

still held similar to animals in cages. It is a happy occasion, and we are overjoyed at the return of Keith and Tom and Marc. But Colombia's war against the narcotraffickers is not over.

SENATE RESOLUTION 628—EX-PRESSING SUPPORT FOR THE DESIGNATION OF DISABILITY PRIDE DAY AND RECOGNIZING THAT ALL PEOPLE, INCLUDING PEOPLE LIVING WITH DISABILITIES, HAVE THE RIGHT, RESPONSIBILITY, AND ABILITY TO BE ACTIVE, CONTRIBUTING MEMBERS OF SOCIETY AND FULLY ENGAGED AS CITIZENS OF THE UNITED STATES

Mr. DURBIN (for Mr. OBAMA (for himself and Mr. DURBIN)) submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 628

Whereas all people, including people with disabilities, should be guaranteed the right to receive a quality education, to be productive members of the workforce, to raise families, to exert control and choice over their own lives, and to have equal opportunity to access and participate in all facets of life;

Whereas having a disability should be seen as a natural part of human diversity;

Whereas many people with disabilities share a cultural experience and history;

Whereas 18 years ago, on July 26, 1990, the Americans with Disabilities Act (42 U.S.C. 12101 et seq.) was signed into law, ending discrimination against and providing equal opportunity for persons with disabilities in employment, education, government services, public accommodations, commercial facilities, and transportation;

Whereas in spite of the recent efforts to restore the intent of the Americans with Disabilities Act, people with disabilities continue to face tremendous challenges in society that test their resolve sociologically, emotionally, and psychologically, and face negative cultural assumptions based on fears and myths that need to be eliminated and replaced with presumptions of competence, strength, and individual worth;

Whereas July 26, 2008, is a day of celebrations across the United States that seek to educate and change the way that people think about and define people with disabilities by promoting the belief that disability is a natural and beautiful part of human diversity in which people living with disabilities can take pride; and

Whereas July 26, 2008, would be an appropriate day to designate as Disability Pride Day: Now, therefore, be it

Resolved, That the Senate—

(1) supports the goals and ideals of Disability Pride Day;

(2) invites the citizens of the United States to join in celebrating the pride, the power, and the potential of people with disabilities by celebrating Disability Pride Day; and

(3) urges public officials and the general public to honor Americans with disabilities by becoming educated on ways to support and encourage understanding of persons with disabilities in the schools, diverse workforce, and communities of the United States.

AMENDMENTS SUBMITTED AND PROPOSED

SA 5247. Mr. DEMINT submitted an amendment intended to be proposed to amendment SA 5135 submitted by Mr. BINGAMAN (for himself, Mr. REID, Mr. SCHUMER, Mr. SALAZAR, Mr. DORGAN, Mr. DURBIN, Mr. KERRY, Ms. STABENOW, Mr. WHITEHOUSE, Mrs. CLINTON, Mrs. MURRAY, Mr. LIEBERMAN, Mr. NELSON of Florida, and Ms. KLOBUCHAR) and intended to be proposed to the bill S. 3268, to amend the Commodity Exchange Act, to prevent excessive price speculation with respect to energy commodities, and for other purposes; which was ordered to lie on the table.

SA 5248. Mr. CRAIG submitted an amendment intended to be proposed to amendment SA 5097 submitted by Mr. COLEMAN and intended to be proposed to the bill S. 3268, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 5247. Mr. DEMINT submitted an amendment intended to be proposed to amendment SA 5135 submitted by Mr. BINGAMAN (for himself, Mr. REID, Mr. SCHUMER, Mr. SALAZAR, Mr. DORGAN, Mr. DURBIN, Mr. KERRY, Ms. STABENOW, Mr. WHITEHOUSE, Mrs. CLINTON, Mrs. MURRAY, Mr. LIEBERMAN, Mr. NELSON of Florida, and Ms. KLOBUCHAR) and intended to be proposed to the bill S. 3268, to amend the Commodity Exchange Act, to prevent excessive price speculation with respect to energy commodities, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title II, add the following:

SEC. 205. EFFECT OF SUBMISSION OF COMPLETE APPLICATION FOR PERMIT TO PRODUCE OIL OR NATURAL GAS.

(a) IN GENERAL.—Notwithstanding any other provision of this Act, the lessee of any lease that authorizes exploration for, or production of, oil or natural gas under a provision of law described in subsection (b) shall be held harmless—

(1) if the lessee submits to the Secretary of the Interior 1 or more complete applications for a permit to produce oil or natural gas under the lease; and

(2) until—

(A) each of the applications is accepted or denied by the Secretary; and

(B) until all actions filed against the lessee for the exploration or production under the lease are resolved.

(b) COVERED PROVISIONS.—Subsection (a) shall apply to—

(1) section 17 of the Mineral Leasing Act (30 U.S.C. 226);

(2) the Mineral Leasing Act for Acquired Lands (30 U.S.C. 351 et seq.);

(3) the Outer Continental Shelf Lands Act (43 U.S.C. 1331 et seq.); and

(4) any other law that authorizes the issuance of oil or gas leases on Federal land or submerged land.

SA 5248. Mr. CRAIG submitted an amendment intended to be proposed to amendment SA 5097 submitted by Mr. COLEMAN and intended to be proposed to the bill S. 3268, to amend the Commodity Exchange Act, to prevent excessive price speculation with respect to energy commodities, and for other

purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ MORATORIUM OF OIL AND GAS LEASING IN CERTAIN AREAS OF GULF OF MEXICO.

(a) IN GENERAL.—Section 104(a) of the Gulf of Mexico Energy Security Act of 2006 (43 U.S.C. 1331 note; Public Law 109-432) is amended—

(1) by striking paragraph (1);

(2) in paragraph (2), by striking “125 miles” and inserting “50 miles”;

(3) in paragraph (3), by striking “100 miles” each place it appears and inserting “50 miles”;

(4) by redesignating paragraphs (2) and (3) as paragraphs (1) and (2), respectively.

(b) REGULATIONS.—

(1) IN GENERAL.—The Secretary of the Interior shall promulgate regulations that establish appropriate environmental safeguards for the exploration and production of oil and natural gas on the outer Continental Shelf.

(2) MINIMUM REQUIREMENTS.—At a minimum, the regulations shall include—

(A) provisions requiring surety bonds of sufficient value to ensure the mitigation of any foreseeable incident;

(B) provisions assigning liability to the leaseholder in the event of an incident causing damage or loss, regardless of the negligence of the leaseholder or lack of negligence;

(C) provisions no less stringent than those contained in the Spill Prevention, Control, and Countermeasure regulations promulgated under the Oil Pollution Act of 1990 (33 U.S.C. 2701 et seq.);

(D) provisions ensuring that—

(i) no facility for the exploration or production of resources is visible to the unassisted eye from any shore of any coastal State; and

(ii) the impact of offshore production facilities on coastal vistas is otherwise mitigated;

(E) provisions to ensure, to the maximum extent practicable, that exploration and production activities will result in no significant adverse effect on fish or wildlife (including habitat), subsistence resources, or the environment; and

(F) provisions that will impose seasonal limitations on activity to protect breeding, spawning, and wildlife migration patterns.

(c) CONFORMING AMENDMENT.—Section 105 of the Department of the Interior, Environment, and Related Agencies Appropriations Act, 2006 (Public Law 109-54; 119 Stat. 521) (as amended by section 103(d) of the Gulf of Mexico Energy Security Act of 2006 (43 U.S.C. 1331 note; Public Law 109-432)) is amended by inserting “and any other area that the Secretary of the Interior may offer for leasing, preleasing, or any related activity under section 104 of that Act” after “2006”.

SEC. ____ DISPOSITION OF REVENUES FROM NEW PRODUCING AREAS OF THE EASTERN GULF OF MEXICO.

The Outer Continental Shelf Lands Act (43 U.S.C. 1331 et seq.) is amended by adding at the end the following:

“SEC. 32. DISPOSITION OF REVENUES FROM NEW PRODUCING AREAS OF THE EASTERN GULF OF MEXICO.

“(a) DEFINITIONS.—In this section:

“(1) COASTAL POLITICAL SUBDIVISION.—The term ‘coastal political subdivision’ means a political subdivision of an Eastern Gulf producing State any part of which political subdivision is—

“(A) within the coastal zone (as defined in section 304 of the Coastal Zone Management

Act of 1972 (16 U.S.C. 1453)) of the Eastern Gulf producing State as of the date of enactment of this section; and

“(B) not more than 200 nautical miles from the geographic center of any leased tract.

“(2) EASTERN GULF PRODUCING STATE.—The term ‘Eastern Gulf producing State’ means each of the States of Alabama, Florida, Louisiana, Mississippi, and Texas.

“(3) MORATORIUM AREA.—The term ‘moratorium area’ means an area covered by section 104(a) of the Gulf of Mexico Energy Security Act of 2006 (43 U.S.C. 1331 note; Public Law 109-432) (as in effect on the day before the date of enactment of this section).

“(4) NEW PRODUCING AREA.—The term ‘new producing area’ means any moratorium area beyond the submerged land of a State that is located greater than 50 miles from the coastline of the State of Florida.

“(5) QUALIFIED OUTER CONTINENTAL SHELF REVENUES.—The term ‘qualified outer Continental Shelf revenues’ means all rentals, royalties, bonus bids, and other sums due and payable to the United States from leases entered into on or after the date of enactment of this section for new producing areas.

“(b) PETITION FOR LEASING NEW PRODUCING AREAS.—

“(1) IN GENERAL.—Beginning on the date on which the President delineates projected State lines under section 4(a)(2)(A)(ii), the Governor of a State, with the concurrence of the legislature of the State, with a new producing area within the offshore administrative boundaries beyond the submerged land of the State may submit to the Secretary a petition requesting that the Secretary make the new producing area available for oil and gas leasing.

“(2) ACTION BY SECRETARY.—Notwithstanding section 18, as soon as practicable after receipt of a petition under paragraph (1), the Secretary shall approve the petition if the Secretary determines that leasing the new producing area would not create an unreasonable risk of harm to the marine, human, or coastal environment.

“(c) DISPOSITION OF QUALIFIED OUTER CONTINENTAL SHELF REVENUES FROM NEW PRODUCING AREAS.—

“(1) IN GENERAL.—Notwithstanding section 9 and subject to the other provisions of this subsection, for each applicable fiscal year, the Secretary of the Treasury shall deposit—

“(A) 50 percent of qualified outer Continental Shelf revenues in the general fund of the Treasury; and

“(B) 50 percent of qualified outer Continental Shelf revenues in a special account in the Treasury from which the Secretary shall disburse—

“(i) 75 percent to Eastern Gulf producing States in accordance with paragraph (2); and

“(ii) 25 percent to provide financial assistance to States in accordance with section 6 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601-8), which shall be considered income to the Land and Water Conservation Fund for purposes of section 2 of that Act (16 U.S.C. 4601-5).

“(2) ALLOCATION TO EASTERN GULF PRODUCING STATES AND COASTAL POLITICAL SUBDIVISIONS.—

“(A) ALLOCATION TO EASTERN GULF PRODUCING STATES.—Effective for fiscal year 2009 and each fiscal year thereafter, the amount made available under paragraph (1)(B)(i) shall be allocated to each Eastern Gulf producing State in amounts (based on a formula established by the Secretary by regulation) that are inversely proportional to the respec-

tive distances between the point on the coastline of each Eastern Gulf producing State that is closest to the geographic center of the applicable leased tract and the geographic center of the leased tract.

“(B) PAYMENTS TO COASTAL POLITICAL SUBDIVISIONS.—

“(i) IN GENERAL.—The Secretary shall pay 20 percent of the allocable share of each Eastern Gulf producing State, as determined under subparagraph (A), to the coastal political subdivisions of the Eastern Gulf producing State.

“(ii) ALLOCATION.—The amount paid by the Secretary to coastal political subdivisions shall be allocated to each coastal political subdivision in accordance with subparagraphs (B) and (C) of section 31(b)(4).

“(3) MINIMUM ALLOCATION.—The amount allocated to an Eastern Gulf producing State each fiscal year under paragraph (2)(A) shall be at least 10 percent of the amounts available under paragraph (1)(B)(i).

“(4) TIMING.—The amounts required to be deposited under subparagraph (B) of paragraph (1) for the applicable fiscal year shall be made available in accordance with that subparagraph during the fiscal year immediately following the applicable fiscal year.

“(5) AUTHORIZED USES.—

“(A) IN GENERAL.—Subject to subparagraph (B), each Eastern Gulf producing State and coastal political subdivision shall use all amounts received under paragraph (2) in accordance with all applicable Federal and State laws, only for 1 or more of the following purposes:

“(i) Projects and activities for the purposes of coastal protection, including conservation, coastal restoration, hurricane protection, and infrastructure directly affected by coastal wetland losses.

“(ii) Mitigation of damage to fish, wildlife, or natural resources.

“(iii) Implementation of a federally approved marine, coastal, or comprehensive conservation management plan.

“(iv) Mitigation of the impact of outer Continental Shelf activities through the funding of onshore infrastructure projects.

“(v) Planning assistance and the administrative costs of complying with this section.

“(B) LIMITATION.—Not more than 3 percent of amounts received by an Eastern Gulf producing State or coastal political subdivision under paragraph (2) may be used for the purposes described in subparagraph (A)(v).

“(6) ADMINISTRATION.—Amounts made available under paragraph (1)(B) shall—

“(A) be made available, without further appropriation, in accordance with this subsection;

“(B) remain available until expended; and

“(C) be in addition to any amounts appropriated under—

“(i) other provisions of this Act;

“(ii) the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601-4 et seq.); or

“(iii) any other provision of law.”.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on Friday, July 25, 2008, at 12 noon.

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

PERMANENT SUBCOMMITTEE ON INVESTIGATIONS

Mr. DURBIN. Mr. President, I ask unanimous consent that the Permanent Subcommittee on Investigations of the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on Friday, July 25, 2008, at 9:30 a.m. to conduct a hearing entitled, “Tax Haven Banks and U.S. Tax Compliance.”

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

MEASURE PLACED ON THE CALENDAR—S. 3335

Mr. CARPER. I understand that S. 3335 is at the desk and due for a second reading.

The PRESIDING OFFICER. The clerk will report the bill by title for the second time.

The bill clerk read as follows:

A bill (S. 3335) to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes.

Mr. CARPER. I object to any further proceedings with respect to the bill.

The PRESIDING OFFICER. Objection is heard. The bill will be placed on the calendar.

ORDERS FOR SATURDAY, JULY 26, 2008

Mr. MENENDEZ. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand adjourned until 9 a.m. tomorrow, Saturday, July 26; that following the prayer and the pledge, the Journal of proceedings be approved to date, the morning hour be deemed to have expired, the time for the two leaders be reserved for their use later in the day, and the Senate resume consideration of the motion to concur with respect to H.R. 3221, the Foreclosure Prevention Act, under the provisions of a previous order.

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

PROGRAM

Mr. MENENDEZ. Mr. President, tomorrow, around 11 a.m., the Senate will proceed to a rollcall vote on the motion to concur relative to H.R. 3221, the Foreclosure Prevention Act. Following this vote, the Senate will immediately proceed to vote on the motion to invoke cloture on the motion to proceed to S. 3186, the Warm in Winter and Cool in Summer Act. Senators should expect up to two rollcall votes to begin around 11 a.m. tomorrow.