

2005 (Public Law 109-81; 20 U.S.C. 1001 note) is amended by striking "July 31, 2008" and inserting "August 15, 2008".

(b) **RULE OF CONSTRUCTION.**—Nothing in this section, or in the Higher Education Extension Act of 2005 as amended by this Act, shall be construed to limit or otherwise alter the authorizations of appropriations for, or the durations of, programs contained in the amendments made by the Higher Education Reconciliation Act of 2005 (Public Law 109-171), by the College Cost Reduction and Access Act (Public Law 110-84), or by the Ensuring Continued Access to Student Loans Act of 2008 (Public Law 110-227) to the provisions of the Higher Education Act of 1965 and the Taxpayer-Teacher Protection Act of 2004.

(c) **EFFECTIVE DATE.**—The amendment made by subsection (a) shall take effect as if enacted on July 31, 2008.

SUBMITTED RESOLUTIONS

SENATE CONCURRENT RESOLUTION 95—EXPRESSING THE SENSE OF CONGRESS THAT A SITE TO BE SELECTED BY THE SECRETARY OF THE ARMY SHOULD BE PROVIDED FOR A MEMORIAL MARKER TO HONOR THE MEMORY OF THE 40 MEMBERS OF THE ARMED FORCES WHO LOST THEIR LIVES IN THE AIR CRASH AT BAKERS CREEK, AUSTRALIA, ON JUNE 14, 1943

Mr. CASEY (for himself, Mrs. MCCASKILL, Mr. SPECTER, Mr. CORNYN, and Mr. CARDIN) submitted the following concurrent resolution; which was referred to the Committee on Armed Services:

Whereas during the Second World War, the United States Army Air Corps established rest and recreation facilities in Mackay, Queensland, Australia;

Whereas from the end of January 1943 until early 1944, thousands of United States servicemen were ferried from jungle battlefields in New Guinea to Mackay;

Whereas these servicemen traveled by air transport to spend an average of 10 days on a rest and relaxation furlough;

Whereas they usually were carried by two B-17C Flying Fortresses converted for transport duty;

Whereas on Monday, June 14, 1943, at about 6 a.m., a B-17C, Serial Number 40-2072, took off from Mackay Airport for Port Moresby;

Whereas there were 6 crew members and 35 passengers aboard;

Whereas the aircraft took off into fog and soon made two left turns at low altitude;

Whereas a few minutes after takeoff, when it was five miles south of Mackay, the plane crashed at Bakers Creek, killing everyone on board except Corporal Foye Kenneth Roberts of Wichita Falls, Texas, the sole survivor of the accident;

Whereas the cause of the crash remains a mystery, and the incident remains relatively unknown outside of Australia;

Whereas United States officials, who were under orders not to reveal the presence of Allied troops in Australia, kept the crash a military secret during the war;

Whereas due to wartime censorship, the news media did not report the crash;

Whereas relatives of the victims received telegrams from the United States War De-

partment stating little more than that the serviceman had been killed somewhere in the South West Pacific;

Whereas the remains of the 40 crash victims were flown to Townsville, Queensland, where they were buried in the Belgian Gardens United States military cemetery on June 19, 1943;

Whereas in early 1946, they were disinterred and shipped to Hawaii, where 13 were reburied in the National Memorial Cemetery of the Pacific, and the remainder were returned to the United States mainland for reburial;

Whereas 15 years ago, Robert S. Cutler was reading his father's wartime journal and found a reference to the tragic B-17C airplane accident;

Whereas this discovery inspired Mr. Cutler to embark upon a research project that would consume more than a decade and take him to Australia;

Whereas retired United States Air Force Chief Master Sergeant Teddy W. Hanks, of Wichita Falls, Texas, who lost four of his World War II fellow service members in the crash, compiled a list of the casualties from United States archives in 1993 and began searching for their families;

Whereas the Bakers Creek Memorial Association, in conjunction with the Washington Post and retired United States Army genealogy experts Charles Gailey and Arvon Staats, located 23 additional families of victims of the accident during the past two years;

Whereas Joy Shingleton, Donnie Tenney, Wendy Andrus, and Wilma Post, the family of Army Air Corps Corporal Edward J. Tenney, of Buckhannon, West Virginia, helped to bring this recently uncovered World War II tragedy to light; and

Whereas as of February 24, 2005, the commander of the United States Fifth Air Force officially had notified the relatives of 36 of the 40 victims: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring). That it is the sense of Congress that an appropriate site to be selected by the Secretary of the Army should be provided for a memorial marker to honor the memory of the 40 members of the Armed Forces of the United States who lost their lives in the air crash at Bakers Creek, Australia, on June 14, 1943, provided that the Secretary of the Army have exclusive authority to approve the design and site for the memorial marker.

AMENDMENTS SUBMITTED AND PROPOSED

SA 5249. Mr. BROWNBACK submitted an amendment intended to be proposed by him 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.

TEXT OF AMENDMENTS

SA 5249. Mr. BROWNBACK submitted an amendment intended to be proposed by him 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. . . OPEN FUEL STANDARDS.

(a) **SHORT TITLE.**—This section may be cited as the "Open Fuel Standard Act of 2008" or the "OFS Act".

(b) **FINDINGS.**—Congress makes the following findings:

(1) The status of oil as a strategic commodity, which derives from its domination of the transportation sector, presents a clear and present danger to the United States.

(2) In a prior era, when salt was a strategic commodity, salt mines conferred national power and wars were fought over the control of such mines;

(3) technology, in the form of electricity and refrigeration, decisively ended salt's monopoly of meat preservation and greatly reduced its strategic importance;

(4) fuel competition and consumer choice would similarly serve to end oil's monopoly in the transportation sector and strip oil of its strategic status;

(5) the current closed fuel market has allowed a cartel of petroleum exporting countries to inflate fuel prices, effectively imposing a harmful tax on the economy of the United States of nearly \$500,000,000,000 per year;

(6) much of the inflated petroleum revenues the oil cartel earns at the expense of the people of the United States are used for purposes antithetical to the interests of the United States and its allies;

(7) alcohol fuels, including ethanol and methanol, could potentially provide significant supplies of additional fuels that could be produced in the United States and in many other countries in the Western Hemisphere that are friendly to the United States;

(8) alcohol fuels can only play a major role in securing the energy independence of the United States if a substantial portion of vehicles in the United States are capable of operating on such fuels;

(9) it is not in the best interest of United States consumers or the United States Government to be constrained to depend solely upon petroleum resources for vehicle fuels if alcohol fuels are potentially available;

(10) existing technology, in the form of flexible fuel vehicles, allows internal combustion engine cars and trucks to be produced at little or no additional cost, which are capable of operating on conventional gasoline, alcohol fuels, or any combination of such fuels, as availability or cost advantage dictates, providing a platform on which fuels can compete;

(11) the necessary distribution system for such alcohol fuels will not be developed in the United States until a substantial fraction of the vehicles in the United States are capable of operating on such fuels;

(12) the establishment of such a vehicle fleet and distribution system would provide a large market that would mobilize private resources to substantially advance the technology and expand the production of alcohol fuels in the United States and abroad;

(13) the United States has an urgent national security interest to develop alcohol fuels technology, production, and distribution systems as rapidly as possible;

(14) new cars sold in the United States that are equipped with an internal combustion engine should allow for fuel competition by being flexible fuel vehicles, and new diesel cars should be capable of operating on bio-diesel; and

(15) such an open fuel standard would help to protect the United States economy from high and volatile oil prices and from the threats caused by global instability, terrorism, and natural disaster.