuable and longstanding contributions to the culture of the United States. **Page S5666**

***Honoring Robert Mondavi:*** Committee on the Judiciary was discharged from further consideration of S. Con. Res. 84, honoring the memory of Robert Mondavi, and the resolution was then agreed to. **Page S5666**

#### Measures Considered:

**Renewable Energy and Job Creation Act:** Senate resumed consideration of the motion to proceed to consideration of H.R. 6049, to amend the Internal Revenue Code of 1986 to provide incentives for energy production and conservation, to extend certain expiring provisions, to provide individual income tax relief. **Pages S5646–52**

A unanimous-consent agreement was reached providing that the previously scheduled vote at 5:30 p.m., Monday, June 16, 2008, on the motion to invoke cloture on the motion to proceed to consideration of the bill, be delayed to occur at 2:15 p.m., on Tuesday, June 17, 2008. **Page S5652**

A unanimous-consent agreement was reached providing for further consideration of the bill at approximately 11 a.m., on Tuesday, June 17, 2008, and that the time until 12:30 p.m., be equally divided and controlled between the two Leaders, or their designees. **Pages S5666–67**

#### Appointments:

***Board of Trustees of Gallaudet University:*** The Chair, on behalf of the Vice President, pursuant to Public Law 83–420, as amended by Public Law 99–371, appointed Senator Brown to the Board of Trustees of Gallaudet University. **Page S5666**

**Nominations Received:** Senate received the following nominations:

James Christopher Swan, of California, to be Ambassador to the Republic of Djibouti.

Michele Jeanne Sison, of Maryland, to be Ambassador to the Republic of Lebanon.

29 Army nominations in the rank of general.

1 Marine Corps nomination in the rank of general.

Routine lists in the Air Force, Army, Marine Corps, Navy. **Pages S5667–68**

**Messages From the House:** **Pages S5654–55**

**Executive Communications:** **Pages S5655–56**

**Additional Cosponsors:** **Pages S5657–58**

**Statements on Introduced Bills/Resolutions:** **Pages S5658–63**

**Additional Statements:** **Page S5654**

**Amendments Submitted:** **Pages S5663–65**

**Notices of Hearings/Meetings:** **Page S5665**

## Privileges of the Floor:

Page S5665

**Adjournment:** Senate convened at 2 p.m. and adjourned at 5:54 p.m., until 10 a.m. on Tuesday, June 17, 2008. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on pages S5666–67.)

*Committee Meetings*

(Committees not listed did not meet)

No committee meetings were held.

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## House of Representatives

*Chamber Action*

The House was not in session today. The House is scheduled to meet at 12:30 p.m. on Tuesday, June 17, 2008.

*Committee Meetings*

No committee meetings were held.

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### COMMITTEE MEETINGS FOR TUESDAY, JUNE 17, 2008

(Committee meetings are open unless otherwise indicated)

**Senate**

*Committee on Agriculture, Nutrition, and Forestry:* with the Committee on Appropriations, Subcommittee on Financial Services and General Government, 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, 10:30 a.m., SD–192.

*Committee on Appropriations:* Subcommittee on Financial Services and General Government, with the Committee on Agriculture, Nutrition, and Forestry, 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, 10:30 a.m., SD–192.

*Committee on 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, 9:30 a.m., SD–106.

*Committee on Energy and Natural Resources:* to hold hearings to examine the challenges and regional solutions to developing transmission for renewable electricity resources, 10 a.m., SD–366.

Subcommittee on National Parks, 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 Na-

tional 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, 2:30 p.m., SD–366.

*Committee on Finance:* to hold hearings to examine the future of the United States economy, focusing on long run deficits and debt, 10 a.m., SD–215.

*Committee on Foreign Relations:* Subcommittee on International Development and Foreign Assistance, Economic Affairs and International Environmental Protection, to hold hearings to examine international disaster assistance, focusing on policy options, 2:15 p.m., SD–419.

Full Committee, to receive a closed briefing on Russia, Iran, and U.S.-Russian nuclear cooperation, 4:30 p.m., S–407, Capitol.

*Committee on the Judiciary:* to hold hearings to examine protecting consumers by protecting intellectual property, 10 a.m., SD–226.

Full Committee, to hold hearings to examine ways to respond to the growing need for federal judgeships, focusing on "The Federal Judgeship Act of 2008", 2:30 p.m., SD–226.

**House**

*Committee on Appropriations,* Subcommittee on Energy and Water Development, and Related Agencies, to mark up Energy and Water Development and Related Agencies Appropriations for Fiscal Year 2009, 5:30 p.m., 2362B Rayburn.

Subcommittee on Financial Services, and General Government, to mark up Financial Services and General Government Appropriations for Fiscal Year 2009, 4 p.m., 2358A Rayburn.

*Committee on the Judiciary,* hearing on Ensuring Legal Redress for American Victims of State-Sponsored Terrorism, 2 p.m., 2141 Rayburn.

*Committee on Rules,* to consider the following: H.R. 5781, Federal Employees Paid Parental Leave Act of

2008; and H.R. 5876, Stop Child Abuse in Residential Programs for Teens Act of 2008, 5 p.m., H-313 Capitol.

**Joint Meetings**

Commission on Security and Cooperation in Europe: to hold hearings to examine combating sexual exploitation

of children, focusing on strengthening international law enforcement cooperation, 3 p.m., B318, Rayburn Building.

*Next Meeting of the SENATE*

10 a.m., Tuesday, June 17

*Next Meeting of the HOUSE OF REPRESENTATIVES*

12:30 p.m., Tuesday, June 17

## Senate Chamber

**Program for Tuesday:** After the transaction of any morning business (not to extend beyond 60 minutes), Senate will continue consideration of the motion to proceed to consideration of H.R. 6049, Energy and Tax Extenders Act, and vote on the motion to invoke cloture at approximately 2:15 p.m.

*(Senate will recess from 12:30 p.m. until 2:15 p.m. for their respective party conferences.)*

## House Chamber

**Program for Tuesday:** To be announced.



# Congressional Record

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