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House of Representatives

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. JACKSON of Illinois).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
July 17, 2008.

I hereby appoint the Honorable JESSIE L. JACKSON, Jr. to act as Speaker pro tempore on this day.

NANCY PELOSI,
Speaker of the House of Representatives.

PRAYER

Rabbi Stuart L. Berman, Police-Clergy Liaison, New York City Police Department, offered the following prayer:

Almighty God, guardian of the people of Thy covenant, help us to reflect clearly and strive conscientiously in the performance of our responsibilities this day. Let us be permeated by the time-tested ideals of our society, and may our days be blessed with the enduring accomplishments of this, the 110th Congress. We may be of different faiths, but we share a common love of this great land.

Let us direct all our efforts toward the eradication of hatred, prejudice and blindness of mind. Grant us breadth of vision to build bridges of understanding among all the citizens in our communities back home. May we never forget the common bond of kinship that unites all who were created in Thy divine image.

Grant us strength of body and health of mind. Enable us to face the challenges of life with faith and courage. Teach us, O Lord, the power of love, not the love of power.

In moments of doubt, strengthen us in our convictions. In hours of gloom, illumine our paths. In adversity and frustration, gird us with patience and tolerance. Above all, O Lord, imbue us with the wisdom to count our blessings.

And we all say Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentlewoman from South Dakota (Ms. HERSETH SANDLIN) come forward and lead the House in the Pledge of Allegiance.

Ms. HERSETH SANDLIN 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.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate had passed and agreed to without amendment a bill and a concurrent resolution of the House of the following titles:

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.

H. Con. Res. 381. Concurrent resolution honoring and recognizing the dedication and achievements of Thurgood Marshall on the 100th anniversary of his birth.

The message also announced that the Senate has passed with an amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 5501. An act to authorize appropriations for fiscal years 2009 through 2013 to provide assistance to foreign countries to combat HIV/AIDS, tuberculosis, and malaria, and for other purposes.

WELCOMING RABBI STUART BERMAN

The SPEAKER pro tempore. Without objection, the gentleman from New York (Mr. CROWLEY) is recognized for 1 minute.)

There was no objection.

Mr. CROWLEY. Mr. Speaker, it is indeed a pleasure and an honor for me today to welcome our guest chaplain, Rabbi Stuart Berman, and to thank him for such a wonderful prayer this morning.

New York, and my community in particular, have been fortunate to have had someone so dedicated presiding in our area. Most recently, Rabbi Berman served at the Woodside Jewish Center. However, he has had a very accomplished and profound career throughout his lifetime.

The rabbi nobly served on the Presidential Inaugural Committee, the Presidential Transition Committee, the White House Conference on Children and Youth Drug Abuse Panel, as well as the White House Conference on Aging.

In 1985, Rabbi Berman made history in the State of Florida and became the first rabbi to ever be appointed a prison chaplain.

In New York, he again placed the community first and was appointed police-clergy liaison, City of New York Police Department, and Sanitation Department Chaplain. He is also a prolific author of numerous publications and articles, and he previously hosted a weekly television talk show on FAN–TV.

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I would also point out that Rabbi Berman offered a prayer at the dedication of the post office renaming for my predecessor and his friend, our mutual friend, Congressman Tom Manton, when it was being named in his honor.

Rabbi Berman is joined today by his son, Nathaniel, and his sister, Zell. Audrey, his wife, who is an early childhood specialist with the New York City Board of Education, unfortunately could not be here with us and with him today. But we all know that she is very, very proud of her rabbi.

Thank you, Rabbi, for being here.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain up to 10 further requests for 1-minute speeches on each side of the aisle.

CONGRATULATING JERRY NORTHEY

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

Mr. BRALEY of Iowa. Mr. Speaker, I rise today to congratulate my friend, Jerry Northey, on his retirement after 12 years as president of UAW Local 838, and after 36 years of working at John Deere in Waterloo. Jerry has served four terms as president of the local 838 in my hometown, making him the longest-serving president in the local's history. In fact, he served as president more than twice as long as any of his predecessors.

As president of Local 838, with over 3,000 members, the largest union local in Iowa, Jerry has been a strong and effective advocate for workers. Under his leadership, the local has seen a net gain of more than 500 jobs over the life of the current contract. Thanks to Jerry's leadership, the union and John Deere have successfully settled every collective bargaining agreement since 1987.

Jerry has also led corporate ventures between John Deere and the UAW, including recently coming together to raise an impressive $1 million for the Cedar Valley United Way campaign.

I know that Jerry will be greatly missed at the local hall and at John Deere, and I would like to thank him for his tremendous service, congratulate him on his many accomplishments, and wish him the best of luck in his retirement.

CONGRESS NEEDS TO LISTEN TO THE AMERICAN PEOPLE

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

Mr. CARTER. Mr. Speaker, President Bush listened to the American people this week, and he lifted the executive moratorium on energy exploration on the Outer Continental Shelf. Unfortunately, a congressional ban still exists and remains in place.

Congress needs to listen to the American people. Whether it is the folks back in central Texas that I represent, or the people on the coast of Maine or Southern California, Americans want to explore safely and properly for American energy. 67 percent of the American people want sound exploration using safe practices, and to have American industry.

There is only one obstacle that stands in the way, and that is Speaker PELOSI and the Democrats in Congress. Americans are counting on Congress to work together to lift this ban.

Republicans are ready to work with Democrats to do just that. Give us a chance to have a vote on this, and we will have American energy for the American people.

PHOTO-OP IN THE ARCTIC

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

Mr. BLUMENAUER. Mr. Speaker, we are soon going to be greeted by a photo-op in the Arctic with some of our Republican friends doing a little fly-over. It is an example of their ''drillusion.''

We have been fighting the Republican energy policy that is trapped in the 1950s. For the first 12 years I was in Congress they made it impossible, indeed, sometimes even illegal to even study improving fuel efficiency standards for cars.

For the last 7½ years, we have had two Texas oilmen in the White House, their secret energy task force, their disastrous 2005 Energy Act and, by the way, their Dept. of Energy which missed all 34 deadlines to improve appliance efficiency.

And what do we get from years of Republican control and their energy policy? $4.35 cent a gallon gasoline.

Democrats, from the beginning, have provided new energy incentives. We have improved auto fuel efficiency standards for the first time in 30 years. And today we are going to have the Drill Responsibly on Leased Lands Act, the DRILL Act, to use the millions of acres they already have to be able to provide oil for this country. Together we can solve this gas price crisis which is the result of the President's failed energy policy and our addiction to foreign oil.

THE GUILTY GO FREE BECAUSE OUR GOVERNMENT HAS BLUNDERED

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

Mr. POE. Mr. Speaker, U.S. Border Agent Luis Aguilar, Jr. was on patrol in January on the Arizona border chasing two vehicles of suspected drug dealers. As the vehicles, a Hummer and a pickup, realized they had been discovered and fled back to the Mexican border, Agent Aguilar put road spikes in front of the vehicles. The Hummer, however, went off the road and ran over and killed Agent Aguilar.

The driver, Jesus Navarro Montes, was quickly arrested by the Mexican government and held on unrelated drug charges. However, he was released 6 months later because the U.S. Government never requested extradition proceedings.

Members of Congress have asked the Justice Department what happened. We received a standard bureaucratic, nonsensical letter saying, ''we're not telling you.'' In other words, our Justice Department blundered by not requesting extradition, and now won't admit it.

This is incompetence. Montes, meanwhile, is still probably running drugs into the United States.

We owe it to all border agents and the family of Agent Aguilar to capture this killer. Maybe we should offer an old fashioned reward for his capture, and let our friends in Mexico do the job our government won't do.

And that's just the way it is.

INTRODUCTION OF FOOT AND MOUTH DISEASE PREVENTION ACT

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

Ms. HERSETH SANDLIN. Mr. Speaker, yesterday I introduced a bill to protect our Nation's food supply and rural economies. This bill, the Foot and Mouth Disease Prevention Act of 2008, will block meat imports from Argentina until the USDA can certify to Congress that every region of that country is free of FMD.

The USDA is currently considering opening the U.S. protein market to select regions of Argentina, a country with a history of FMD outbreaks. This plan is flawed. It assumes that a highly infectious, airborne disease like FMD would stop at imaginary borders, and it trusts Argentina to effectively police itself.

Argentina is a country that lacks the infrastructure to handle FMD outbreaks. The USDA hasn't conducted a safety assessment in Argentina since the 2006 outbreak there, yet it is still moving with their plan to regionalize the country. This doesn't make sense, and it is not sound policy.

FMD has the potential to wipe out our livestock industry overnight, as it did to the British economy, which lost nearly $20 billion with their outbreak in 2001, resulting in 6 million animals destroyed. A similar outbreak here would cripple the livestock industry, shut down exports of American beef, and send meat prices through the roof.

I urge my colleagues to join me in cosponsoring this bill to block the USDA's plan to regionalize Argentina.

NATIONAL PETROLEUM RESERVE

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

Mr. PITTS. Today my colleagues on the other side of the aisle are bringing up legislation promoting drilling in the National Petroleum Reserve, a large desolate tract of land to the west of ANWR in Alaska. It is nice that they finally acknowledge we need to access more of our own energy resources right here at home. But I do find it strange that they are willing to advocate drilling in the National Petroleum Reserve, which was originally set aside for the use of our military in an emergency, yet they continue to oppose oil exploration in ANWR.

The National Reserve contains about 440 barrels of oil per acre, compared to ANWR's 5,475 barrels per acre. The National Reserve's oil and gas fields are more than 250 miles from existing pipeline infrastructure, compared to ANWR's 75-mile distance. The National Reserve's oil and gas fields are spread out over 23 million acres, compared to 1.9 million acres in ANWR.

It is strange that my colleagues, who are supposed to be more environmentally conscious, would wish to drill for oil that is more spread out and will require a much larger footprint to access instead of using the more concentrated oil and natural gas resources in ANWR.

DRILL ACT PROMOTES DRILLING ON 311 MILLION ACRES OF OPEN LAND

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

Mr. CARNAHAN. Mr. Speaker, with high gas prices crippling the American economy, this country needs a long-term energy plan to lower gas prices, make America more secure, create green jobs, and reduce global warming.

House Democrats support responsible drilling as part of our comprehensive strategy, but many Republicans in Washington say we need to do more drilling in our pristine oceans and wilderness areas, even though 300 million acres of public land, more than three times the size of California, are already open for leasing. They want us to give more public land to Big Oil, even though 68 million acres of land are already leased and not being developed.

Today, the House will consider the DRILL Act. I urge my colleagues to join us in passing this vital legislation that will speed up development of NPRA, require Big Oil to use the land they have leased or lose it, and ban foreign export of Alaskan oil to ensure our oil stays in America.

Mr. Speaker, this is commonsense legislation that does exactly what many are asking for, more drilling. So why don't they support a bill that requires Big Oil to drill and not just stockpile more leases?

□ 1015

A START TO LOWERING GAS PRICES

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

Mr. BOUSTANY. Mr. Speaker, this week the President took a small but important step to lowering the price at the pump for American families. Lifting his ban on Outer Continental Shelf energy exploration was the right thing to do, and I applaud him for it. Now, Congress must act.

We can help increase American supply, lower the price at the pump, and create good American jobs. The ball's in our court. Will Congress listen to our constituents who are struggling with tough decisions about where and when they can drive? Or will congressional leadership remain beholden to environmental extremists?

In Louisiana, energy production is done in a responsible way. After two devastating hurricanes, employees of our energy industry worked hard to get rigs back up and running knowing they were a very important part of our recovery efforts. OCS does not represent a magic bullet. However, it's one piece of a responsible comprehensive energy plan to lower the price at the pump. Innovative technology, better conservation, and new fuels are critical, too. So let's start all of them. What is holding us up? By harnessing all of America's vast resources and genius, we can give Americans, in the short term and long term, a good energy policy.

Let's do the responsible thing. Let's have a comprehensive energy policy.

CHOICE AND FREEDOM IN OIL ADDICTION

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

Mr. INSLEE. Mr. Speaker, slavery in this country did not end in the 1860s. It still exists because we all are still enslaved by oil. It is an addiction. George Bush himself said we are addicted to oil. But his answer is to increase the addiction, to go back to the dealer just for one more stick of the needle. That is not a long-term energy supply response to this crisis.

Americans need a choice of new energy supplies beyond oil, which is the only way to break this addiction, which is the only way to drive down price, which is the only way to have an alternative to oil.

I had in my office yesterday the Interdale Company, building one of the first lithium ion batteries, and the A123 Battery Company; they are going to provide the battery for the GM–VOLT. We have to provide freedom from this oil addiction by having a policy that gives Americans choice of new electric cars, new algae-based biofuels. That's a vision for choice and freedom in this country. That's what we should be doing. And we will be starting today.

CONSEQUENCES OF FOREIGN OIL

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

Mr. WILSON of South Carolina. Mr. Speaker, our Nation's economic and national security is being threatened by our continued reliance on foreign oil. The pain at the pump is having a terrible impact on the wallets of American families. Simultaneously, we are sending billions of dollars overseas to buy the foreign oil we pay far too much for here at home.

Exploration of American oil and natural gas right here at home means we can rely less on unstable regimes and break the monopoly of foreign oil. The more American-made energy we use means less of our money going to line the pockets of dictators like Hugo Chavez of Venezuela. We have the resources and the technology to get these resources in an environmentally sound way.

We must face the fact there are real consequences to congressional inaction just as there would be substantial benefits to adopting an all-of-the-above energy policy, which I and many of my Republican colleagues support.

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

BIG OIL IS NOT DRILLING

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

Mr. DEFAZIO. Back when George Bush was elected in 2001, gas was $1.48 a gallon, and we imported 52 percent of our oil. Today, gas is $4.39 a gallon in my district, and we're importing 58 percent of our oil. In the meantime, what's been done?

Well, we adopted the Republican energy plan, formulated in secret by DICK CHENEY—yet another oilman along with George Bush—and some people say, Well, it's not working. I think it's working. Record profits for the oil industry and their friends, $551 billion since George Bush took office and more dependence on imported oil from Saudi Arabia and other friends of the President.

We need a new energy policy in this country, and we're striking out in that direction. We've already passed new mandates for fuel efficiency. We tried to move us towards renewables. But we need some interim supply. That's why we have the DRILL Act up today. We need interim supply, but Big Oil is sitting on leases that can access 80 percent of our estimated reserves in Alaska and the Outer Continental Shelf, and they're not drilling it.

ENERGY PLAN NOW

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

Mr. BARRETT of South Carolina. Mr. Speaker, I have been on the House floor asking the majority party if they've been hearing from the citizens about their financial struggles with high gas prices because I have.

This month, I mailed a survey to families in my district asking for their comments about the energy crisis. I wanted to hear from them about their opinions, their ideas of what we, as Members of Congress, should be doing to ease the high gas prices.

In response to the survey I sent to these citizens, we had tremendous responses: some things like find alternatives to oil; move the country beyond that; we need to support conservative changes in lifestyle; waste less; we have to change; develop new technologies, to get us off oil; drill now; drill everywhere; encourage automakers to make vehicles not powered by gasoline. Yeah. They're right. We need to do it all, and we need to do it now.

Is the majority party not hearing what I'm hearing? Worse, if they are, are they not choosing to help these people and bring energy legislation to the floor?

Mr. Speaker, we need energy legislation on the floor, and we need it now.

THE DRILL ACT PROMOTES DRILLING ON 311 MILLION ACRES OF OPEN LAND

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

Mr. SIRES. Mr. Speaker, the Bush-Cheney energy plan is now 95 percent implemented and we are paying for it at the pump. It's no mystery how it happened. Two oilmen in the White House let Big Oil literally write the energy plan. And while Republicans continue to demand opening up more areas for drilling, Democrats are asking why not drill on 311 million acres of Federal land already open for energy production?

Day after day Republicans say drill, drill, drill. But they haven't once asked why oil companies are sitting on 68 million acres of already-leased land.

This country needs a comprehensive plan for energy independence, and responsible drilling is part of that plan. Why not open new areas for development that will save consumers little at the pump decades down the road when there are 68 million acres of land ready for drilling?

Mr. Speaker, Democrats don't want to make the American consumer wait another 10 to 20 years for any relief. Today we hope that the Republicans will join us in demanding that Big Oil start drilling on the leases they already have, otherwise lose the leases. It's time to tell Big Oil, ''Use it or lose it.''

OFFSHORE EXPLORATION VERSUS LEASES

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

Mr. SMITH of Nebraska. Mr. Speaker, earlier this week I'm glad that President Bush turned up the heat on Congress when he lifted an executive order barring offshore energy exploration off almost 90 percent of U.S. coastlines.

Mr. Speaker, I have to say that raising the decibel level of the debate in this Chamber does not solve the problem. A good, comprehensive, broad-based energy supply is what solves the problem. Instead of acting to help consumers with high gas prices, Congress still has not taken up legislation which will actually help fight rising gas prices even as the price at the pump rockets past $4.11 a gallon. Instead, we hear the other side of the aisle about use-it-or-lose-it current policy, that oil companies are sitting on 68 million acres, or maybe even more, of land which could be used for energy exploration.

We need to ask ourselves the question then, Why would anyone in the private sector want to engage in even greater expenses then in acquiring more petroleum resources for the American people?

But even a Democratic colleague of mine said, ''You can't produce on every acre or even every 100 acres. I think those numbers come from people who don't understand the business.''

We can do better; we should do better, Mr. Speaker.

POSITIVE CONTRIBUTIONS OF IMMIGRANTS

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

Mr. BACA. Mr. Speaker, I speak on behalf of the 12 to 14 million immigrants here in the United States.

Mr. Speaker, the memory of Lance Corporal Jose Gutierrez will always remain in our hearts. Gutierrez, an undocumented immigrant who came here as an orphan from Guatemala, graduated from high school despite many obstacles. While in community college, he enlisted as a marine to show his patriotism and love for this Nation.

On March 31, 2003, Gutierrez became the first combat casualty of the war of Iraq. His belief in the American dream of a better life is a testament of what many others who come to this country wish to have. Gutierrez will forever be a symbol of patriotism, hard work, and commitment.

Sadly, his sacrifices are lost in the hateful anti-immigrant rhetoric. Every day, 12 to 14 million immigrants work from sunset to sundown to reach the American dream—all positively contributing to America's economic health.

I urge my colleagues to keep in mind these contributions and make a firm commitment to work towards comprehensive immigration reform.

THE IMPORTANCE OF PRAYER IN AMERICA AND IN CONGRESS

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

Mr. NEUGEBAUER. Mr. Speaker, as we did today, 234 years ago Congress heard its first prayer as they opened their Congress. And I wanted to read that prayer this morning because I think it's a prayer for America and this Congress today:

Be Thou present; O God of Wisdom, and direct the councils of this Honorable Assembly. Enable them to settle all things on the best and surest foundations; that the scene of blood may be speedily closed; that Order, Harmony, and Peace may be effectually restored, and Truth, and Justice, Religion, and Piety prevail and flourish among the people. Preserve the health of their bodies and the vigor of their minds. Shower down on them, and the millions they here represent, such temporal blessings as Thou seest expedient for them in this world, and crown them with everlasting Glory in the world to come. All this we ask in the name and through the merits of Jesus Christ Thy son and Our Savior. Amen.

Mr. Speaker, may prayer always be a part of this body, and may prayer always be a part of America.

JOHN U. LLOYD BEACH STATE PARK

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

Mr. KLEIN of Florida. Mr. Speaker, I rise today to recognize an area of exceptional natural beauty in my congressional district. The John U. Lloyd Beach State Park was honored on the national news program Good Morning America as one of the four most unique and scenic parks in the entire country.

We're lucky in south Florida to have miles of beautiful coastline, but the John U. Lloyd Beach State Park truly stands out. In addition to sandy beaches, the State park features a coral reef ecosystem just 100 yards offshore and a mangrove swamp with a variety of plant species. Wildlife sightings are common for visitors to the park, and few will forget watching sea turtle hatchlings crawl down the beach.

I would like to commend the hard-working park rangers who care for our State park, as well as Bob and Barbara Magill, who submitted footage of the beach for national recognition.

Mr. Speaker, the John U. Lloyd Beach State Park is truly a national pleasure, and we are committed to preserving this site for future generations to enjoy. We welcome all Americans to come down and visit.

WELCOMING REPUBLICANS TO THE NATIONAL RENEWABLE ENERGY LAB IN COLORADO

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

Mr. PERLMUTTER. Mr. Speaker, good morning.

Tomorrow, several of my Republican colleagues are coming to Golden, Colorado, which is my home, to visit the National Renewable Energy Lab, and I want to welcome them, and I want to thank them for coming out to take a look at that laboratory. It's the finest laboratory in the world to come up with energy efficiency and renewable energy alternatives.

In this day and age with gas at $4 a gallon, we have to look forward. We cannot remain hooked and addicted to oil and dependent on the Middle East. And so by them coming out to Colorado—they've never really favored renewable energy and energy efficiency—but it's time that we stop this addiction that we face.

And so we all know, and I'm beginning to hear my friends on the Republican side of the aisle recognize the need for renewable energy and energy efficiency because it's good for national security, it's good for the climate, and it is good for jobs; and I welcome them to my home in Golden, Colorado, and I look forward to them looking and visiting the National Renewable Energy Lab.

□ 1030

MOTION TO INSTRUCT CONFEREES ON S. 2062, NATIVE AMERICAN HOUSING ASSISTANCE AND SELF-DETERMINATION REAUTHORIZATION ACT OF 2007

Mr. ROSKAM. Mr. Speaker, I have a motion to instruct at the desk.

The SPEAKER pro tempore. The Clerk will report the motion.

The Clerk read as follows:

Mr. Roskam moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the House amendment to the bill S. 2062 be instructed to include in the conference agreement the provision in section 202(2)(A) of the Senate bill providing that development and rehabilitation of utilities and utility services shall be eligible affordable housing activities under the Indian Housing Block Grant Program.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Illinois (Mr. ROSKAM) and the gentleman from Massachusetts (Mr. FRANK) will be recognized for 30 minutes each.

The Chair recognizes the gentleman from Illinois.

Mr. ROSKAM. Mr. Speaker, in the interest of full disclosure, my side of the aisle is looking at every conceivable opportunity under the House rules and in any reasonable parlance of conversation to talk about energy.

So when we're beginning this conversation today, follow me along, because we're going to start about Native American housing, but eventually, the conversation is going to turn to energy. And why is that?

It's true, Mr. Speaker, because that's what the entire country is talking about, and that's what the entire country, I would submit, wants the House to focus its, no pun intended, energy on. So follow me, if you will.

When the Native American Housing Assistance and Self-Determination Act of 1996 was passed, it reorganized housing assistance for Native Americans by eliminating several disparate Federal assistance programs and replacing them with the Indian Housing Block Grant program.

In the underlying statute, section 202 specifies eligible affordable housing activities for the block grant program, with the goal of developing, operating, maintaining, or supporting affordable housing or homeownership.

Further, section 202(2)(A) of S. 2062 amends current law and expands the eligible affordable housing activities under the statute. The language of the aforementioned bill would give tribes more flexibility under the Act by allowing a recipient to utilize funds not only for the acquisition and new construction of affordable housing, but it would also allow tribes to utilize block grant funds for the development and rehabilitation of utilities and necessary infrastructure to achieve greater energy efficiency.

Native Americans in this country are facing serious housing problems. Last Congress, the Financial Services Committee held several hearings to investigate the housing situation in Indian lands, which are the result of widespread poverty, high unemployment, homelessness, and a lack of affordable housing on Native American lands. In addition to reorganizing the program, the statute sought to provide Native Americans the right to self-determination and self-governance by allowing tribes to have greater freedom over their tribal housing. Reauthorization is an important step in addressing many of these issues.

Like every American today, Mr. Speaker, Native Americans are struggling with the high cost of energy. Whether on tribal lands or in suburban America, families are grappling with the escalating cost of energy in today's economy and the effect it has on maintaining housing affordability. Rising energy costs associated with renting or owning a home and the transportation cost of traveling back and forth from home to work are having a devastating impact on everyone's budget, including families in Indian country.

So the conversation then surrounds itself around greater flexibility and enhancing, literally, the opportunity for Native Americans to pursue energy solutions, particularly as it relates to utilities. And why is this important?

This is important, Mr. Speaker, because we need to take a holistic approach. We need to pursue every conceivable, reasonable energy alternative, Mr. Speaker. We've got to make sure that we don't leave any solutions on the table and we pursue everything.

So, for example, yesterday we had a hearing in the Financial Services Committee where the Chairman of the Federal Reserve, Chairman Bernanke, came in and commented on a wide range of elements of the economy. But what was particularly interesting, I found, among other things, was the assertion that he made when he said this: that if we increase production of oil by 1 percent, he anticipates a 10 percent drop in price. Let me say that again. I'm going to say that two more times, it's so unbelievable. A 1 percent increase in production, according to the Chairman of the Federal Reserve, who we defer on many things in our economy, he said would create a 10 percent decrease in price. A 1 percent increase in production would create a 10 percent decrease in price.

That is a staggering assertion from the person that both sides of the aisle give a great deal of deference to, both sides of the aisle listen to and consult with and are very interested in his comments. And he says, again, a 1 percent increase in production creates a 10 percent decrease in price.

So how does the motion to instruct weave into this? The motion to instruct is part of a broader conversation on energy, and I think what my side of the aisle is trying to assert in this and in other bills obviously that have come before the floor in the past several days, Mr. Speaker, is that when it comes to energy and when it comes to solutions, we need a holistic approach, and not to allow ourselves to be hidebound by an orthodoxy that has developed among some elements that are driving the other side of the aisle, to say, well, we're not going to pursue those things, those are not on the table, we're not going to pursue enhanced production, we're not going to pursue clean coal technologies, we're not going to pursue some of these other technologies that are so dynamic and are so vibrant.

So I have done my best, Mr. Speaker, to weave the energy debate into this motion to instruct.

With that, I reserve the balance of my time.

Mr. FRANK of Massachusetts. Mr. Speaker, first, let me say that I think this is a very reasonable motion to instruct, and I urge all Members to vote for it.

I do want to take a moment, since we are talking about the Native American housing benefit, to explain to people what the major issue is. It's not the subject of a matter of discussion. It wasn't that controversial in our committee, and it has to do with the action of the Cherokee Tribe.

The Cherokee Tribe was one of several tribes that owned slaves in the 19th century and fought on the side of the South in the Civil War. When the Civil War was concluded, treaties were signed, not just with the Confederacy.

There was a treaty. Treaties were signed with these Indian tribes that were independent in which they agreed to incorporate into the tribe from that day forward the former slaves, known as the Freedmen, and their descendants.

To my great disappointment, the Cherokee Tribe has decided that they don't want to continue that arrangement. I think it is a violation of their tribal obligations, their treaty obligations. The Bureau of Indian Affairs agreed. They're a fairly small number of people. The question is not what blood people have but this treaty obligation that the Cherokees undertook.

Our committee voted to exclude the Cherokees from the housing benefit as long as they are out of compliance here. Now, it's interesting, some defenders of the Cherokees have said, well, let's let it go to the courts. But I've read the Cherokee's brief on this subject. It's been in a court case, and they say to the court, stay out of this, it's up to Congress. Well, I agree with the brief, and that's an important part of this bill. And that's one reason why we have asked for the appointment of conferees, and the conferees are people who strongly believe it's a fairly small number of people to talk about, that the Cherokee Tribe should not be allowed to expel them.

Now, as to the energy piece, we very much agree with this. I think it's probably the case that we have more to learn from the Native Americans about energy use and conservation than they from us, and it is, therefore, entirely appropriate that we say that the funding that is available be available for them to use in this way. As I said, I don't think this is a group that we have to force this on, but I think it's a useful one.

Indeed, it's a principle that we think very important, and in fact, later this month, the Committee on Financial Services will be voting on a bill. The gentleman from Colorado is the prime author. The gentleman from New Hampshire (Mr. HODES) has worked with the gentleman, Mr. PERLMUTTER, on it, and we very much agree with this principle, and indeed, we want to incorporate it in Federal housing policy in general.

Essentially our view is that where the Federal Government is funding housing in a fairly direct way, then we ought to require energy efficiency, and where the Federal Government is not funding it but helping enable it, we ought to encourage it. Of course, as we know, if you do energy efficiency into the building of the housing, you may have an increase in immediate cost and a long-term saving, not just in energy efficiency but in funding.

So I'm going to be yielding time to the gentleman from Colorado because we agree that this is a very useful, broad principle, and we agree with the approach of the gentleman from Illinois which is, since this instruction itself isn't controversial, we'll all use it to talk about other things that we want to talk about. That's perfectly reasonable. We have nothing else to do this morning.

I reserve the balance of my time.

Mr. ROSKAM. Mr. Speaker, I yield myself such time as I may consume.

I appreciate the chairman's encouragement on this motion and the clarity with which he spoke and articulated the need for it, and I think I want to follow up on a couple of the things that he highlighted, and I think they're important, and I think they're a first step.

But I would encourage all Members to take that first step and not stop walking, and I think the first step that the chairman talked about—and he mentioned the gentleman from Colorado and his efforts as it relates to energy efficiency and creating incentives, Mr. Speaker, in the Federal housing market, a tremendous goal, no question about it, pursuing efficiency, pursuing conservation efforts.

This whole energy debate that we're having, it seems to me, is a time at which there should be a sense of unanimity within our country about moving forward. We should be now a Congress that is listening to the overwhelming majority of Americans that are just hamstrung by the high price of energy. It's having a disproportionate impact on the poor, who are very concerned about it. It's having a disproportionate impact, creating a disadvantage for American businesses as they're struggling to compete overseas.

This should be the one issue that is able to transcend sort of regionalism. It should transcend other past alliances, frankly, because the crisis is so great.

In past national crises, what happens is that legislative bodies tend to get over themselves, and rather than looking inwardly, they look outside of the walls of the legislative body and say we've got a responsibility here; 435 people, we can do this, we can move forward.

Part of what the gentleman from Massachusetts talked about is part of that equation, that is, conservation, that is, energy efficiencies. But that's not enough.

Part of what the gentleman from Colorado mentioned a couple of minutes ago in renewables in his 1-minute speech is part of the equation, too, but you know what, that's not enough.

□ 1045

If we choose to go to the Financial Services Committee hearing and we choose selectively to listen to what the Chairman of the Fed says, then I think we're deluding ourselves and we're not serving the public well. What we've got to do is listen to when the Chairman of the Federal Reserve comments about energy production and the de minimis amount of production that has to be created and its impact on price. It was a staggering, staggering figure; 1 percent in increased production yields a 10 percent decrease in price. That is a bargain any day of the week. And the idea that this Congress, that somehow 435 people can't come together and come up with a plan to increase oil production by 1 percent, that's just ridiculous that we can't meet that challenge. One percent increase in production, a 10 percent decrease in price.

And so what you're seeing manifested here today, I think, is part of the conversation that this side of the aisle wants to have—wants to have on almost every conceivable bill—because what we're hearing back in our districts is I think what everybody's hearing back in their districts, and that is, the crushing weight of energy.

When there is that much pressure, we've got to make sure that we are not the generation of a Congress that simply chooses to kick the can down the lane. As Americans, we have a history of doing this, don't we, Mr. Speaker? We have a history. When we got the wake-up call in the mid-1970s that our energy policy at that point was dysfunctional and we had a real vulnerability as it relates to manipulations by actors overseas who have a low view of us and want to put foreign policy pressure on us—that is, the OPEC oil embargo—rather than dealing with that, what did we do as a country in the mid-seventies? We kicked the can down the lane. Prices sort of receded a little bit, the lines for gasoline went away and shortened, and rather than dealing with it, we kicked the can down the lane. So here we are, decades later, not only in the same place, but, in fact, at a more vulnerable place.

And so I sense that the country is hungry, Mr. Speaker, for this Congress to act, for this Congress to come together and say, you know what? There is not one side of the aisle that's got all the answers on this. You've got to completely move the ball. And I know it was sort of a foolish throw-away line that was quoted in the press by a Democrat staffer a couple weeks ago, but when he said the strategy is drive small cars and wait for the wind, I hope that that is not speaking for the majority.

And I hope that the majority is willing to say, you know what? When the Chairman of the Federal Reserve comes in and makes an assertion of the relationship between production and price, we need to listen to that. We need to pivot off of the past orthodoxy that has said we're not going to allow new production, we're simply going to close our ears and not allow the conversation to shift to new production.

There are some that say we're not going to drill our way out of this. Well, that's a thought. But certainly, responsible exploration has to be a part of this equation, Mr. Speaker, it has to be a part of this equation.

Some of our colleagues, as the gentleman from Colorado mentioned a couple minutes ago, they're going to go to Colorado and look at essentially the next generation of technology that is

clearly part of this. But they're also going to go up to ANWR and begin to really see what that's all about. Had we not been in the situation where the ANWR bill was vetoed in the mid-nineties, it would be, by conservative estimates, now pumping and producing at least a million barrels a day. Can you imagine what that does to the price equation?

Ultimately, what our job is, as Members of Congress, if we are united in our desire to get off of foreign oil, then what we've got to do is come up with 9 million barrels a day, or the equivalent, in terms of energy, or savings and conservation, efficiency and so forth. Nine million barrels a day. We can do this. We can absolutely do this. Far greater challenges have been laid out that our country has looked in the eye and has risen to, as the United States of America, and taken on that challenge.

I think that we cannot let this Congress adjourn, we can't go home for the August recess until we wholeheartedly take this challenge on. And if it means discharge petitions, if it means all kinds of procedural things to continue to drive the debate, I think we really have no other choice.

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

Mr. FRANK of Massachusetts. Mr. Speaker, preliminarily I would say that not only do I agree with the gentleman that we should not rule out any new production, I know of no Member of the House who takes that position. And even later today we will be dealing with legislation that the Committee on Resources brings forward that tries to increase and encourage production.

With that, Mr. Speaker, I ask unanimous consent that the gentleman from Colorado (Mr. PERLMUTTER), a member of the committee and a leader in the committee on matters of energy, be allowed to control the remainder of the time.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. PERLMUTTER. Mr. Speaker, I yield myself such time as I may consume.

Well, I appreciate the comments of my friend from Illinois, who has assisted me on what we call the Green Energy Act in the Financial Services Committee. And that really is an act—which we will hear in that committee in a week or 10 days—designed to improve energy efficiency and renewable energy in various housing across the United States. Because he recognizes, as do I, as do millions and millions of Americans, that if we save a Btu, if we save a gallon of gas, it's earned; a gallon of gas saved is a gallon of gas earned, a Btu saved is a Btu earned. We can do much better, Mr. Speaker, than we've been doing when it comes to energy efficiency and adding renewable energy sources. And that's what the Green Energy Act is all about. And it applies to Native American housing, as does the motion to instruct, so that all Federal housing that's underwritten, supported by the Federal Government will be improved to energy efficient standards.

That's what we need to be doing, looking at efficiency, looking at renewable energy types of approaches. Because as the Chairman of the Federal Reserve said yesterday to the gentleman from California (Mr. BACA) when he asked the question, well, what do we need to do to improve our energy situation? The Chairman of the Federal Reserve said we have to be more efficient in the way we use our energy and we have to start with renewable energy sources.

But I agree with my friend from Illinois, it's a comprehensive approach. We need to have drilling in the 68 million acres that currently is under lease by the oil companies and is not being used. And we have the bill that comes up this afternoon, Mr. Speaker, called the DRILL Act, ''Drill Responsibly In Leased Lands,'' that will go forward this afternoon so that oil companies take advantage of all the acreage that they have. Sixty-eight million acres is the size of New England plus, I think, New Jersey added on. It's a huge piece of property both on land and in the Outer Continental Shelf. That land and that water is already available for drilling.

So part of it is drilling, in terms of what we have right now. And I would encourage all my friends on the Republican side of the aisle to support the DRILL Act this afternoon because what we want to make sure is that oil companies don't just hold the property, but they use it. So they use it or they lose the lease; and we get it on to somebody else who's willing to proceed with drilling. Because we know we need to have oil—that's really a transitional fuel for the next 10 years—but we need to then move to energy efficiency and renewable energy sources so we're not addicted to one commodity.

This country has to have other ways to power itself. And as the gentleman from Illinois remarked, tomorrow some of my friends from the Republican side of the aisle are going to discover Golden, Colorado. It's the finest place on this planet. That's my home, that's my neighborhood. And I would recommend that everybody come visit Golden, Colorado, but the reason they're coming is to visit the National Renewable Energy Laboratory, which is the finest laboratory for alternative energy and sustainable development in energy efficiency in the world. And at that laboratory we are working on those next generation of energy and fuels and the way to power this Nation in solar, in wind, in biofuels, in hydrogen, in geothermal, and all sorts of other things. And I congratulate my friends for coming over to visit the National Renewable Energy Lab, which they really have never supported much until now.

But I do see some unanimity coming among both sides of the aisle and a consensus coming among all of us that we have to really work on all phases of an energy plan, whether it's drilling, renewable energy, or energy efficiency.

Now, I've sort of boiled it down to three things, and I call it the three P's: Produce what we've got. We haven't talked about this second part, which is punish the people who are hoarding and gouging and speculating. And the third P is promoting energy efficiency and alternative energy. We can do that. And this country will be better off because it will be good for national security, it will be good for the climate, and it will be good for jobs. Thousands and thousands and thousands of ''green energy'' jobs will be available through promoting renewable energy and energy efficiency.

One of the things that my friend from Illinois just talked about, which is drilling in ANWR, which is a reserve, a refuge, that's 10 years off. And the greatest projections are that that's 3 months' worth of United States supply of oil. So we're going to wait 10 years to drill for 3 months' worth of supply.

Now, one of my friends who I just saw on the floor, the gentleman from Kentucky (Mr. YARMUTH), calculated that an average American family will spend $57,000 on fuel costs before the Republican plan to drill in ANWR would ever take effect. We've got to be working on other things before that. And the first one is to drill on the 68 million acres that are under lease and ready to go today. The second is to punish the people who continue to drive up the futures prices if, in fact, there is speculating or gouging going on. And the third is to promote alternative energy and energy efficiency.

But I support the bill that will come up before the House this morning, as does my friend from Illinois, and I would urge an ''aye'' vote.

With that, Mr. Speaker, I reserve the balance of my time.

Mr. ROSKAM. Mr. Speaker, may I inquire as to the amount of time remaining on both sides.

The SPEAKER pro tempore. The gentleman from Illinois has 17 minutes remaining. The gentleman from Colorado has 19½ minutes remaining.

GENERAL LEAVE

Mr. ROSKAM. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the motion to instruct conferees on S. 2062.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ROSKAM. Mr. Speaker, I yield myself such time as I may consume.

In response to the gentleman from Colorado, a slight word of caution. I think it was maybe an overstatement to say that the National Renewable Energy Lab didn't enjoy any support from this side of the aisle until now. I find that difficult to believe. I don't have any roll calls in my presence, but

my hunch is that a program that big and that expansive didn't just get that way because of support from one side of the aisle.

But be that as it may, I think there is an opportunity here, because the opportunity is a recognition of all Members of Congress that we are at a pivotal point as it relates to energy policy. And the pivotal point is one that should bring us together.

Regardless of what one's motivation is, there is a desire to have a long-term energy solution. And part of that has to be an increase in our supply, Mr. Speaker; part of it has to be an increase in renewables. It has to be pushing new technologies, as the gentleman from Colorado talked about, conservation and efficiency measures.

There is a whole host of bills that, unfortunately, the Speaker is not allowing to come to the floor. For the life of me I don't understand it when, at the beginning of her assuming the office of Speaker, she talked about really having a desire for a bipartisan solution to most problems. She was going to change the tone. Unfortunately, we just haven't seen that.

Let me go through a couple of these bills that are literally pending that are bottled up in committee that the majority party, and its leadership, I sense—and I don't want to speak for the rank-and-file, but I do know several rank-and-file members of the majority that are terribly frustrated right now and have a desire to have some bills voted on that are sensible and that the overwhelming majority of the American public says would be a good idea.

□ 1100

For example, H.R. 3089, the No More Excuses Energy Act of 2007. Here is what it does. It reduces the price of gasoline by opening new oil refineries. That's something we haven't talked about this afternoon or this morning. We've not had a new oil refinery put in place in the United States in 30 years. Investing in clean energy sources such as wind, nuclear and captured carbon dioxide and making available more homegrown energy through environmentally sensitive exploration of the Arctic Energy Slope and America's deep-sea energy reserves, that's one bill.

Why isn't that bill on the floor in an open rule with amendments and with the ability to have a conversation about it? Well, unfortunately, the New York Times today gives us part of the answer, and the answer is not really a pretty one.

According to today's New York Times, in a report, it says: ''Ms. Pelosi, who is now House Speaker, can prevent a vote on expanded drilling from reaching the floor.'' Further quoting: ''She and Senator Harry Reid of Nevada, the majority leader, appear intent on holding the line against calls to approve drilling in areas now off limits.'' Then further—and this is actually, I think, the darkest part of this report—''In a private meeting last week, according to some in attendance, Ms. Pelosi told members of her leadership team that a decision to relent on the drilling ban would amount to capitulation to Republicans in the White House and that she was having none of it.''

Is that what this has come down to? Is that what this has come down to? Depending on how you're calculating, 70-plus percent of the American public says, ''Give us more energy. Please, put these tools on the table.'' Then we have a meeting that this is about ''capitulation'' and not wanting to give someone a political advantage. Is that what this has come down to?

I can't even tell you, Mr. Speaker, how incredibly disappointing that is to me that someone would say that it is a matter of political pride that's going to keep an idea off the table. Why can't we have the bill on the floor that I just mentioned?

How about this, H.R. 2279, to Expand American Refining Capacity on Closed Military Installations. That is nothing but a good idea. We've got distressed military installations. They're not well utilized. Let's use them. It reduces the price of gasoline by streamlining the refinery application process and by requiring the President to open at least three closed military installations for the purpose of siting new and reliable American refineries. We have not had a new refinery for 30 years in this country, and this is our opportunity to change that dynamic.

There is H.R. 5656, to Repeal the Ban on Acquiring Alternative Fuels. It reduces the price of gasoline by allowing the Federal Government to procure advanced alternative fuels derived from diverse sources such as oil shale, tar sands and coal-to-liquid technology.

In my State and in your State, Mr. Speaker, in southern Illinois, there are more British Thermal Units of energy in the coalfields of southern Illinois, in those gigantic fields, than in the entire Saudi oil fields. Imagine that. There are more BTUs of energy, more energy in southern Illinois, than in all of the oil fields of Saudi Arabia. Yet it is largely untapped.

Why is it untapped? Well, it's untapped, in part, because it's high sulfur coal, and it's pretty nasty stuff to burn and to have emitted.

I have referred to this word ''orthodoxy.'' There has developed this thinking that has become so hidebound that, regardless of the facts that are around, it eventually says we don't even want to have a conversation about coal. We don't even want to contemplate coal because certain interest groups have told us that all coal is always bad all the time. Well, maybe not so.

Maybe this Congress should be part of the solution. This Congress could be part of the conversation that says no, no, no, that we're not going to listen to the bumper stickers. We're going to be policymakers, and we're going to unleash the potential to begin to transform a region.

Mr. Speaker, you and I represent Illinois. You know southern Illinois, and you know how challenged that area is. Can you imagine if in this country we began to unleash resources and, with that, the type of dynamic social and economic change that could come about in an incredibly challenged rural area? It begins to transform everything. As a State legislature, we struggled constantly with diverting State money to those areas, to diverting Medicaid money to those areas. Why? Because they were devastated from an economic point of view.

What do we have here? What is the opportunity here? The opportunity here is not only to create more energy but ultimately to transform regions to make them prosperous and to make them environmentally sensitive. Absolutely. It is to get them to the point where they're producing and where they're on their own two feet. We ought not to squander that opportunity.

There is H.R. 2208, the Coal Liquid Fuel Act, which reduces the price of gasoline by encouraging the use of clean coal-to-liquid technology, authorizing the Secretary of Energy to enter into loan agreements with coal-to-liquid projects that produce innovative transportation fuels.

These are all bills where there are discharged motions either pending or coming. A ''discharge motion'' is where 218 of us come together, where 218 of us come together and say: You know what? We're not going to be limited. We're not going to be limited to secret meetings where this is about capitulation and political agendas. We're not going to be limited to that. We're going to break free of that. Two hundred eighteen of us are all it takes for us to sign those discharge petitions. Whether one is a Republican or a Democrat, it doesn't matter. All that has to happen is that 218 Members go down to the well and sign their names. Then you know what? The bills are on the floor. Then we can talk about them, and we don't have to whisper about them in the corridors. We don't have to be held hostage to secret meetings where agendas are about—and this is the characterization—capitulation. I mean I can't even begin to tell you how disappointing that is.

There is H.R. 2493, the Fuel Mandate Reduction Act of 2007. It reduces the price of gasoline by removing fuel blend requirements and onerous government mandates if they contribute to unaffordable gas prices.

Mr. Speaker, our constituents are in crisis. They are crying out to us. They want us to lead. They want us to get over past grievances. They are tired of this place. Haven't we all seen the polls? Haven't we all seen the low view that they have of the United States Congress? Why? Because of meetings like this that characterize solutions as capitulations. We can do much better than that.

I reserve the balance of my time.

Mr. PERLMUTTER. Mr. Speaker, I yield myself as much time as I might consume for a couple of comments.

I want to respond to my friend from Illinois concerning the support of the National Renewable Energy Lab. We'll start with that one.

I would concur that there certainly has been some support, but the two things I would point out to my friend are one, last in 2007 was the first time, really, the budget had been increased to the National Renewable Energy Lab in years and years and years under a Democratic majority. My friends who are going to go visit the National Renewable Energy Lab all voted against that, number one.

Number two, in the prior Republican Congress, there were cuts to the National Renewable Energy Lab where, in fact, scientists and engineers were going to be laid off. They were, in fact, laid off until the President went out to visit the National Renewable Energy Lab, and the department scrambled and reinstated those engineers and scientists who were going to be laid off in the face of the need for coming up with other ways to power this Nation. So I know that my friend from Illinois and I are in agreement that we need to change the way we power this Nation, and there is a transition to get there.

Then we need to be efficient in the way we use our energy, and we need to come up with other ways so we're not beholden to just one commodity. When we're beholden to one commodity, oil, we're beholden to eight oil countries, many of which don't like the United States, and to five oil companies. We have to change that picture or we're always going to face this problem. It's time for us to learn from our past.

The other thing I'd like to say in response to my friend from Illinois is that he talked about secret meetings. Well, the secret meeting that we really need to be talking about is the secret meeting held by Vice President DICK CHENEY to create the energy policy that now has resulted in $4-a-gallon gasoline.

When the Bush administration took office, the price of oil per barrel was less than $30. Today, it's $150 or thereabouts. Maybe it has come down a little bit in the last few days, but is it any wonder that that happened with two oilmen running the White House? I don't think so.

With that, I'll yield 5 minutes, or such time as my friend may consume, to Congressman YARMUTH from Kentucky.

Mr. YARMUTH. I thank the gentleman from Colorado, and I appreciate his excellent work on this issue.

Mr. Speaker, the one thing that's encouraging about this debate is that we all agree in this Chamber that we need to do something about high gas prices. We need to do something to reduce our dependence on oil. We need to do something pretty quickly because the American people are hurting. The economy is feeling the impact of these prices, and immediate action is required.

Now, let's consider the two options that we have before us. We have the option that has been put forward by our colleagues on the other side of the aisle, which basically is to open up new areas of potential oil reserves for drilling, which everyone agrees is a solution that will not manifest itself until years down the road. The Bush Energy Department, itself, says no appreciable reduction in gas prices will occur from drilling in the Outer Continental Shelf or in the Arctic National Wildlife Refuge until 2030.

As attested by my colleague from Colorado, the average American family will spend $57,000 on gasoline before the Republican plan saves them a penny. That is hardly the kind of relief that the American people are looking for.

There was a very wise man once who said the significant problems we face today will never be solved by the same level of thinking that got us into those problems. That was Albert Einstein, a pretty smart guy, and that's what the Republican plan is. It's to do more of the same to solve the problems that we're now in. I think the American people are much smarter than to fall for that type of proposition.

On the other hand, the Democratic majority has a plan that can reduce oil prices virtually immediately. We call it Free America's Oil because we do have plenty of oil at our disposal to use to bring down prices immediately. That is only half the problem, though, because, as my colleague from Colorado mentioned, we've got a long-range proposition to deal with. We don't want to find ourselves year after year after year in the same dilemma in which we find ourselves now. We've got to look in a different direction. I'll return to that in a second, but let's talk about the immediate action we can take.

We have 700 million barrels of oil right now that the United States owns that are sitting in the Strategic Petroleum Reserve, 700 million barrels. When we invaded Iraq, we took that down to 600 million. When we had the Katrina disaster, we went to about 600 million barrels. We have far more oil in the Reserve than we will ever need for any eventuality. If we were to release just 10 percent of the oil in the Strategic Petroleum Reserve, 70 million barrels, into the market over the next few months, history has shown us that we can immediately impact the price of oil.

There are three times in the last 17 years that we've done it. The first was in 1991. The most recent was in 2005. Each time we did it, the price of oil dropped, in 2005 by 10 percent, in 1991 by a third. Wouldn't it be great to have oil down under $100 a barrel. Again, it seems hard to imagine that we're actually thinking that would be a desirable goal, but at $140, it would be very desirable.

□ 1115

We can do that if the President just uses his authority to release that oil. We own it. It's ours. We have paid for it. We can use it to benefit the American people and get action now.

Two other things we're proposing can bring relief in the relatively short term. First, we have 68 million acres onshore and offshore already under lease to oil companies. They can drill virtually immediately. They don't need to do exploration. They don't need to clear environmental hurdles as they would in these other areas they want to drill. They can drill tomorrow. We have a proposal. We call it ''use it or lose it.'' It's part of our ''free America's oil'' proposal that if we pressure the oil companies by threatening to take those leases away if they don't make a good-faith effort to produce on them, we can encourage them, again, to use the resources we already have to get oil onto the market, increase the supply and bring the price down.

Finally, we have in Alaska, west of the area that they want us to drill in, the wildlife refuge, 23 million acres that are already available for drilling. It's called, ironically enough, the National Petroleum Reserve area because there is petroleum there, estimates up to 10.6 billion barrels of oil, more than would ever be in the Arctic National Wildlife Refuge. We want them to drill there, not in a pristine area where we don't know how much oil exists. So again, we have options. We have oil on American soil. We have oil we own that we can use to bring prices down in the very short term. And we ought to be embracing that policy.

One other mention about the long-term effects. President Bush said the other day that the reason we need to open up all these other oil areas, potential oil areas, is because of the psychological effect, because if the oil speculators know that down the road there is this massive supply coming on, the price will drop. If that is what we are relying on, I say we have a much better chance to affect the psychology of the market if we change our emphasis from oil to alternative and renewable fuels, alternative sources of power. We know the technology is there. We just have to invest in it, develop it and refine it. But that is the kind of psychological effect, the knowledge among speculators not just that there will be more oil on the market 20 years from now, but we won't need any oil 20 years from now because we're going to go in another direction. The psychological effect of that will be compelling and will be devastating to oil prices.

So I say we have a plan both for short-term and long-term energy policy that does make sense, that is not the same old rhetoric and that is not the same level of thinking, as Einstein said, that we had that got us into this problem. And I think the American people know that this is the direction we need to go on. And I think that by responding today, by passing the DRILL Act, that we can take the first step towards energy independence and toward helping the American consumer deal with these incredibly high prices.

Mr. PERLMUTTER. Mr. Speaker, how much time does each side have?

The SPEAKER pro tempore. The gentleman from Colorado has 11 minutes. The gentleman from Illinois has 7½ minutes.

Mr. ROSKAM. Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. SESSIONS).

Mr. SESSIONS. Mr. Speaker, we have heard about this rise in oil prices that is related to this meeting. And I would like to yield to the gentleman from Colorado to tell us about this meeting that took place and why he can make the accusation that George Bush and DICK CHENEY as a result of this private meeting have raised oil prices. That meeting took place years ago. I would like to hear about this.

I would yield to the gentleman.

Mr. PERLMUTTER. I appreciate my friend from Texas yielding to me. If people knew what happened in this secret meeting, we might know today why oil is at $4.35 a gallon, why it has gone from under $30 a barrel to almost $150 a barrel. But the Vice President has refused to provide any information to the public or to the Congress about that meeting.

Mr. SESSIONS. Reclaiming my time, it is obvious that the gentleman made a statement saying gas prices have risen because of this private meeting. And now the gentleman has not only no clue what took place in the meeting, as I don't either, but now makes the leap of assumption that 8 years later that gasoline is going to rise in price.

The facts of the case are this. The facts of the case are that this Congress refuses to provide the energy companies, the oil companies, with what they need where they say the oil exists. And this Democrat Congress is refusing to help consumers. And since this Democrat Congress, this new Democratic Congress has taken over, prices have risen dramatically.

There is not some plan that exists. There is no secret plan. There is no plan because the plan that is happening is what the Democrat plan is. It's working exactly as the Democratic Party wanted. Prices are rising significantly. And that is their plan. What I think would be disingenuous is to say, oh, my gosh, we wish prices would go down. That is just disingenuous if you don't back it up with facts of the case of how that could be done.

To go to the emergency petroleum reserves would be a disaster. And it would be a disaster because that is there in an extreme national emergency. We've heard this morning, we can think of no reason why that would not be used. Well, there are people who can think of reasons. And it's called if a group of terrorists wiped out every tanker that was coming to the United States and our military did not have any energy or oil. That could be a good reason not to go to the Strategic Petroleum Reserve.

The fact of the matter is, Mr. Speaker, is the new Democrat majority does not intend to do anything to help the American consumer to get more oil supplies and thus reduce the price of gasoline.

The SPEAKER pro tempore. The time of the gentleman from Texas has expired.

Mr. ROSKAM. I yield the gentleman 2 additional minutes.

Mr. SESSIONS. The fact of the matter is that this entire body, on virtually every single piece of legislation, sees where the energy and oil issue comes up because the Republican Party is trying to get the new Democrat majority to change the rules that are hamstringing consumers all across this country.

And what we're trying to say, whether it be an appropriations bill up in Rules Committee or here today, is that the American consumers, the American people deserve and want this Congress to act. And all we hear are excuses. We hear about all this land that is available out there. There sure is. Oil companies don't want to drill dry holes. They want to drill where the oil is. And we are coming here to the floor, virtually every piece of legislation, every single committee in this House of Representatives is asking for the opportunity to be for the American consumer as opposed to some special interest group.

And what we're told is that we need to change the way we do business and we need to be more like Europe. Well, being more like Europe is not an answer for America. We're not just a country. We're the greatest nation on the face of this world. And we need the ability—and the American people are asking all over this country for the new Democrat majority to quit what they're doing and allow our free enterprise system and the oil companies to bring to bear those oil resources that we have. And arguing all day every day that they have all that land is not the right answer.

What is the right answer is we need to go offshore. And we need to be able to go to ANWR. The amount of the acreage is 19 million acres in ANWR. But all they need is 2,000 acres. They don't need the other 18½ million. They need that 2,000. It is one-ninth the size of DFW Airport, my airport that I land at every week. That is all we need. We will not rest our case.

Mr. PERLMUTTER. I yield myself such time as I might consume.

First, I would just like to say to my friend from Texas that with two of them in the White House and both Houses of the Congress in Republican hands up until 2006 when we started changing the direction of this nation, we saw that oil price going up and up and up and up. And it didn't change under them. If we always continue to drill and don't look at that as a transitional fuel and move to alternative energies, we're going to be in trouble. And we're going to have to learn this lesson over and over and over again.

With that, I will yield 4 minutes to my friend from Wisconsin.

Mr. KAGEN. Mr. Speaker, today's impossible prices for oil have finally forced America to ask the essential question: ''Where's the plan?'' We're in a situation where every business, every homeowner, every retiree, every local and State government and every United States citizen is being forced to live under crisis management which is a recipe for failure.

To become an energy-independent nation, the first step we must take together is to develop a plan, but not behind closed doors, but to do it right here in the open. So let's stop pointing fingers and start holding hands. Let's join hands. Let's begin to think together because we're really all in this together.

And let's agree. Let's begin by agreeing that a successful energy plan must begin to include three essential elements. First, drill for new oil right here in America with any such oil obtained from within our territorial waters or national boundaries being sold to American citizens first. And the Oil for America Act will do just that. Secondly, we must invest in every form of renewable energy available and provide the tax incentives for wind, for solar, geothermal, biomass, cellulosic and every form of clean, home-grown energy. We have to provide those incentives so private industry will take charge and take the lead. And third, we must act to prevent any price manipulation anywhere in the world in our oil marketplace.

Now we have already passed legislation. We passed H.R. 6377. This was to direct the CFTC to do immediate oversight to prevent manipulation. We passed a farm bill that moves us towards energy independence, towards home-grown ethanol and energy. But we can't grow our way out of this problem. We also closed the Enron loophole, guaranteeing that the marketplace will work more effectively.

Drill for new oil in America, invest in renewable forms of energy and prevent energy price manipulation. But our economy is still dependent on fossil fuels today and foreign sources of energy, unfortunately. But oil is still one of our most precious assets. So let's make certain that the more than 140 billion barrels of oil that are underneath America go to Americans first.

Now you have a choice here. We have to work together. Under your approach, we will have a solution 10 years from now. Under our approach, we will have a solution in 10 days, because the SPR, Strategic Petroleum Reserve, was opened up several times in the past. In 1991 there was a 33 percent decline in the price of oil almost immediately. In 2000, it went down nearly 19 percent. The oil price went down 9 percent in 2005. We can bring about rapid short-term relief even as we plan for the future. But we cannot solve this problem by drilling alone. We cannot solve it by growing corn alone. We have to work together. We have to drill for new oil, invest in renewable sources of energy

and prevent any marketplace speculation.

The SPEAKER pro tempore. The gentleman from Illinois has 2½ minutes remaining and the right to close.

Mr. ROSKAM. I have no other speaker seeking recognition. I will reserve the balance of my time and have the right to close.

Mr. PERLMUTTER. I yield 2 minutes to my friend from Oregon (Mr. DEFAZIO).

Mr. DEFAZIO. I thank the gentleman for yielding.

I had to come to the floor when I heard the gentleman from Texas and he talked about the Democrats' plan is working. No, actually, we're living under the Republican energy plan. Remember that in 2001 DICK CHENEY had secret meetings with all the executives in the oil industry and other energy producers. And in 2005—the gentleman has a short memory—the Republicans, after 4 years, passed an all-Republican energy policy written by DICK CHENEY, passed by the Republican House and the Republican Senate and signed by George Bush.

And it is working exactly as some of us predicted. We said it would make us more dependent on Saudi oil. It did. Fifty-two percent imports when George Bush took office, 58 percent of our oil is imported today. We said it would raise the price. It did. When George Bush took office, gas was a $1.47 a gallon. Today it is $4.39 a gallon in my district.

But it raised one other thing that is vitally important to the Republican Party. Their friends in the oil industry have made a pile of money since George Bush took office. Five hundred eleven billion with a ''B'' dollars profit for the oil industry since George Bush took office. So, yes, this is intentional. And yes, it was designed, signed, sealed and delivered by the Republican Party when they controlled all of Washington, D.C. We are living under their energy policy.

We are trying to set a new, sustainable energy future for this country. And in the interim, yes, we want to develop domestic resources with the DRILL Act to help us with that transition. But we want to break the dependence. You don't. You made it worse.

□ 1130

Mr. PERLMUTTER. Mr. Speaker, I yield 3 minutes to the gentleman from Vermont (Mr. WELCH).

Mr. WELCH of Vermont. Mr. Speaker, I thank the gentleman for yielding.

I would like to refer people to the photograph that was just on display when the gentleman from Oregon was speaking. It showed the President of the United States hand in hand with King Abdullah as they were about to go into a meeting to discuss oil. And the President of the United States had a mission, and it was to ask the leader of another country, not particularly a friendly country to us, to solve our problem by increasing production of oil in Saudi Arabia in order to get us out of the jamb we are in here in America.

The question that we face in this country is whether or not we are going to address in the manner of a confident country, of an ingenious country, of a country willing to take on its own problems, the challenge of changing our energy future.

The President's approach, as was described by Mr. DEFAZIO from Oregon, is to drill yesterday, to drill today, to drill tomorrow, and to drill forever. And the news is in. Oil is not in infinite supply. And if we need any better authority about the limitations of oil, think about Mr. T. Boone Pickens who made a very successful career as a Texas oilman, and he points out the obvious: if you have 87 million barrels of oil consumed today, you have production at 86 million, the proven reserves are limited, the capacity to actually get more out of the ground is somewhat limited, it can be expanded but not at infinite levels, it is time to begin yesterday to plan an alternative energy strategy.

Mr. Speaker, a self-confident country does not put its head in the sand and ignore the problems that it faces; it challenges them. It accepts the burden of responsibility. It has the confidence that we have the people, the talent, and the political will to make that transition to an alternative energy economy.

The American people have that figured out. They know if we are going to create jobs and strengthen our economy, we have to know that green jobs are good jobs and that taking on the challenge of filling up the gas tank in a way that uses alternative energy and creates jobs is the pathway to the future.

So this debate is really a fork in the road. It is between two very clear choices. The oilmen in the White House, Mr. Bush and Mr. CHENEY, believe that the fuel of the future is oil. They think that we can drill our way out of the situation we are in. Americans, I believe, have come to the conclusion that is wrong and will fail and that the pathway to the future is alternative energy.

Mr. PERLMUTTER. Mr. Speaker, I think we need to return the Chamber to what this bill is, which is Native American housing and the motion to instruct conferees, which we are all in agreement upon, and I would urge an ''aye'' vote on the motion to instruct.

We have gotten into a great debate over energy. And as I said earlier, the gentleman from Illinois and I and a number of people that sit on the Committee on Financial Services have worked on a bill which we call the GREEN Act. It is Green Renewable Energy Efficiency Neighborhoods. The purpose of that bill, similar to the motion to instruct with respect to Native American housing, is to provide energy efficiency incentives and renewable energy incentives with respect to housing across America. It creates a green mortgage market so there is a market to buy mortgages of homes that are energy efficient or have renewable energy features. It also helps to upgrade 50,000 of the 3 million units that the Housing and Urban Development either own or underwrite so that people in low to moderate-income housing have energy-efficient homes and lower utility rates.

One of the things that we and the gentleman from Illinois were talking about at the outset of this bill, was about trying to reduce utility costs in Native American housing, and that goes across the board for all low to moderate-income homeowners.

It has a number of other things involving residential energy development grants, as well as utilizing the services of the banks in particular areas, low-income housing areas to add energy efficient and renewable energy features to homes in various areas in cities and towns across the country.

I urge an ''aye'' vote on the motion to instruct. I look forward to this bill going forward, and I look forward to having this conversation on the GREEN Act with my friend from Illinois in a couple of weeks when that bill comes for markup.

Mr. Speaker, I yield back the balance of my time.

Mr. ROSKAM. Mr. Speaker, I yield myself the balance of my time.

I want to join everybody that has joined in this debate today. It has been robust and transparent. But I think there have been some false choices placed out here, and I want to clear that up.

I think I am speaking for a majority on this side of the aisle that says, Let's do it all. Let's have an all-of-the-above approach.

Our side has not come to the conclusion that simply enhanced production is going to get out us of this because it is not going to. But enhanced production has got to be part of the solution. So you would find a great deal of support, Mr. Speaker, for conservation efforts on this side of the aisle, at least from this Member, for increased efficiency efforts, and for renewable efforts. But all of those things by themselves don't do American consumers any good really in the short run.

Even the call by the Speaker of the House to release part of the strategic oil reserves, that only amounts to, one suggestion is selling 75 million barrels out of the strategic oil reserve, about 10 percent of the reserve, so about a 3-day supply of oil. That doesn't do much for anybody. So let's not fall into that trap; although it is an admonition on the Speaker's part, ironically, that supply does affect price.

But here is the real point. The other side of the aisle has controlled 30 minutes this morning, and did you notice something? Did you notice that there was no answer to what the Chairman of the Federal Reserve said yesterday? The Chairman of the Federal Reserve—and this is now the fourth or fifth time that I have put this out on the House

floor today—said simply by increasing production by 1 percent, Mr. Speaker, that has an impact of dropping the price by 10 percent.

We have heard some of the best and the brightest, absolutely the A team, some of the folks who came through in the 2006 election, we have heard from the best and the brightest, and yet no answer. They didn't even pick it up. This is not some fact that I trotted out 2 minutes ago, this is a fact that I put out two or three or four times, and yet the silence on the other side of the aisle has been absolutely deafening. Why, because it doesn't fit into the orthodoxy that has absolutely bound this leadership and has taken this debate from what should be a national security debate, what should be a transition time in our public life, what should bring us all together, Mr. Speaker, and has devolved into simple pettiness and capitulation. We can do better. We know what we need to do.

I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to instruct.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to instruct.

The motion to instruct was agreed to.

A motion to reconsider was laid on the table.

APPOINTMENT OF CONFEREES

The SPEAKER pro tempore. Without objection, the Chair appoints the following conferees: Mr. FRANK of Massachusetts, Ms. WATERS, Messrs. WATT, AL GREEN of Texas, CLEAVER, BACHUS, Mrs. CAPITO, and Mr. PEARCE.

There was no objection.

PROVIDING FOR CONSIDERATION OF H.R. 6515, DRILL RESPONSIBLY IN LEASED LANDS ACT OF 2008

Mr. WELCH of Vermont. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1350 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 1350

Resolved, That it shall be in order at any time on the legislative day of Thursday, July 17, 2008, for the Speaker to entertain motions that the House suspend the rules relating to a measure concerning the domestic production of oil and natural gas.

The SPEAKER pro tempore. The gentleman from Vermont is recognized for 1 hour.

Mr. WELCH of Vermont. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Texas (Mr. SESSIONS). All time yielded during consideration of the rule is for debate only.

GENERAL LEAVE

Mr. WELCH of Vermont. I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and to insert extraneous material into the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Vermont?

There was no objection.

Mr. WELCH of Vermont. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, House Res. 1350 provides that it shall be in order on the legislative day of Thursday, July 17, 2008, for the Speaker to entertain motions to suspend the rules relating to a measure concerning the domestic production of oil and natural gas.

The energy crisis that we face is real. It requires immediate attention and short and long-term action. As a Nation, we have in our reserves less than 2 percent of the proven oil and gas reserves in the world. But with 4 percent of the population, we consume nearly 25 percent of the world's oil. That's not sustainable over the long term.

We must take this opportunity now to provide relief immediately to people paying over $4 at the pump, $5 for home heating oil, and we need a commitment to a new energy future focused on creating clear and clean domestic alternatives.

Under suspension of the House rules, this body will take up later the Drill Responsibly in Leased Lands bill. The bill promotes the responsible domestic production of oil and natural gas on the 20 million acres that make up the National Petroleum Reserve in Alaska. That would provide an estimated 10.4 billion barrels of oil, a higher estimate than the consensus estimate of oil that is available in ANWR.

The DRILL Act, as it is called, will increase oil production and do it sooner than other alternative proposals. It will facilitate also the construction of existing pipelines within 5 miles of where they already are located. So its environmental footprint will be minimal, and engineering challenges also minimal. This will help move oil and natural gas to the market.

I urge my colleagues to join me in supporting this important piece of legislation.

I reserve the balance of my time.

Mr. SESSIONS. Mr. Speaker, I want to thank the gentleman for yielding me the customary 30 minutes and I yield myself such time as I may consume.

Mr. Speaker, I rise in strong opposition to this rule which is a cynical attempt to provide political cover for Members of this body who have chosen to elevate partisanship and politics above American consumers and our economy.

Today, both everyday consumers and our national economy are suffering. Mr. Speaker, we are suffering because of this Democrat majority's mind-boggling unwillingness to increase the supply of domestically produced oil to reduce prices at the pump. That's why we are suffering. We are suffering because the policy here in this body in Washington, D.C., and you can read about it in articles in virtually every single paper across the country, and that is the leadership of this House of Representatives does not want to get the right thing done so consumers can have more energy and oil at the pump.

For weeks now, Republicans have been unified in a commonsense and comprehensive approach to bringing down the price of gasoline for consumers, only to have every single one of those plans and votes on the floor of this House of Representatives ignored by the Democrat majority in favor of an agenda that prioritizes legislation like naming historical trails and gaming the Wild and Scenic Rivers Act to prevent the development of increased energy production in New England alone.

□ 1145

They are going out of their way to make sure that commonsense legislation that will help the free market and the energy companies, who should be our friends, to provide what consumers need and to produce a better economy.

These priorities completely ignore the wishes of the American people and will do absolutely nothing to bring relief to millions of Americans who are really suffering as a result of high energy prices. I think that if the American people knew that the plan, or part of the plan, was to sue OPEC, they would laugh just like Members of this body have done.

Rather than taking this opportunity to work in a constructive, bipartisan way, to address these domestic energy supply issues that have led to sky-high energy prices for consumers, today we are being asked outside of regular order, and with no opportunity for Members to offer their own good ideas to bring down the price of gasoline, to spend a whopping 40 minutes debating a fig-leaf legislation that wasn't even released to Republicans until late last night.

Republicans have already put forth a number of smart, innovative ideas to bring down gas prices like H.R. 3089, the No More Excuses Energy Act of 2007, which would reduce the price of oil by opening new American refineries, investing in clean energy sources such as wind, nuclear, and captured carbon dioxide, and making available more American energy through environmentally sensitive exploration of the Arctic energy slope and America's deep sea reserves.

But, of course, we know we can't get close to that. We also have H.R. 2279, the Expand American Refining Capacity on Closed Military Installations Act, which would reduce the price of oil by streamlining the refinery application process and by requiring the President to open at least three closed military installations for the purpose of setting new and reliable American refineries in place.

H.R. 5656, which would reduce the price of oil by allowing the entire Federal Government, not just the Department of Defense, NASA and our intelligence community, to procure advanced alternative fuels derived from diverse sources such as oil shale, tar sands and coal-to-liquid technology.

H.R. 2208, the Coal-to-Liquid Fuel Act, which would reduce the price of oil by encouraging the use of clean coal-to-liquid technology by authorizing the Secretary of Energy to engage and enter into loan agreements with coal-to-liquid projects that produce innovative transportation and fuel; and, H.R. 2493, the Fuel Mandate Reduction Act, which would reduce the price of oil by removing fuel-blend requirements and onerous government mandates that contribute to unaffordable gasoline. In other words, red tape.

Speaker PELOSI and the Democratic leadership have the ability to bring each and every one of these already developed commonsense solutions up for a vote at any time, but they have chosen to ignore the American public in favor of a radical environmentalist agenda, and each one of these bills is also the subject of a discharge petition that would force their consideration. Every single Member of this body, even though they may agree or disagree with Speaker PELOSI on whatever her agenda might be, can take a commonsense approach and come down and sign a discharge petition that would bring this legislation to the floor of the House of Representatives.

I encourage every single Member of this body who agrees that this country needs to increase its supply of safe and reliable American energy to force this Democrat leadership to finally act by joining me in signing each and every one of these.

It's simple, by the way, for the new Members, as you hear this, all you have to do is walk down to the very front, sign these discharge petitions, and we could, this afternoon, be debating and voting on commonsense ideas to bring down the price of gasoline.

Instead, this Democrat majority, led by Speaker NANCY PELOSI, has chosen to bring up redundant legislation that has been overtaken by events before it can even be considered. The Bush administration has already announced that a new round of leases will be held for the National Petroleum Reserve, making today's restatement of current policy as useless as the restatement of the current ''use it or lose it,'' or, said another way, making energy companies drill dry holes. So, what we need is commonsense activities that would bring commonsense prices down for the American public.

Perhaps the most galling of all is the inclusion of section 5 of today's legislation, which forces cumbersome requirements and restrictions on the construction of any new pipeline from Alaska to the rest of the United States simply on behalf of big labor bosses. While the inclusion of this requirement is no surprise coming from the Democrat majority that wants to take away a worker's right to a private ballot so that big labor bosses can more easily manipulate the outcomes, it is disappointing that this Democrat majority would blatantly include this requirement at a time when we can see that it should be addressed to make life easier for bringing down the cost of gasoline for all Americans.

Today's bill is being brought forth by the Democrat leadership in a weak attempt and effort that does nothing more than restate current law and restate existing requirements that oil production on lands be developed while adding new restrictions to pipeline construction for the benefit of big labor bosses. I challenge anyone on either side of this aisle to produce a study other than the partisan and logically challenged report developed by the Democrat staff of the Natural Resources Committee that reapplying the so-called ''use it or lose it'' provision to the National Petroleum Reserve will create even one additional barrel of oil. This is a supply-side problem. This is a problem that the new Democrat majority has made happen, and this is a problem that the American people are asking each of us to solve.

So, the Republican Party is here on the floor of the House of Representatives on behalf of the American people asking all the Members of this body to please understand what we are doing. I think it's a cynical rule that we are debating now, as well as the underlying legislation. We need real legislation. We need to put the American people first. We are not just some country, we are America, and we can win.

Mr. Speaker, we reserve the balance of our time.

Mr. WELCH. Mr. Speaker, I yield myself such time as I may consume to make a brief remark.

The number of bills that were referred to by my friend from Texas, none of those, not a single one of those bills, will get supply out of the ground and into the gas tank in the foreseeable future. The legislation that we are going to be considering today is about getting supply as quickly as possible by taking advantage of something that's available and ready to be leased next to a pipeline.

Mr. Speaker, I would yield 3 minutes to my colleague the gentleman from New Hampshire (Mr. HODES).

Mr. HODES. I thank my distinguished colleague from Vermont (Mr. WELCH) for yielding.

Mr. Speaker, I am not shocked but disappointed to hear the callous and cynical suggestions from my colleagues on the other side of the aisle that Democrats are responsible for the inflation in gas prices that so many Americans are suffering from today, that somehow, in the past 2 years, it is the Democratic energy policy that has caused the inflation in the price of oil and gas. Let us remember that we have two oilmen in the White House and $4 a gallon gas today. Let us remember that we have an energy policy that was made in secret by the Vice President, by the oil companies, for the oil companies and of the oil companies and, today, we are reaping the benefits of that secret energy policy on which we have been stonewalled time and time again.

We have 68 million acres of land available on and offshore, on which the oil companies could drill. We have the National Petroleum Reserve in Alaska on which the oil companies can drill. Eighty-one percent of all known oil reserves are available to drill on right now. The estimates are that there is a 14-year supply just waiting for Big Oil to put metal to the ground, put metal to the ground and drill.

That's why I rise in support of this bill. All the oil companies have to do is to start drilling on available land, and they could help increase supply and help consumers. Calls from the White House and their allies on the other side of the aisle who somehow claim that we should open ANWR and offshore areas to drilling, which in 20 to 30 years might start producing, are cynical attempts to deflect us from the real challenges that Americans face today and that we face as a Nation in going forward to a new energy policy.

It's estimated that the average American would spend about $57,800 before the first drop of oil could be produced from ANWR. So what's the point to deflect us from the pain that Americans are feeling now to try to point fingers and to set us aside from changing our energy policy?

What part of ''drill now'' don't the oil companies understand? What part of ''drill now'' don't my colleagues understand? No one is stopping the oil companies from drilling. It's time to drill now, help the American people with gas prices, heating oil costs.

This bill says ''drill now.''

Mr. SESSIONS. Mr. Speaker, I think it's interesting, he says ''drill now,'' but we can't drill where the oil is. ANWR is 19 million acres. We need less acreage than is the size of one-ninth of Dallas-Ft. Worth International Airport. We don't need the 19 million acres. We need one-ninth the size of DFW International Airport, or only 2,000 acres.

Oil companies would go drill in all these places, except they are dry holes. They want to drill where the oil is, and that's where the Republicans want to give them that opportunity.

Mr. Speaker, how much time is left on both sides?

The SPEAKER pro tempore. The gentleman from Texas has 20 minutes remaining. The gentleman from Vermont has 24 minutes remaining.

Mr. SESSIONS. Mr. Speaker, at this time I would like to yield for such time as he may consume to the gentleman from California from the Rules Committee, our ranking member, Mr. DREIER.

(Mr. DREIER asked and was given permission to revise and extend his remarks.)

Mr. DREIER. I thank my friend from Big D for yielding me time and for accurately pointing out the size that we are looking at exploring in an environmentally sound way in Alaska is the size of the Dallas-Ft. Worth International Airport. I have often said the Dulles International Airport. It's a pretty small area, and I think we need to do that.

I just don't get it. I have enjoyed listening to a load of our newly elected friends from the other side of the aisle over the past hour and a half as we have debated the motion to instruct conferees come to the floor and talk about the need for us to increase exploration. Obviously these newly elected Members have been hearing from their constituents just like virtually everyone has.

I appreciate the fact that they have had their ear to the ground, and they have heard the hue and cry from the American people that we need to do everything we can to address this problem.

The thing is, this bill, as was correctly stated by my friend from Dallas, is nothing but a reaffirmation of current law, and it is called the DRILL Act. The thing that is very perplexing about this is that we are trying to have an all-of-the-above solution, which does include drilling in an environmentally sound way, and yet this bill, which was introduced late last night, just provided to members in the minority again very, very late last night, was cobbled together. We had a Rules Committee meeting yesterday, and no one knew what it was.

We offered, at that juncture, a bipartisan, and I stress a bipartisan, package of legislation which has been introduced, considered. A number of those measures are right here in the well with discharge petitions, and these measures are provided, having gone through an airing by Members of this body, and, yet, we are not given a chance to do that, to have a vote on it.

Now, again, this is called the DRILL Act, but fact of the matter is, the structure around which we are considering this measure should be we are afraid to vote on the potential for drilling act, is really what it is.

□ 1200

Why?

Because we know full well that this procedure, known as suspension of the rules, is really building on what is taking place in our House Appropriations Committee right now and virtually every other committee in this Congress; and that is, we are afraid to have any kind of debate, discussion or debate or vote on the issue of drilling.

Now, I am one who believes, as our colleagues on both sides of the aisle have said, that we need to pursue alternative energy sources, renewable energy, we need to do everything we can to encourage conservation, and we have a lot of very interesting proposals out there to do that.

But I think common sense says that, for the next few decades, even though we need to do everything we can to wean ourselves off of our reliance on fossil fuels, we have no choice. And so that is why, when I listen to my colleagues say that we should pursue the petroleum reserve and get 10 billion barrels, why don't we also look at ANWR to go for 10 billion barrels?

Again, I believe that the American people want us to come together to address this. As we listen to the horror stories of what has happened, one of the most telling came to me from a grandparent who said that, in one of our town hall meetings, they can't afford to pay for the gasoline to drive to visit their grandchildren from the San Gabriel Valley of California down to Long Beach. And the notion that this dramatic increase in gasoline prices is literally dividing families is something that I think we, as Democrats and Republicans, should come together to address.

Now, as we listen to our need to expand drilling and to encourage big oil to do that, I think we need to look at the fact that, for at least a decade and a half plus, we have been trying to encourage things like exploration in ANWR. And what has happened? Well, in the other body we had members of the Democratic Party filibuster this measure.

I also have to say that in 1995, 13 years ago, we all know that we were able to get through both Houses of Congress, through both Houses of Congress, a measure that would allow us to, in an environmentally sound way, explore that tiny area in Alaska. And what has happened as a by-product of that? Well, unfortunately, then-President Clinton chose to veto that measure.

USA Today, which is hardly a Republican publication, had an editorial just a few weeks ago in which they said that if that measure had been signed, rather than vetoed by President Clinton, we wouldn't be standing here having this discussion that we are now.

And so that is why we have come forward, and Mr. SESSIONS is going to move to defeat the previous question so that we will have an opportunity to make in order legislation like the very thoughtful proposal from our Democratic colleague, Mr. BOUCHER, the gentleman from Virginia, who has, as a hardworking member of the Energy and Commerce Committee, come up with a way in which we could proceed on this. A lot of thought has gone into this, a lot of work. And this was introduced a while back.

There are five other bills, along with Mr. BOUCHER's, that have been introduced. And all we are saying is, why don't we have a debate on those and have an up-or-down vote, so that we can, again, pursue what we describe as our all-of-the-above solution to what is obviously a very serious problem that is having a ripple effect across our entire economy, and, in fact, as we all know, across the global economy.

And so, Mr. Speaker, I urge my colleagues to vote ''no'' on this rule so that we can come forward with a measure that will allow us to do what it is the American people want us to do; work together, Democrats and Republicans alike, for a solution to this very, very pressing problem.

Mr. WELCH of Vermont. Mr. Speaker, I yield 3 minutes to the gentlewoman from Ohio, my colleague on the Rules Committee, Congresswoman SUTTON.

Ms. SUTTON. I thank the gentleman for the time and for his leadership on this extraordinarily important issue.

Mr. Speaker, I rise in strong support of the DRILL Act, a real solution for the hardships facing our families and a real answer to the mistruths being spread to the American people.

The truth is that there are millions upon millions of onshore and offshore acres available for drilling, but the oil companies are only using a fraction of them.

The truth is that the National Petroleum Reserve in Alaska, also known as the NPR, is home to 20 million acres that could produce 10.6 billion barrels of oil. This area, Mr. Speaker, has been set aside for oil and gas exploration since the 1920s, but not a single oil company is producing there.

Mr. Speaker, the cry by those on the other side of the aisle and Big Oil, that the problem is that the oil companies don't have access to drill, is false. And it is an effort to deflect the American people from holding the two oilmen in the White House accountable, as well as their friends, for an energy policy that has given Big Oil record profits, and the American people $4 a gallon gas.

Mr. Speaker, the American people deserve to know why we need to open up ANWR when we have this huge, untapped resource right next to the existing oil infrastructure in Alaska known as the NPR.

The DRILL Act will accelerate the development of the NPR by requiring the Bureau of Land Management to offer annual lease sales of the land.

Our bill also calls for the President to facilitate the completion of oil pipelines into the NPR, and to speed construction of a natural gas pipeline to the Continental United States to move the product to the market. When this natural gas pipeline gets built, NPR will be even more important, as it holds over 60 trillion cubic feet of gas, nearly 16 times what ANWR holds.

And Mr. Speaker, the DRILL Act also incorporates important use it or lose it legislation which requires oil producers to drill on the leases they already have before asking us for new ones.

Again, the truth is that Big Oil holds leases on 68 million acres in the U.S. that they could drill on but they are not doing so.

And lastly, this bill also reinstitutes the ban on the export of Alaskan oil so that American oil is used right here at

home in the United States. Can you imagine, at this time of crisis, the same oil companies who are telling the American people that they want to be part of the solution, are sending the oil that they are drilling to other parts of the world, when we need that oil right here.

Mr. Speaker, the DRILL Act is a solution to the energy costs that our constituents are facing today.

The SPEAKER pro tempore (Mr. BLUMENAUER). The time of the gentlewoman from Ohio has expired.

Mr. WELCH of Vermont. I yield the gentlewoman an additional 30 seconds.

Ms. SUTTON. Let me also remind my colleagues that we have also passed landmark energy legislation, price gouging prevention legislation, legislation to take action against OPEC, and legislation to crack down on manipulation and speculation activities that have been driving up the oil prices.

Mr. Speaker, this is an important bill. It offers immediate relief. It is part of the solution, and I urge its passage.

Mr. SESSIONS. Mr. Speaker, at this time I would like to yield 3 minutes to the favorite son of the Volunteer State, Mr. DUNCAN.

Mr. DUNCAN. Mr. Speaker, I rise to join my friend and colleague, the gentleman from Texas (Mr. SESSIONS), in his opposition to this rule. Mr. Speaker, let me read just one thing to you. Charles Krauthammer is one of our most respected syndicated columnists and television commentators. A little over 3 weeks ago he wrote this: ''Gas is $4 a gallon. Oil is $135 a barrel and rising. We import two-thirds of our oil, sending hundreds of billions of dollars to the likes of Russia, Venezuela and Saudi Arabia, and yet we voluntarily prohibit ourselves from even exploring huge resources, huge domestic reserves of petroleum and natural gas. At a time when U.S. crude oil production has fallen 40 percent in the past 25 years, 75 billion barrels of oil have been declared off limits according to the U.S. Energy Information Administration.''

Still quoting Mr. Krauthammer: ''That would be enough to replace every barrel of non-North American imports for 22 years. That is nearly a quarter century of energy independence.''

Mr. Krauthammer ended by saying: ''The situation is absurd.'' Robert Samuelson, a couple of months ago in The Washington Post, and he is another syndicated columnist, but not a conservative or a Republican by any stretch of the imagination. He wrote this. He said, ''The truth is that we are almost powerless to influence today's prices. We are because we didn't take sensible actions 10 or 20 years ago. If we persist, we will be even worse off in a decade or two.''

The first thing to do, Mr. Samuelson said: ''Start drilling.''

And George Will pointed out in a recent column that when we were able to pass drilling in ANWR, 12½ years ago, President Clinton vetoed it. If he hadn't vetoed it, that would have been 27 million barrels of oil, 20 million barrels of gasoline and 7 million barrels of diesel fuel coming down to this country, coming down here every day, and would have had a great, great effect on this problem. And we are certainly in a problem.

A couple of months ago we heard in the Highways and Transit Subcommittee that 935 trucking companies had gone out of business in the first quarter of this year. And that survey only counted trucking companies with five trucks or more.

A couple of weeks ago, in the Aviation Subcommittee we heard that eight airlines had gone out of business in the last year and a half. And this is a needless crisis.

The Minerals Management Service estimates that the quantity of undiscovered, technically recoverable resources ranges from 66 to 115 billion barrels of oil.

One of our leaders has described this DRILL Act as a hoax of a bill, and it is a hoax because it still leaves 85 percent, or 611 million acres of our Outer Continental Shelf off limits for oil production.

The SPEAKER pro tempore. The time of the gentleman from Tennessee has expired.

Mr. SESSIONS. I yield the gentleman an additional 30 seconds.

Mr. DUNCAN. Mr. Speaker, let me close just simply by saying this. I have noticed over the years that almost all of these environmental radicals come from very wealthy or very upper income families, and perhaps they can afford 5 or $6 a gallon gasoline. But many hardworking and average Americans cannot afford this. We are sending this country into a needless economic crisis.

We need to start drilling in an environmentally safe way where there is oil, as the gentleman from Texas has pointed out, and not pass a hoax of a bill such as this.

Mr. WELCH of Vermont. Mr. Speaker, I yield 3 minutes to the gentleman from Colorado (Mr. PERLMUTTER).

Mr. PERLMUTTER. Mr. Speaker, Today we are going to take up the DRILL Act; Drill Responsibly In Leased Lands. We recognize, on the Democratic side of the aisle, that part of our energy portfolio is oil and gas. We have 68 million acres that the oil and gas companies have under lease today that they could drill that they are not drilling. That is 14 years worth of supply to the United States.

But what we have, instead, is we have an addiction to foreign oil. And we have a picture here of the President and the King of Saudi Arabia.

We have to break that addiction. So we need to drill here in the United States. And under this particular bill, we require the oil companies to either use it or lose it. Drill on those 68 million acres. 68 million acres is the size of New England. Drilling locations, all across the United States and in the Outer Continental Shelf. Use it or lose it.

We cannot be tied to foreign oil forever. We have learned that lesson. It is time we have to have domestic drilling, and that is what the DRILL Act is. And even more so, it is time to switch to energy efficiency and renewable energy sources. If we are addicted to one commodity, we are going to be in trouble because we depend upon 8 oil countries and 5 oil companies and we are in real trouble.

Now, there is 68 million acres here is depicted. You can see, the size of New England, twice the size of Pennsylvania, bigger than Colorado. Huge amount of property.

Now, one of the things that we have done is there is another 23 million acres available in Alaska to drill, where there is a pipeline nearby.

□ 1215

The oil companies can drill there. Further, we can release some of the amount of oil we have in our Strategic Petroleum Reserve. And we have a chart here that shows that when we took oil from the Strategic Petroleum Reserve in 1991, there was a 33 percent drop in the price of oil immediately; 2000, 18 percent, 2005, 9 percent That's what we're asking the President to do.

We need immediate relief, and then we have to switch and get off the addiction to oil by pursuing renewable energy and energy efficiency.

Mr. SESSIONS. Mr. Speaker, it seems like the Democrat Party has an argument with themselves on this one. They're arguing with themselves.

Mr. Speaker, at this time I would like to yield 3 minutes to the distinguished second baseman from the Republican championship baseball team, the gentleman from Georgia (Mr. KINGSTON).

Mr. KINGSTON. I certainly thank the third base coach for yielding the time.

I do think that there is a healthy thing that's going on here, and that is the Democrats are beginning to hear from their constituents that we've got to do something about foreign oil, and we've got to use our American resources. I think that's good.

I think this bill will probably pass. I don't actually know why we're debating it. It's pretty much a restatement of current law. I heard one Democrat say it's a ''drill now'' bill. You know, that's what they are doing right now. They're exploring these leases. These leases are very expensive. They don't buy them to sit on them and for the U.S. Congress to think. This is really ridiculous that they're sitting on land where there are great reserves of oil, but for some reason, they're not drilling there.

Come on, guys. This is a capitalist system. These companies are money hungry. They run after profit. If there were oil in these places, certainly they

would be working on it. If you want to give them a nudge, I'm all for it.

I plan to support the bill. I think it ought to be voice voted out on suspension. It's no big deal. It's a rhetoric bill. It's not a realistic bill.

What we do know is that 65 percent of our land resources are tied up and off-limits. We do know that, for example, the Arctic National Wildlife Reserve is the size of South Carolina in a State twice as big as Texas. And in this massive amount of land the size of South Carolina, there is a tundra area of about 2,000 acres which we believe would increase our domestic American oil supply 10 percent. It was vetoed by Democrat liberal President Bill Clinton 10 years ago. If it hadn't been vetoed by the Democrat liberal, special-interest President, we would have that oil today. It's too bad.

And then we hear so often from the Democrats, well, you know, if you open up ANWR and all of these places, it will be 10 years before we get the oil. Well, where are these electric cars? Where are these battery-operated cars? I mean, all of this alternative energy, which I certainly support and have been funding from the appropriations side, working very diligently on, that's going to be 10 and 15 years down the road as well.

We've got to do three things on our energy crisis: we have to have conservation, we have to have innovation, and we have to have exploration. It's that simple. But you have got to explore where their actually is oil. I concur with the gentleman from Texas. This is good because the Democrats are admitting that we have to open up more lands.

So we're going to pass this bill. Nothing is going to happen to the price at the pump. It's not going to be affected by this because it's basically current law, but I'm glad that you guys are slowly, reluctantly entering into the debate of drilling because we believe that in an environmentally safe fashion, you can drill in Alaska, and you can drill offshore.

The SPEAKER pro tempore. The time of the gentleman from Georgia has expired.

Mr. SESSIONS. I yield the gentleman an additional minute.

Mr. KINGSTON. I just want to say 108 oil platforms were damaged in the Gulf of Mexico during Katrina, and there was no pollution. All of the problems in the gulf, pollution wasn't one of them because now we have environmentally safe ways to extract oil from the bottom of the ocean or from land.

I want to say this. You know, we tied up the offshore in the day of the 8-track tape player. That was when you had an 8-track tape player in your GTO and you were the cool, edgy, high-tech guy. Today in the world of iPods and BlackBerrys and cell phones and everything else, technology has moved past the good old 8-track tape player. And the same thing has happened in medicine, the same thing has entered in entertainment, the same thing has happened in oil drilling. We have new technology, modern technology that will extract oil in an environmentally safe fashion.

I want to close with this. What is so sacred about protecting the American global environment but not the foreign global environment? The Democrats are fine if you are drilling offshore in your country or drilling on the land in your country, but not in America.

Mr. WELCH of Vermont. Mr. Speaker, I yield 2 minutes to the gentlewoman from Arizona, a leader in solar energy, alternative energy, Congresswoman GIFFORDS.

Ms. GIFFORDS. I thank the gentleman from Vermont.

The high costs of fuel are being felt throughout my southern Arizona district, and people are really hurting out there right now.

To bring down the cost of oil—this is pretty common sense—what we're going to have to do is force those big oil and gas companies to increase their production. That means drilling on the 68 million acres of Federal land that is already under control from these big oil companies.

Today, we're going to vote on H.R. 6515, the Drill Responsibly in Leased Lands, or Drill Act. This bill is going to require both oil and gas companies to start using their Federal leases both onshore and offshore, and if they don't use it, they should lose it.

It will also accelerate the leasing process in the National Petroleum Reserve in Alaska, and that's an additional 20 million acres. We have to be realistic, and I don't think the American people are being fooled. It's going to take 5 to 7 years before we benefit from increased drilling.

That's why we're also calling on the President to immediately release a small amount of oil from the Strategic Petroleum Reserve. The hardworking taxpayers of my district have paid for that reserve supply to be used in a time of crisis. And when I talk to my constituents across the over 9,000 square miles of my district, we know because they agree that $4 to $5 a gallon is a crisis.

So I urge the President to take action on the SPR, and I also ask my colleagues to join with me in passing H.R. 6515. We have to address this energy challenge, stabilize our economy immediately, but then look to the future in terms of renewable energy. And in Arizona, solar energy is certainly the key to that.

Mr. SESSIONS. Mr. Speaker, at this time I would like to let the gentleman from Vermont know that our time allocation is out of balance now, and I would appreciate if the gentleman would use up that time and make it more equitable between us.

I reserve the balance of my time.

Mr. WELCH of Vermont. I am always here to accommodate my friend from Texas.

Mr. Speaker, I would yield at this time 2 minutes to the gentleman from Wisconsin (Mr. KAGEN).

Mr. KAGEN. Thank you, Mr. WELCH. Thank you for the hard work that you're doing.

Mr. Speaker, it's a very good thing that the American people can see today that we're working together, not just working together but we're beginning to join hands to begin to solve this energy crisis that we're all facing.

I think we can all agree that we have to drill for new oil right here in America and guarantee that the oil that comes from our hands stays within our boundaries and is sold to American citizens first. We can all agree that we have to invest in every single form of renewable energy—biomass, wind, solar—and indeed we have to look into the newer and modern techniques and nuclear energy in finding a way towards becoming an energy-independent nation.

Thirdly, we have to prevent any price manipulation in the market price not just here in the United States but also throughout the world. We have to guarantee that there really is a free marketplace in oil where places like OPEC don't control the supply and determine the price. We need a competitive and open marketplace, and we've done that here in this Congress moving the ball forward.

But it's not just about drilling. It's not just about investing. It's not just about preventing things. The people I represent, that I have the honor of representing in northeast Wisconsin, they need help now. I mean, their fingernails are not long enough to hang on to what is coming. They need help now.

So in the long term, drilling brings oil 10 years from now, investing 5, 10, 15 years from now, but preventing price manipulation in the marketplace, that can have an immediate effect. So I would urge the CFTC to do its job and provide the oversight to guarantee that we don't have to pay more than the price ought to be.

Finally, the President did accommodate us. We sent letters to him asking him to stop purchasing oil and putting it into our SPR, our Strategic Petroleum Reserve. And he accommodated. And that was put in effect July 1. Now he should listen to us again. He should begin to release 5 to 6 days' worth of our Strategic Petroleum Oil Reserve. Why? Because it will immediately drop the price of oil.

The SPEAKER pro tempore. The time of the gentleman from Wisconsin has expired.

Mr. WELCH of Vermont. I yield the gentleman an additional 30 seconds.

Mr. KAGEN. Our Strategic Petroleum Reserve has about 703 million barrels of oil. If we release 5 to 6 days' worth, it would immediately drop the price at the pump by putting immediate supplies onto the marketplace. These are things that the President can do right here and right now. Our constituents need help today as we begin to invest and plan for the future.

But first and foremost, let's understand that this crisis we're in was absolutely and totally predictable since

1973. And our government on both sides of the aisle has failed in the past. Let's not fail again. Let's work together.

Mr. SESSIONS. Mr. Speaker, we have one additional speaker, and I believe that the gentleman from Vermont has about twice as much time as we have. So I would like to inquire about his opportunity to utilize more of his speakers or to ask where he is in this process.

Mr. WELCH of Vermont. Mr. Speaker, can you tell us the time allocation at this time?

The SPEAKER pro tempore. The gentleman from Texas has 6 minutes. The gentleman from Vermont has 13 minutes remaining.

Mr. SESSIONS. We reserve our time.

Mr. WELCH of Vermont. Mr. Speaker, I yield 3 minutes to the gentleman from Oregon, a member of the Committee on Natural Resources, Mr. DEFAZIO.

Mr. DEFAZIO. I thank the gentleman for yielding.

There are a lot of reasons we're in this pickle we are today. But let's just remember one. George Bush elected 2000; DICK CHENEY's secret meetings with the oil and gas industry. They formulated an energy policy. That energy policy was adopted by the Republican House, the Republican Senate, and signed by the Republican President. That was in 2005. Many of us said it was shortsighted, it would make us more dependent upon imported oil, and it has.

When George Bush was elected, 52 percent of our oil was imported. Today it's 58 percent. Many of us said it would drive up the price. It has. When George Bush was elected, it was $1.46 a gallon. Today it's $4.39 a gallon in my district.

So they're saying now suddenly, Whoa. It's the Democrats' fault. No. We're living under the failures of the Republican oil industry energy policy. There's actually 164,968,695 reasons why we're living under that. That's the amount of money the Republican Party has received from the oil industry in the last 18 years, $164 million in political contributions. Now, that's a pretty big motivation.

There's another thing going on here. Since George Bush took office, the profits of the oil industry have been $511 billion in this country. That's $511 billion out of Americans' pockets and into the oil industry's pockets. They made more money under 7 years of George Bush than they made in the entire quarter century preceding his presidency. Yeah. There's something a little bit rotten here.

They talk about drilling offshore and all of that stuff. Well, let's talk about short-term relief.

There's three ways to get short-term relief. One is release our oil. Release our oil. We have paid to put oil in the Strategic Reserve for emergencies. This is an emergency. It's been done three times: 1991, the price went down 33 percent; 2000, it went down 18 percent; 2005, it went down 9 percent.

□ 1230

That would give relief today at the pump, and there's another thing that we could do, but they're against this, too.

The gentleman from Texas talked about, oh, they want to file a complaint against OPEC. Well, you know, we probably do, but George Bush isn't going to do that, that's for sure. Here's George Bush holding hands with King Faisal of Saudi Arabia when he was over there begging them to increase production.

OPEC's production, with a doubling in the price of oil, is down 2½ percent. They have colluded to drive up the price of oil and limit the supply, and we have a legal option, which the President refuses to use. He refuses to file a complaint in the World Trade Organization for a clear violation of the rules of the General Agreement on Trade and Tariffs, article 11, by the OPEC countries.

The SPEAKER pro tempore. The time of the gentleman from Oregon has expired.

Mr. WELCH of Vermont. I yield the gentleman an additional minute.

Mr. DEFAZIO. That would have an immediate impact for the American people. And then there's the speculators.

Today, the largest holder of oil resources in the United States of America is not ExxonMobil, not Shell, not Conoco, name all of our oil companies. No, it's Morgan Stanley on Wall Street, through their speculative activity, followed by Goldman Sachs and followed by others who are speculating and driving up the price of this market.

We have credible testimony from Wall Street experts, if we reined in the speculation which was created by the Enron loophole—remember Enron? Texas corporation, Ken Boy Lay, the President's best friend. He's dead. Enron's bankrupt. He would have gone to jail for fraud. But the loophole lives on, and we're all paying at the pump. An estimated 50 percent, according to Wall Street experts, is going into speculative activities, but they don't want to take on speculative activities. They just want to talk about one thing, and that is, they want to drill in ANWR.

Well, guess what, ANWR was made a national wildlife refuge in 1950. The Naval Petroleum Reserve was made a petroleum reserve by Warren Harding. Now, why was this a natural preserve and this an oil preserve? Because they know there's more than 10 billion barrels of oil under here. Republicans change it from a naval reserve to a national reserve, and Bill Clinton actually leased it. And yesterday, George Bush announced he's going to lease more of it.

There's 10 billion barrels of oil under this. That's our Saudi Arabia. They've drilled 25 wells, but they haven't tried to connect to the Alaska pipeline. They've capped the wells and they're sitting on them. And why are they sitting on them? Because they think if they keep manipulating the market they can make as much money as possible today and even more down the road. They are sitting on supplies of oil, and they are failing to develop what they could.

Mr. SESSIONS. We reserve our time.

Mr. WELCH of Vermont. I yield 3 minutes to the gentleman from Kentucky (Mr. YARMUTH).

Mr. YARMUTH. I thank the gentleman from Vermont for yielding.

And, you know, we have a wonderful situation in here. We have a very interesting and productive dialogue, I believe, about something we all want to do, and that's to solve our energy crisis to take the pressure off the American consumers whose lives are being terribly affected, adversely affected, by these high gas prices and the economy as well.

I call back to the words of a very smart person who once said the significant problems that we have today cannot be solved by the same level of thinking that created them. And unfortunately, this idea that we are going to drill our way out of the problem, both the short term and the long term, is the same level of thinking that got us into this problem. The man who said that was Albert Einstein. He was a pretty smart guy.

What we are proposing, and you have heard many instances of it and suggestions of it today, is that we have the ability, we have the resources right now to have an impact, a downward impact on prices. All we have to do is free our own oil, free America's oil. It's in the Strategic Petroleum Reserve.

As my colleague from Oregon just pointed out, we have been able to reduce the price three separate times over the last 17 years by releasing that oil. We can do it again and we should do it again. But more importantly than that is the entire attitude we take toward what's down the road, no pun intend.

My colleague from Tennessee on the other side of the aisle just mentioned a few minutes ago, he asked where are the electric cars, where are these hybrid cars? Well, actually, they're very close on the horizon. We met with Ford executives just a few weeks ago in my hometown of Louisville, Kentucky. They are on the verge of some significant breakthroughs. They have a plug-in hybrid that uses hydrogen power, as well as electricity. They're working on a battery car. They have several versions of alternative power sources they're working on.

General Motors has promised to have a battery-powered car on the road in 2010. We know in California there's a new manufacturer that's developed a battery-powered car.

These are the technologies that will be our future. We need to be investing in them, because as President Bush said the other day, what we are trying to do with this long-term approach is change the psychology of the market, change the psychology of the speculators, so that if they see down the

road that there's not going to be that much need for oil, the price will come down. I agree with him totally.

But wouldn't the effect be that much more dramatic if the speculators said not only is there going to be a reduced demand for oil in 2020 or 2030, there's going to be virtually no demand for oil in 2020 or 2030? That would really scare the speculators out of this market and drop the price. That's where we need to be investing our attention, our resources.

We can take tax breaks way from the oil companies—we have tried to do it a number of times already—and invest it in these technologies because they're not that far away. They are actually closer than the policies that will bring us relief at the gas pump maybe in 2030.

Mr. SESSIONS. Mr. Speaker, English economist John Maynard Keynes said, ''When the facts change, sir, I change my mind. What do you do?''

Well, it's obvious today that the facts have changed, and our friends in the new majority don't change their thoughts or ideas to adjust to the facts of the case.

Mr. Speaker, at this time, I'd like to yield 2½ minutes to the gentlewoman from Oklahoma (Ms. FALLIN).

Ms. FALLIN. Mr. Speaker, you know, the only way to produce more energy for America is to produce more energy. It's not taxing the energy. It's not releasing more reserve from the Strategic Reserve. If we released what is being proposed today from the Strategic Reserve, it would be a 3-day supply. But yet when President Bush earlier announced that he was going to lift the offshore ban on drilling, the price of a barrel of oil dropped $9, and the markets responded.

The way you change the energy and the cost to America is to introduce more energy to the marketplace. And one of the ways we can do that is to make it easier for oil and gas companies to be able to drill.

I have introduced a piece of legislation, H.R. 6379, the Federal Exploration and Production Reform Act, that would allow oil companies and gas companies to be able to get their permits processed in a timely manner from the Bureau of Land Management and would help us be able to put that production online in immediate form. Right now, it takes an average of 213 days to get a permit processed through the Bureau of Land Management. That's not acceptable. They even have a huge backlog of permits.

And we've heard all the debate here today that over 65 percent or so of our energy comes from foreign countries. We have over $700 billion of our money going to other countries, many who are hostile to America. We're making those countries rich by buying their energy.

I am convinced that we can produce our own energy here in America, whatever form it might be, whether it's oil, gas, clean coal technology. There's wind, solar, nuclear, biofuels. All those things are possible. I know they're possible because America's a great Nation. We have smart people. We have innovation. We have creativity. We can do whatever we want to do if we put our heads to it, if we put our minds to it, and allow it to happen.

But this Congress has stopped it from happening. We've had lawsuits, we've had rules and regulations, we've had bureaucratic red tape that has tied up the industry from making the innovations, producing the energy that would fuel our Nation, and we can no longer afford to do that. The American people are suffering. Businesses are suffering, and now it's time for this Nation to generate our own energy.

Let's get rid of the Federal bureaucratic red tape, the time delays. Let's put Americans to work. Let's quit transferring our wealth to other foreign countries and risking our national security and our economic security.

We can invest that money here in America. We can generate revenue that could go to transportation, education, health care, go to our infrastructure in our Nation. Let's put Americans to work. Let's invest here and let's produce energy.

Mr. WELCH of Vermont. I reserve my time.

Mr. SESSIONS. Mr. Speaker, I will take from those words that the gentleman from Vermont has no further speakers and would be interested in me closing at this time.

Mr. Speaker, since taking control of Congress in 2007, this Democrat Congress has totally neglected its responsibilities to do constructive things to address the domestic supply issues that have created today's skyrocketing gas prices, diesel prices, and energy costs that the American families are facing. And today, once again, they are proving to Americans that they have a failure of leadership and vision.

Mr. Speaker, we'll see what happens when the August break comes around and our friends in the new Democrat majority head home to find out how much home fuel prices are going to spike with home heating fuel, and we will find out what happens in September when we come back from the break.

So to avoid that, Mr. Speaker, today, I urge my colleagues to vote with me to defeat the previous question so this House can finally consider in July, as opposed to September, real solutions to the rising energy costs. If the previous question is defeated, I will move to amend the rule to allow for this House's consideration of H.R. 5984, H.R. 2208, H.R. 3089, H.R. 2493, H.R. 5656, and H.R. 2279.

Mr. Speaker, these may not be household understood names of bills, but in September, the new Democrat majority, after spending August at break, is going to find out they should have done something, rather than doing nothing.

Yesterday afternoon in the Rules Committee, hours before Republicans were even given a copy of today's legislation, the same amendment was defeated by the Democrat majority by a party-line vote.

While I do not have a great deal of hope that this Democrat majority will provide a better outcome than the one provided by my Democrat Rules Committee colleagues, the vote on this previous question will allow every single Member of this body, especially those Members of the much- and often-reported bipartisan working group on drilling, to stand up for real solutions to this energy crisis—it's easier to do it in July than it will be in September—not just ineffective restatements of current policy that do absolutely nothing to increase the production of American energy for consumers.

I encourage everyone that believes that a comprehensive solution to solving this energy crisis and achieving energy independence includes increasing the supply of American energy to join me and to defeat this rule and the previous question.

Mr. Speaker, I ask unanimous consent to place this motion and extraneous material in the RECORD immediately prior to the vote on the previous question.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

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

Mr. WELCH of Vermont. Mr. Speaker, I thank my friend from Texas.

First of all, there is common agreement here. You don't have to be a rocket scientist to know this. People are suffering. They cannot afford spending more than $4 a gallon for gas, and folks in my part of the country, the cold weather region, are living with enormous anxiety about how they're going to pay $5 a gallon for home heating fuel. So the problem that we face is real and it is urgent.

I disagree with one of the authors of the energy policy that got us here, and that is the former senator from Texas, Phil Gramm, who is advising their Presidential candidate. And he recently announced that we really don't have a problem. He said, ''You've heard of mental depression; this is a mental recession.'' And he's saying that America is a nation of whiners.

You know what, people have a right to complain about an energy policy where they can't afford to fill up their gas tank. They're living in enormous anxiety when the fuel truck shows up to heat their home, and they have to make decisions between food and fuel, between medicine that they need and the fuel that's required to keep their home warm.

□ 1245

This is about rejecting the energy policy that has failed us and has brought us here.

You know, my friend from Texas made a statement that I agree with. He said the oil companies should be our

friends. That is right. Oil companies have been very good at what they do—exploring for oil, finding oil, refining oil, producing oil, and getting it to the market. But the policies that we've had in place since President Bush became the leader of this country have enriched the oil companies. But the oil companies, in turn, with over $500 billion in profits, have not reinvested that money into either producing where they can or moving to an alternative energy policy.

You know, one of the folks raised the question as to whether or not this is a ''fig leaf'' bill, whether there's rhetoric in this bill because we're talking about 20 million new acres that has a proven capacity of at least 10 billion barrels of oil. Is it a question of Congress not making lands available for drilling onshore and offshore when we know already there are 68 million acres onshore and offshore available, and this bill makes it clear we want to make 20 million acres more available? Is it a question of lands where there is oil available being denied access? Or is it a failure on the part of the oil companies to invest?

You know, ExxonMobil, in one quarter, made about $40 billion in profit; for 1 year, $40 billion in profit. Did they put that profit into new drilling technology, into exploiting some of the leases that they have, into getting oil out of the ground and into the market? No. They spent $32 billion buying back their own stock.

Basically what you're seeing is that the oil companies that have been doing extraordinarily well under this energy policy that's got us to this crisis have not been reinvesting their money, but they've put their capital on strike. They've been buying back shares and maintaining the value of their stock at the expense of exploiting the oil fields that they have immediate access to.

Well, I want to go through some of the arguments that my friend from Texas made. He accused the Democratic Congress of a mind-boggling refusal to increase production. That's just flat out wrong. You've got the 68 million acres where the oil companies right now have the legal right to go in and drill, and they haven't done it. That's not an act of Congress, that's a corporate decision made by the major oil companies.

Second, he said that the energy companies don't go there because they are ''dry holes.'' That's just flat out wrong. I mentioned earlier I actually do think the energy companies are good at what they do. They don't waste their money or their stockholder money. And when they decide to spend their money on purchasing a lease, it's because they've come to their own independent conclusion that it's worth that investment, that there is oil in the ground or under the sea.

So those oil companies have access to it. Why don't they drill? And also, why aren't there drills available, the drilling rigs for offshore drilling and drilling rigs on land? There's two reasons: one, the oil companies are doing great sitting on these leases; the longer that they wait, the more they make. If they bought a lease when oil was at $30 a barrel and then it goes to $75 a barrel and up to $130 or $140 a barrel, that's money in the bank. The longer they wait, the more they make.

A second reason is, they aren't willing to risk the profits in increasing production. As long as there is a shortage of supply, the price stays up. And their profits are exploding as we speak. So there is an enormous amount of responsibility that we have and expect from the oil companies.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. WELCH of Vermont. Mr. Speaker, I urge a ''yes'' vote on the previous question and the resolution.

The material previously referred to by Mr. SESSIONS is as follows:

AMENDMENT TO H. RES. 1350 OFFERED BY MR. SESSIONS OF TEXAS

Strike all after the enacting clause and insert the following:

That it shall be in order at any time on the legislative day of Thursday, July 17, 2008, for the Speaker to entertain motions that the House suspend the rules relating to the following measures: (1) The bill (H.R. 5984) to amend the Internal Revenue Code of 1986 to provide for the limited continuation of clean energy production incentives and incentives to improve energy efficiency in order to prevent a downturn in these sectors that would result from a lapse in the tax law. (2) The bill (H.R. 2208) to provide for a standby loan program for certain coal-to-liquid projects. (3) The bill (H.R. 3089) to secure unrestricted reliable energy for American consumption and transmission. (4) The bill (H.R. 2493) to amend the Clean Air Act to provide for a reduction in the number of boutique fuels. (5) The bill (H.R. 5656) to repeal a requirement with respect to the procurement and acquisition of alternative fuels. (6) The bill (H.R. 2279) to expedite the construction of new refining capacity on closed military installations in the United States.

(The information contained herein was provided by Democratic Minority on multiple occasions throughout the 109th Congress.)

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Democratic majority agenda and a vote to allow the opposition, at least for the moment, to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives, (VI, 308–311) describes the vote on the previous question on the rule as ''a motion to direct or control the consideration of the subject before the House being made by the Member in charge.'' To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that ''the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition'' in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R–Illinois) said: ''The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition.''

Because the vote today may look bad for the Democratic majority they will say ''the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever.'' But that is not what they have always said. Listen to the definition of the previous question used in the Floor Procedures Manual published by the Rules Committee in the 109th Congress, (page 56). Here's how the Rules Committee described the rule using information from Congressional Quarterly's ''American Congressional Dictionary'': ''If the previous question is defeated, control of debate shifts to the leading opposition member (usually the minority Floor Manager) who then manages an hour of debate and may offer a germane amendment to the pending business.''

Deschler's Procedure in the U.S. House of Representatives, the subchapter titled ''Amending Special Rules'' states: ''a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate.'' (Chapter 21, section 21.2) Section 21.3 continues: Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon.''

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Democratic majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. WELCH of Vermont. I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Mr. WELCH of Vermont. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of adoption.

The vote was taken by electronic device, and there were—yeas 228, nays 188, not voting 18, as follows:

[Roll No. 509]

YEAS—228

Abercrombie	Berry	Capuano
Ackerman	Bishop (GA)	Cardoza
Allen	Bishop (NY)	Carnahan
Altmire	Blumenauer	Carney
Arcuri	Boren	Carson
Baca	Boucher	Castor
Baird	Boyd (FL)	Chandler
Baldwin	Boyda (KS)	Clarke
Barrow	Brady (PA)	Clay
Bean	Braley (IA)	Cleaver
Becerra	Brown, Corrine	Clyburn
Berkley	Butterfield	Cohen
Berman	Capps	Conyers

Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Donnelly
Doyle
Edwards (MD)
Edwards (TX)
Ellison
Ellsworth
Emanuel
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Foster
Giffords
Gillibrand
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson, E. B.
Jones (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
Klein (FL)
Kucinich
Lampson
Langevin
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McIntyre
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Perlmutter
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Reichert
Reyes
Richardson
Rodriguez
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Space
Speier
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tierney
Towns
Tsongas
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Wexler
Wilson (OH)
Woolsey
Wu
Yarmuth

NAYS—188

Aderholt
Akin
Alexander
Bachmann
Bachus
Barrett (SC)
Bartlett (MD)
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boustany
Brady (TX)
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carter
Castle
Cazayoux
Chabot
Childers
Coble
Cole (OK)
Conaway
Crenshaw
Culberson
Davis (KY)
Davis, David
Davis, Tom
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Fallin
Feeney
Ferguson
Flake
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastings (WA)
Hayes
Heller
Hensarling
Hobson
Hoekstra
Hulshof
Inglis (SC)
Issa
Johnson (IL)
Johnson, Sam
Jones (NC)
Jordan
Keller
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Knollenberg
Kuhl (NY)
LaHood
Lamborn
Latham
LaTourette
Latta
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Moran (KS)
Murphy, Tim
Musgrave
Myrick
Neugebauer
Nunes
Pearce
Pence
Peterson (PA)
Petri
Pitts
Platts
Poe
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Roskam
Royce
Ryan (WI)
Sali
Saxton
Scalise
Schmidt
Sensenbrenner
Sessions
Shadegg
Shays
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Stearns
Sullivan
Tancredo
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walberg
Walden (OR)
Walsh (NY)
Wamp
Weldon (FL)
Weller
Westmoreland
Whitfield (KY)
Wilson (NM)
Wilson (SC)
Wittman (VA)
Wolf
Young (FL)

NOT VOTING—18

Andrews
Boswell
Cooper
Cubin
Doolittle
Frank (MA)
Gilchrest
Herger
Hunter
Inslee
Lucas
Miller, Gary
Paul
Pickering
Ruppersberger
Rush
Terry
Young (AK)

□ 1311

Mr. RYAN of Wisconsin changed his vote from ''yea'' to ''nay.''

Ms. WASSERMAN SCHULTZ, Ms. HOOLEY, and Ms. ROS-LEHTINEN changed their vote from ''nay'' to ''yea.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

Stated for:

Mr. RUPPERSBERGER. Mr. Speaker, on rollcall No. 509, unfortunately, I am getting a medical procedure done and cannot vote. Had I been present, I would have voted "yea."

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Mr. WELCH of Vermont. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 222, noes 194, not voting 18, as follows:

[Roll No. 510]

AYES—222

Abercrombie
Ackerman
Allen
Altmire
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boucher
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castor
Chandler
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Donnelly
Doyle
Edwards (MD)
Edwards (TX)
Ellison
Ellsworth
Emanuel
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Foster
Frank (MA)
Giffords
Gillibrand
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson, E. B.
Jones (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
Klein (FL)
Kucinich
Langevin
Larsen (WA)
Lee
Levin
Lewis (GA)
Lipinski
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McIntyre
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Perlmutter
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Richardson
Rodriguez
Ross
Rothman
Roybal-Allard
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Sires
Skelton
Slaughter
Snyder
Solis
Space
Speier
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Towns
Tsongas
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Wexler
Wilson (OH)
Woolsey
Wu
Yarmuth

NOES—194

Aderholt
Akin
Alexander
Bachmann
Bachus
Barrett (SC)
Bartlett (MD)
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boustany
Brady (TX)
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carter
Castle
Cazayoux
Chabot
Childers
Coble
Cole (OK)
Conaway
Crenshaw
Culberson
Davis (KY)
Davis, David
Davis, Tom
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Fallin
Feeney
Ferguson
Flake
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastings (WA)
Hayes
Heller
Hensarling
Hobson
Hoekstra
Hulshof
Inglis (SC)
Issa
Johnson (IL)
Johnson, Sam
Jones (NC)
Jordan
Keller
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Knollenberg
Kuhl (NY)
LaHood
Lamborn
Lampson
Latham
LaTourette
Latta
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McHugh

McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Moran (KS)
Murphy, Tim
Musgrave
Myrick
Neugebauer
Nunes
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Saxton
Scalise
Schmidt
Sensenbrenner
Sessions
Shadegg
Shays
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Stearns
Sullivan
Tancredo
Terry
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walberg
Walden (OR)
Walsh (NY)
Wamp
Weldon (FL)
Weller
Westmoreland
Whitfield (KY)
Wilson (NM)
Wilson (SC)
Wittman (VA)
Wolf
Young (FL)

NOT VOTING—18

Andrews
Boswell
Cooper
Cubin
Doolittle
Gilchrest
Herger
Hunter
Larson (CT)
Loebsack
Lucas
Miller, Gary
Paul
Ruppersberger
Rush
Smith (WA)
Tierney
Young (AK)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised there are 2 minutes remaining in this vote.

□ 1320

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. RUPPERSBERGER. Mr. Speaker, on rollcall No. 510, if I were present I would have voted "yea." Unfortunately, I am getting a medical procedure done and cannot vote today.

DRILL RESPONSIBLY IN LEASED LANDS ACT OF 2008

Mr. RAHALL. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6515) to amend the Naval Petroleum Reserves Production Act of 1976 to require the Secretary of the Interior to conduct an expeditious environmentally responsible program of competitive leasing of oil and gas in the National Petroleum Reserve in Alaska, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6515

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 ''Drill Responsibly in Leased Lands Act of 2008''.

SEC. 2. NATIONAL PETROLEUM RESERVE IN ALASKA: LEASE SALES.

Section 107(a) of the Naval Petroleum Reserves Production Act of 1976 is amended to read as follows:

''(a) IN GENERAL.—The Secretary shall conduct an expeditious environmentally responsible program of competitive leasing of oil and gas in the National Petroleum Reserve in Alaska in accordance with this Act. Such program shall include no fewer than one lease sale in the Reserve each year during the period 2009 through 2013.''.

SEC. 3. NATIONAL PETROLEUM RESERVE IN ALASKA: PIPELINE CONSTRUCTION.

The Secretary of Transportation shall facilitate, in an environmentally responsible manner and in coordination with the Secretary of the Interior, the construction of pipelines necessary to transport oil and gas from or through the National Petroleum Reserve in Alaska to existing transportation or processing infrastructure on the North Slope of Alaska.

SEC. 4. ALASKA NATURAL GAS PIPELINE PROJECT FACILITATION.

(a) FINDINGS.—The Congress finds the following:

(1) Over 35 trillion cubic feet of natural gas reserves have been discovered on Federal and State lands currently open to oil and gas leasing on the North Slope of Alaska.

(2) These gas supplies could make a significant contribution to meeting the energy needs of the United States, but the lack of a natural gas transportation system has prevented these gas reserves from reaching markets in the lower 48 States.

(b) FACILITATION BY PRESIDENT.—The President shall, pursuant to the Alaska Natural Gas Pipeline Act (division C of Public Law 108–324; 15 U.S.C. 720 et seq.) and other applicable law, coordinate with producers of oil and natural gas on the North Slope of Alaska, Federal agencies, the State of Alaska, Canadian authorities, and other interested persons in order to facilitate construction of a natural gas pipeline from Alaska to United States markets as expeditiously as possible.

SEC. 5. PROJECT LABOR AGREEMENTS AND OTHER PIPELINE REQUIREMENTS.

(a) PROJECT LABOR AGREEMENTS.—The President, as a term and condition of any permit required under Federal law for the pipelines referred to in section 3 and section 4, and in recognizing the Government's interest in labor stability and in the ability of construction labor and management to meet the particular needs and conditions of such pipelines to be developed under such permits and the special concerns of the holders of such permits, shall require that the operators of such pipelines and their agents and contractors negotiate to obtain a project labor agreement for the employment of laborers and mechanics on production, maintenance, and construction for such pipelines.

(b) PIPELINE MAINTENANCE.—The Secretary of Transportation shall require every pipeline operator authorized to transport oil and gas produced under Federal oil and gas leases in Alaska through the Trans-Alaska Pipeline, any pipeline constructed pursuant to section 3 or 4 of this Act, or any other federally approved pipeline transporting oil and gas from the North Slope of Alaska, to certify to the Secretary of Transportation annually that such pipeline is being fully maintained and operated in an efficient manner. The Secretary of Transportation shall assess appropriate civil penalties for violations of this requirement in the same manner as civil penalties are assessed for violations under section 60122(a)(1) of title 49, United States Code.

SEC. 6. BAN ON EXPORT OF ALASKAN OIL.

(a) REPEAL OF PROVISION AUTHORIZING EXPORTS.—Section 28(s) of the Mineral Leasing Act (30 U.S.C. 185(s)) is repealed.

(b) REIMPOSITION OF PROHIBITION ON CRUDE OIL EXPORTS.—Upon the effective date of this Act, subsection (d) of section 7 of the Export Administration Act of 1979 (50 U.S.C. App. 2406(d)), shall be effective, and any other provision of that Act (including sections 11 and 12) shall be effective to the extent necessary to carry out such section 7(d), notwithstanding section 20 of that Act or any other provision of law that would otherwise allow exports of oil to which such section 7(d) applies.

SEC. 7. ISSUANCE OF NEW LEASES.

(a) IN GENERAL.—After the date of the issuance of regulations under subsection (b), the Secretary of the Interior shall not issue to a person any new lease that authorizes the exploration for or production of oil or natural gas, under section 17 of the Mineral Leasing Act (33 U.S.C. 226), the Mineral Leasing Act for Acquired Lands Act (30 U.S.C. 351 et seq.), the Outer Continental Shelf Lands Act (43 U.S.C. 1331 et seq.), or any other law authorizing the issuance of oil and gas leases on Federal lands or submerged lands, unless—

(1) the person certifies for each existing lease under such Acts for the production of oil or gas with respect to which the person is a lessee, that the person is diligently developing the Federal lands that are subject to the lease in order to produce oil or natural gas or is producing oil or natural gas from such land; or

(2) the person has relinquished all ownership interest in all Federal oil and gas leases under which oil and gas is not being diligently developed.

(b) DILIGENT DEVELOPMENT.—The Secretary shall issue regulations within 180 days after the date of enactment of this Act that establish what constitutes ''diligently developing'' for purposes of this Act.

(c) FAILURE TO COMPLY WITH REQUIREMENTS.—Any person who fails to comply with the requirements of this section or any regulation or order issued to implement this section shall be liable for a civil penalty under section 109 of the Federal Oil and Gas Royalty Management Act of 1982 (30 U.S.C. 1719).

(d) LESSEE DEFINED.—In this section the term ''lessee''—

(1) includes any person or other entity that controls, is controlled by, or is in or under common control with, a lessee; and

(2) does not include any person who does not hold more than a minority ownership interest in a lease under an Act referred to in subsection (a) authorizing the exploration for or production of oil or natural gas.

SEC. 8. FAIR RETURN ON PRODUCTION OF FEDERAL OIL AND GAS RESOURCES.

(a) ROYALTY PAYMENTS.—The Secretary of the Interior shall take all steps necessary to ensure that lessees under leases for exploration, development, and production of oil and natural gas on Federal lands, including leases under the Mineral Leasing Act (30 U.S.C. 181 et seq.), the Mineral Leasing Act for Acquired Lands (30 U.S.C. 351 et seq.), the Outer Continental Shelf Lands Act (30 U.S.C. 1331 et seq.), and all other mineral leasing laws, are making prompt, transparent, and accurate royalty payments under such leases.

(b) RECOMMENDATIONS FOR LEGISLATIVE ACTION.—In order to facilitate implementation of subsection (a), the Secretary of the Interior shall, within 180 days after the date of the enactment of this Act and in consultation with the affected States, prepare and transmit to Congress recommendations for legislative action to improve the accurate collection of Federal oil and gas royalties.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from West Virginia (Mr. RAHALL) and the gentleman from New Mexico (Mr. PEARCE) will each control 20 minutes.

The Chair recognizes the gentleman from West Virginia.

Mr. RAHALL. Mr. Speaker, I ask unanimous consent that time for debate on the pending measure be expanded to 60 minutes.

The SPEAKER pro tempore. Without objection, the gentleman from West Virginia (Mr. RAHALL) and the gentleman from New Mexico (Mr. PEARCE) each will control 30 minutes.

There was no objection.

GENERAL LEAVE

Mr. RAHALL. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the resolution under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. RAHALL. Mr. Speaker, on behalf of our freshmen Democratic members and in concert with the Democratic leadership, I am pleased to bring to the floor today the Drill Responsibly in Leased Lands Act, the DRILL bill.

Let there be no mistake about it. As Democrats, we are pro drilling. I repeat that for my colleagues on the other side of the aisle. We are pro drilling. We are for drilling now. And we are for drilling in areas that bring near-term relief to the American public.

As others put forth bumper-sticker energy policies, today, House Democrats are bringing forth prudent legislation aimed at unleashing the vast potential of the National Petroleum Reserve in Alaska, this section to the far right on the map behind me. That is to be distinguished very clearly and separately from the ANWR, over on my far left.

Where better to drill than in the National Petroleum Reserve? That is what it's for. The National Petroleum Reserve. That is why it was set aside. The National Petroleum Reserve.

Now, my colleagues, the National Petroleum Reserve, situated on the North Slope of Alaska—this reserve is no pipe dream like ANWR way over here, which is a bumper sticker approach to our energy woes—the National Petroleum Reserve is open for leasing. It has been. It will be. Twenty-three million acres. The National Petroleum Reserve is open for leasing, open for business, now, today, 23 million acres containing an estimated 6.6 billion barrels of recoverable oil. There is more than over here in ANWR, which is not even open for leasing at this point in time. It is a pipe dream over here in ANWR.

Far more than ANWR, the National Petroleum Reserve, as I said, has much more recoverable oil than ANWR. And if ANWR were fully open, we still would be 20 years before we could have any oil in production. The Energy Information estimates show that the only effect on the price at the pump would be 1.8 cents 20 years from now.

As opposed to that, we have the National Petroleum Reserve set aside for drilling. In Alaska, 35 trillion cubic feet of natural gas has been stranded. Think about that: 35 trillion cubic feet of natural gas stranded over in the National Petroleum Reserve because there is no pipeline available to bring it to market over here being the major pipeline. For oil only, I might add.

Elsewhere, there are 68 million acres of land onshore and offshore in the Outer Continental Shelf in the lower 48 under oil and gas leases that are not producing. They may be subject to speculation. They may be purely being warehoused. We don't know.

I say here today, drill. Drill. Drill. Drill here in America. Drill now. Let's drill.

The DRILL Act, Drill Responsibly in Leased Lands Act, would unleash the vast potential of the National Petroleum Reserve by requiring annual Federal oil and gas lease sales and by facilitating the construction of pipelines to connect the NPR–A with the existing central North Slope arteries that will bring it on down to the American consumers in the lower 48. That includes Prudhoe Bay, connecting it over here to Prudhoe Bay, the transportation infrastructure and trans-Alaska Pipeline that comes down here, we do need still a gas pipeline. There is, of course, already existing an oil pipeline.

But it makes as a matter of Presidential priority, the DRILL Act makes the construction of the Alaska natural gas pipeline a priority so that stranded gas, that stranded gas in the National Petroleum Reserve, can be transported to the lower 48.

It requires project labor agreements be entered into for construction of these pipelines so they would be good-paying American jobs. It requires that the trans-Alaska Pipeline, the NPR pipeline that connects, that is right here, a 5-mile segment connecting NPR over to the existing oil and gas leasing being done in the Prudhoe Bay area, that they be maintained and operated in an efficient manner to ensure an uninterrupted flow of oil and natural gas. And the DRILL Act reinstitutes the ban of the exportation of Alaskan oil to other countries so that this Alaskan oil, American oil, can be used by Americans for their relief.

□ 1330

It is a commonsense approach to our near-term energy woes. We know very clearly we must transition ourselves from oil dependency. We must wean ourselves from oil addiction. Alternative fuels, coal-to-liquids, carbon sequestration, other noncorn-based alternatives, renewables, all of the above should be on the table. It is the only way to secure America's energy independence from foreign crude.

But in the near term, we need to drill. We are saying in this bill today drill, drill, drill. Drill it now. Drill it here. Drill it where the oil is and where it is already available, not wait 20 years from now, as the President proposes to lift some moratorium on the OCS and up here in the ANWR that, as I have already said, won't affect any near-term relief at the pump for American consumers.

Let me observe that there are those who display a fundamental misunderstanding of parts of this legislation. We do of course incorporate the use it or lose it that has already been passed by a majority in this body which requires the diligent development of Federal oil and gas leases during their primary term, which is normally 10 years. What that means is during that period, we are requesting that the oil companies do something with these leases to explore for energy. If a discovery is made, and we hope that it will be, apply for the permit.

Now, I understand drilling. I think most of my colleagues know I am from the State of West Virginia, by golly, the great State of West Virginia. We know something about energy woes in that State. We are not a NIMBY State by any stretch of the imagination. We do not shirk from our responsibility to contribute to the Nation's need for energy. We have mining. We have drilling.

I understand that complications can take place while trying to develop a lease, environmental challenges, bureaucratic delays, but this constitutes due diligence. This constitutes the development of a lease. This constitutes moving toward meeting our energy woes. Diligent development does not mean the lease is producing, I understand that. It means that a company is doing something with the lease to determine whether it can be brought into production or not. That is a good thing. That is diligent development.

I understand it is a lengthy process, but I am saying to Mr. Big Oil, please do something on these leases. Do something. If you have to go out and buy a Black & Decker drill to drill it to move forward, do that.

Vote for this legislation. A vote for this legislation will mean that we are trying to bring energy immediately to the American people, that we are voting for American good-paying jobs, and that we are voting to prevent American energy from being exported to foreign markets.

As I conclude, I say, drill, drill, drill. Drill here. Drill now. Drill so we can meet our energy supply-side demands here with American resources.

I reserve the balance of my time.

Mr. PEARCE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in opposition to this misguided, misdirected legislation. After seeing this bill defeated just 2 weeks ago, I quite honestly am surprised that we are back for one more attempt at it. It is really heartwarming to find my colleague from West Virginia, the chairman of my committee, saying ''drill America now.''

The only thing is I am wondering why the chairman did not allow us to have amendments that would allow us to drill now. If he would allow us the amendments that would stop the litigation that is stopping us from drilling now, maybe we could work through some of those 68 million acres, if he would allow us to have amendments

which would stop the regulatory process that is delaying unnecessarily and is of no benefit to the American consumer, maybe we could drill now. But I find the chairman's comments just hard to believe.

In the context of the discussion today, I would invite the chairman to sign on to a letter with me. The letter is from myself and several other Members asking just in one area, one area where we find bureaucratic delays, 7 years in Utah, the BLM has not issued the resource management plans that are required in order to develop just that.

If the chairman of the committee is intent on drill, drill, drill, as he says today, let him just put his one signature beside mine, and we will send it to NANCY PELOSI and send it to the President of the United States from NANCY PELOSI and us in the House and the Members of the Senate.

One place where we have some of that 68 million acres, 1 million of the 68 million acres, and let's just work one block at a time to figure out exactly what the roadblocks are because I believe, I believe in my heart that the majority does not want to drill today.

I believe that they understand that it is not the oil companies who lack the diligence, but it is instead roadblocks by people who have hijacked the energy policy of this country.

In my section of the debate we will talk about the reason the 68 million acres lie unused, and it will go from regulatory process to litigation. It will go into the problems of seismic that are being blocked up along the northern end of this country. We will talk about the delays one step at a time.

But let's talk just a little bit about the bill before us today. It is several sections.

The first section I want to talk about directs the sale of the National Petroleum Reserve in Alaska, the NPR–A. Now that is curious that the Democrats on the floor of the House today do not want to open up ANWR, 2,000 acres. They have been concerned about the environmental degradation of the 2,000 acres of ANWR, and yet today they are saying that they are going to open up 23 million acres to environmental degradation. There is not one bit of infrastructure. There are no roads. There are no drilling pads. There are no pipelines. They are hundreds of miles away from where they need to be for the market. Yet with ANWR, with a 74-mile pipeline, it is sincerely believed that we could get production down to the continental United States within a year.

The Trans-Alaska Pipeline, 800 miles long, took 3 years to have it built and full of oil because this Congress, at that point in time, realized that they could make a difference and they did make a difference by saying that this pipeline is not going to be delayed by litigation.

If the gentleman from West Virginia says drill and drill now, then let him make the equal commitment that we will not allow our production to be delayed by litigation which is going to come from every sort of environmental group, either in the NPR–A or ANWR or the Outer Continental Shelf.

It is really difficult to believe that the majority is sincere when they say drill today, and on the other side of the spectrum we see all sorts of delaying mechanisms from people who contribute money to them.

I was interested in the last debate to find that oil companies contribute money to Republicans and therefore there is some scheme. When I look at the bill in front of us today, I see groups, I see an alliance with groups that contribute a lot of money to Democrats. I see over $670 million in the last several years from trial lawyers. There is new language in this bill which will be litigated probably for decades.

I see a section in this bill, section 5, that requires project labor agreements, and I see that the unions have given to the Democrats over $1 billion.

And then I find the continuing language which says that there are going to be protections in place that satisfy environmental groups; and again, environmental groups have invested over $1 billion in Democrat candidates.

So when I hear from the other side their observations about the special interests, I think we should look at the bill. Section 2 requires again the direction that any leases be environmentally responsible. That is new language.

Sections 3 and 4 deal with pipeline requirements that companies tell me that they have to currently comply with already, so it appears to be a duplication.

The project labor agreements are brand new. These are things where private companies are directed that they will, before they can work on any private project, have labor agreements in place.

Then we have a ban that is reinstated on exporting Alaskan oil. Keep in mind that it was Democrat President Bill Clinton that opened up the Alaskan oil to be exported. So again, we find now the flip-flop in that position on their part. The ban was originally in place, and President Clinton decided he would relieve that ban. And now we find it being put back in place.

The issuance of new leases, use it or lose it, frankly is already in place in law. There is language that currently states that if you do not use a lease, you lose it.

So either this bill is simply to try to convince the American people that we are doing something when we are actually not, or it is even worse than that. I believe that we have no purpose for this bill. I believe that this bill is not going to increase the amount of domestic energy one bit. I think that what it is going to do is to start anew, it is going to start new processes and are going to delay even by months the process in place for the NPR–A.

So while it is telling us we are going to drill now and drill in the NPR–A, actually it is doing the exact opposite. It is instituting new rules that will have to go through a completely new process.

Mr. Speaker, I look forward to the debate.

CONGRESS OF THE UNITED STATES,
Washington, DC, July 17, 2008.

Hon. NANCY PELOSI,
Speaker, House of Representatives, Washington, DC.
Hon. STENY HOYER,
Majority Leader, House of Representatives, Washington, DC.
Hon. JOHN BOEHNER,
Minority Leader, House of Representatives, Washington, DC.
Hon. ROY BLUNT,
Minority Whip, House of Representatives, Washington, DC.

DEAR MADAM SPEAKER, MINORITY LEADER BOEHNER, MAJORITY LEADER HOYER, AND MINORITY WHIP BLUNT: In the last month, through various legislative proposals and public comments, Majority leaders in Congress have accused oil and gas companies of refusing to drill. We think many times idle acres are caused by factors beyond these companies' control. In many cases, Congress and the bureaucracy create roadblocks that shut down companies' access to the lands.

Your rhetoric over the last few months leads us to believe we have finally reached a consensus in Congress. In order to start drilling on idle acres where regulatory burdens exist, we request Congressional leaders act now to remove these obstacles on a case by case basis. We also request that you join us in sending a joint letter to the President urging him to issue an Executive Order systematically removing barriers on a case by case basis from lands under development that, due to regulatory burdens, remain blocked from development.

We suggest starting with the permanent delays and lawsuits preventing drilling in Utah. Please join us in sending a letter to the President asking that he open drilling in Utah by issuing the final Records of Decision (RODs) on this state's Resource Management Plans (RMPs)—Vernal, Price, Moab, Richfield, and Monticello—which authorize oil and gas activities in Utah. These plans were to have been underway for over 7 years. In our letter we will ask the President to order the Bureau of Land Management (BLM) to issue the RMPs by August 31, 2008.

Additionally, we ask you insist that the RODs authorize the Preferred Alternatives in each RMP without the adoption of new Wilderness Characteristics Areas (WCAs). Removing bureaucratic roadblocks to these 955,000 idle acres will ensure that development starts immediately. This would enable the oil and gas industry to effectively tap into over 5.2 Tcf of natural gas and 334 million barrels of oil. This energy would heat 72.9 million homes and power 24.5 million cars.

Clearing the regulatory roadblocks in Utah is one simple step to lower the price of energy for the American people. It is only by acting in a bipartisan manner that we can move our nation out of this national energy crisis. We have prepared a letter and await your approval. Additionally, we stand ready to assist you in bringing legislation before the House of Representatives that will eliminate the roadblocks to energy development in America.

In coming together to encourage the President to take steps and reduce the regulatory burden on companies developing resources, we will show the American people that the

Federal government is serious about lowering the price of gasoline. If we support the President as he removes regulatory roadblocks, we will see increased development on the acres sitting idle and lower energy prices.

Sincerely,

STEVAN PEARCE,
Member of Congress.
ROB BISHOP,
Member of Congress.
CHRIS CANNON,
Member of Congress.

CONGRESS OF THE UNITED STATES,
Washington, DC, July 17, 2008.

Hon. GEORGE W. BUSH,
President, the White House,
Washington, DC.

DEAR MR. PRESIDENT: Congress has reached a consensus on opening idle lands to energy exploration and production. As we look en mass at these idle acres, we begin to see a pattern emerge. We believe companies producing on acres that remain idle are facing factors beyond their control. In many cases, Congress and the bureaucracy create roadblocks that shut down companies' access to the lands.

We ask that you look at each case individually and on a case by case basis for the purpose of systematically removing the regulatory roadblocks these companies' face on idle acres. We believe you should begin with one simple case in Utah. For seven years, Utah has waited for the final Records of Decision (RODs) on their state's Resource Management Plans (RMPs) at Vernal, Price, Moab, Richfield, and Monticello that authorize oil and gas activities in Utah.

We believe you should issue an Executive Order to require the Bureau of Land Management (BLM) to issue the RMPs by August 31, 2008. Additionally, we ask that you order BLM to ensure the RODs authorize the Preferred Alternatives in each RMP without the adoption of new Wilderness Characteristics Areas (WCAs). Removing bureaucratic roadblocks to these 955,000 idle acres will ensure that development starts immediately. This would enable the oil and gas industry to effectively tap into over 5.2 Tcf of natural gas and 334 million barrels of oil. This energy would heat 72.9 million homes and power 24.5 million cars.

Clearing the regulatory roadblocks in Utah is one simple step to lower the price of energy for the American people. It is only by acting in a bipartisan manner that we can move our nation out of this national energy crisis. Additionally, we stand ready to assist you in bringing legislation before the House of Representatives that will eliminate the roadblocks to energy development in America.

Sincerely,

STEVAN PEARCE,
Member of Congress.
ROB BISHOP,
Member of Congress.
CHRIS CANNON,
Member of Congress.

I reserve the balance of my time.

Mr. RAHALL. I am shocked that the gentleman would even start down the road of campaign contributions in this debate, but I am not going to proceed any further down that road.

Mr. Speaker, I yield 2 minutes to the gentleman from Oregon (Mr. DEFAZIO).

Mr. DEFAZIO. I thank the gentleman for yielding.

In 1923, President Harding took the Saudi Arabia of the United States and put it into the Naval Petroleum Reserve. There is a huge pool of known oil, over 10 billion barrels underneath what has now been called, and the Republicans changed it from the Naval Petroleum Reserve to the National Petroleum Reserve. And yes, indeed, President Clinton did let the first leases in that more than a decade ago.

The companies have drilled 25 test wells to find out there is indeed oil under there, but they have not connected over here to the Prudhoe Bay pipeline and there is no construction going on and no active drilling going on.

Now this area that they want to argue about, in 1950 it was made into a wildlife reserve. Now this was made into a Naval Petroleum Reserve because it has huge amounts of known oil. This was made into a wildlife reserve because it has huge amounts of known wildlife. President Harding didn't make ANWR into the Naval Petroleum Reserve because no one knows if there is any oil under there. They try to pretend that they know that there is oil there, but the Bush administration's own Mineral Management Service says there is a 50 percent chance of recoverable oil under ANWR.

So why not drill here in NPR–A? Why don't the Republicans and the oil companies want to fully exploit these 10 billion barrels of oil? I think there is a pretty simple answer to that, because they are doing really well under the Bush-Cheney energy policy. Remember, written in secret, voted on and put into law by the Republican Congress, signed by George Bush. During George Bush's tenure, the profits of the oil companies have been $511 billion, a new record every year George Bush has been in office, more money in 7 years than in the preceding quarter-century.

This system is working quite well for them. They don't want to increase supply. In fact, they are working hand-in-glove with OPEC and others who are colluding to restrict supply.

Drill responsibly in leased land. Exploit America's resources.

Mr. PEARCE. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. BARTON).

(Mr. BARTON of Texas asked and was given permission to revise and extend his remarks.)

Mr. BARTON of Texas. Mr. Speaker, I rise in opposition to H.R. 6515. The bill was introduced yesterday. It is on the floor today. That is pretty fast work. No hearings, no committee process. It is primarily a restatement of existing Federal law with a couple of exceptions. It does have a prohibition of any oil that is found in Alaska going anywhere but the lower 48. Chairman RAHALL and I had a little debate about that on the House floor earlier this week. I certainly don't have any opposition. It is somewhat meaningless because oil is fungible and it can go wherever it needs to go; but if that is the price we have to pay to get more oil drilled and produced in Alaska, I am actually for that section of the bill.

Having said that, this bill is counterproductive if we really want to find new oil and gas because it doesn't open up any new areas.

□ 1345

If you only allow drilling where we have already been allowed to drill, for example, in the great State of Texas that I represent, we have drilled over 2 million oil wells since 1901. The probability of finding a major new oil field in Texas today is much closer to zero than it is to 100 percent, because we have already drilled so many wells.

Eighty-five percent of the Outer Continental Shelf of the United States of America is off-limits. This bill does nothing about that. It says, let's expedite leasing in the Alaska Naval Petroleum Reserve. Fine, but we can already drill for oil in the Alaska Naval Petroleum Reserve.

What about ANWR? ANPR is to the west of Prudhoe Bay. ANWR is to the east. We think there are 10 billion barrels of oil in a 2,000-acre section of ANWR, 10 billion barrels. Drill 10 wells, and you get 1 billion barrels a well.

If we drill on an expedited basis in ANPR, certainly there is oil to be found there, but we can already drill there, and it won't get 1 billion barrels per well.

I urge a ''no'' vote on this legislation.

Mr. RAHALL. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from New York (Mr. HALL) who has been very active on this issue and very involved in our debate we had the other night.

Mr. HALL of New York. Mr. Speaker, I assure you that this Member is serious and sincere, and I strongly support the DRILL bill.

Gas in my district in the Hudson Valley is over $4.30, and families are paying and really being hurt by this. They need serious solutions that deliver real results, and that's why I support the Drill Responsibly in Leased Lands Act to take action right now to extract more American oil in the right places.

Oil company advocates have been preying on the anxiety of Americans to push the failed ANWR drilling plan that would only lower prices by a nickel in 20 years, 20 years in the future. Our drivers need more help than that, and they need it faster. The DRILL Act answers the call, telling oil companies to drill for oil that can give more relief than ANWR ever could.

The ''use it or lose it'' measure requires oil companies to drill on land they have already leased or make way for someone who will. If they did that, they could double production and cut imports by one-third. It also makes it easier to lease the 20 million acres of the National Petroleum Reserve in Alaska, already approved for drilling, and calls on the President to build pipelines to bring that 10.6 billion barrels of oil to market. The bill will pave the way to get at the most oil in the shortest time with the greatest responsibility.

I hope all of my colleagues will support it.

Mr. PEARCE. Mr. Speaker, one of the issues that is not dealt with in the drill now bill, DRILL, someone said maybe that means Democrats Reinventing the Inconvenient Liberal Lies instead of drilling now, but we just have a process that takes a long time. This process is part of what creates the 68 million acres.

The 68 million acres of idle land are not idle at all. They are involved in this process. This process is not changed one bit by the bill in front of us. Again, if the bill had come through committee, if we would have had hearings, we could have made these points in committee.

It's rather inconvenient because we don't have the ability to amend the bill today. We do not have the ability to offer a substitute bill, no motion to recommit. So we are tasked with simply explaining why the bill should receive a ''no'' vote.

But the process today has not changed at all, and you cannot read every single element in this block, but you can just see, as we move the chart toward me, what the steps are that are required to drill any single well. Litigation can occur at many different points. Again, this bill does absolutely nothing to stop any of this regulatory process that exists today.

There is not really such a thing as a third-world country. There are only overregulated countries, and when we look at this chart, we see why America is moving towards the status of a third-world country, because we are overregulating to the extreme, and it is winding up with millions of idle acres. Our friends want to say take it away from those companies that are not using it.

Either it is because of bureaucratic process, external litigation, but there are very good reasons why acres are idle. I think that our friends on the other side of the aisle are simply avoiding the real question of why we are not drilling in this country, why we are preferring Hugo Chavez oil, why we are giving preferential treatment to oil from OPEC, rather than this country.

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

Mr. RAHALL. Mr. Speaker, I yield myself 1 minute to respond to the gentleman from New Mexico.

If he was listening to my opening statement and my earlier comments on this issue, I fully understand it's a lengthy process. The regulatory framework was put into place in this and many other laws of this land for a very specific reason, to protect the public health and safety and the environment.

It's a lengthy process to go through this leasing. I must tell the gentleman, and he knows it, once you obtain that lease you have overcome most of the hard obstacle of achieving production. The lands we are talking about are mostly lands already under lease. Therefore, a lot of that burden has already been overcome.

Mr. PEARCE. Would the gentleman yield?

Mr. RAHALL. Yes.

Mr. PEARCE. I really appreciate and respect what the gentleman says, but when you give the figure 68 million acres are idle, I wonder how many of those acres are, in fact, in this bureaucratic process.

Mr. RAHALL. Reclaiming my time. And under lease. And if they are in that process, that is called due diligence. We don't penalize them. We don't take it away at all.

Mr. Speaker, I yield 2 minutes to the gentlelady from Texas, SHEILA JACKSON-LEE.

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. I thank the distinguished gentleman from the great State of West Virginia, I thank you for your leadership.

Mr. Chairman, speaking of history, I just want to make mention of the fact that we have many Americans that care for it.

I am delighted that some 23,000 women from Alpha Kappa Alpha are here, Americans who are believing in their government and asking for change and asking for the leadership that is here on the floor of the House. To them, I believe we have an obligation to all Americans. It's important to know that I come from oil country. I represent large numbers of energy companies in the City of Houston. I practiced oil and gas law and have the experience of stripper-well legislation or litigation, if you will, worked on take-or-pay and curtailment.

I know very well about the Alaskan pipeline because it was being worked on in the 1970s, so we do have a right in this legislation, H.R. 6515, to ask that the Alaskan pipeline for natural gas for Americans be utilized, be put in place. It might be time now to declare a national emergency and take control of that pipeline and get it working.

But what this bill stands for is for working men and women, families. What it says is we are simply asking for due diligence, and that is to come to the National Petroleum Reserve and go ahead and acknowledge the fact that there are 22.6 million acres that can be leased. Only 3 million acres have been leased, and only 25 exploratory wells have been drilled.

We are simply saying that this is part of the larger piece, the drilling off the gulf of Texas and Louisiana, of which we in those areas applaud and salute. They have been done environmentally safely.

I ask the energy companies, of whom I am inviting to sit down in Houston in a roundtable and begin to engage in the process of doing what the building trades have said. Let us address the question of affordable energy and national security. This is a national security issue.

The question has to be if we have Federal lands, we need to be able to drill. This legislation says so. We need to be able to have due diligence, and we need to come together to provide the kind of energy policy that is for national security.

Mr. PEARCE. Mr. Speaker, before I yield to Mr. BRADY, I would point out that this is the area we are talking about leasing, it is not some area up in Alaska that doesn't have any infrastructure, no pipelines. The majority is still avoiding the real question that is in front of this country, why we have $4 gasoline is because we can't get access to supplies that have an effect on the market today.

I would recognize Mr. BRADY for 3 minutes.

Mr. BRADY of Texas. Mr. Speaker, it is a very unfortunate time when families are struggling to try to make ends meet with these energy prices, small businesses too. Basically, Congress is debating a bait-and-switch piece of legislation.

Democrats are hoping that the American public isn't smart enough to realize there are two oil fields in Alaska—ANWR, the one that has been put off-limits, is fertile with what we believe are vast oil and gas reserves. And the National Petroleum Reserve, which, by the way, has been explored out now for 70 years.

The difference between ANWR, and the National Petroleum Reserve, is the difference between Jimmy Carter and his brother, Billy Carter. ANWR holds vast reserves in a small amount of land that can be accessed much more affordably and quickly. The National Petroleum Reserve was first drilled for two decades by the U.S. Navy, the Federal Government.

Then for the next two decades it was drilled again by the U.S. Geological Service, again, the Federal Government. For the recent decades, it has been drilled by companies, three principally, two of them in the Texas area. Unfortunately, no major finds were there. That's why most of this area, it's big, but most of it hasn't been leased because most of it is a dry hole.

What they found instead is that there are some small finds along the edge, which are very expensive to explore, it costs about $1 billion to put an oil well there, and $10 million a mile to try to connect it back to the existing fields. Unfortunately, even doing that, even stringing those small finds together to try to produce oil has been held up by environmental lawsuits and red tape.

So the claim that oil companies aren't exploring and doing their best, they are investing billions of dollars there. To claim that there are vast reserves that merely need to be leased, the whole world has passed on these leases year and year and year again. You can offer them every 5 minutes, and they are going to pass on them again.

We need to quit playing games with the American public. We need to open up ANWR, the other Alaskan oil field, that holds a real ability for us to take more responsibility for America's own energy needs, for us to have some say

in that price of energy, to make sure that when families are filling up, they aren't filling up with oil from the Middle East or from Venezuela or that they are paying prices dictated by Iran and Nigeria and Russia, but more American-made energy.

Ignore this bait and switch. Let's get to real energy policy, real American-made energy in ANWR.

Mr. RAHALL. Mr. Speaker, I am reminded by my colleague from Mississippi, Mr. GENE TAYLOR, and in thinking back over history, when this moratoria was first passed by a Democratic Congress in the early eighties, there was one Ronald Reagan that occupied the White House and signed it into law. My colleagues are attacking Ronald Reagan, His Holiness? I am rather shocked.

I yield 3 minutes to the gentleman from Massachusetts (Mr. MARKEY).

Mr. MARKEY. I thank the gentleman, and I congratulate him on this excellent piece of legislation. I think we know why we are here. We are here because the American consumer is being pummeled at the gasoline pump on a daily basis. They want to know, how did we get from $30 a barrel of oil and $1.50 for a gallon, on the day that George Bush and DICK CHENEY were sworn in, to a point now where it's now $140 a barrel and more than $4 a gallon gasoline now.

Well, it's a very simple formula during the Bush-Cheney era. It's two oilmen in the White House for two terms, equals $4 a gallon gasoline. Oil math in the United States is very simple. They put together a secret energy plan, DICK CHENEY and George Bush, on day one in the White House. Today, we are out here debating whether or not it's a success.

Now, from the oil industry perspective, it is, and they were the only ones allowed into these secret meetings with the President and the Vice President.

But, for the American people, they are being tipped upside down at the pump. When we, as Democrats, say you can go right now and drill up in the petroleum reserves, you can go offshore. You can go into all of these locations that are already permitted.

No, there is absolutely no interest on the part of the oil industry. When we say to the oil industry and to the Bush administration, instead of drilling off of the beaches of the United States first, how about going to the Strategic Petroleum Reserve? How about taking 70 million barrels there and starting to deploy it, to put the fear of God into the oil industry, into speculators, into traders?

□ 1400

The President says, I would never use that because it is a free market, the price of oil on the marketplace.

So what we are saying is, don't go to the beaches first. Go to the Strategic Petroleum Reserve, but they will not do it.

So the DRILL bill of Mr. RAHALL is very simple. He says, instead of drilling somewhere 20 years from now, to give an insignificant relief, Mr. RAHALL is saying, drill now in the 68 million acres that you already have, which has oil.

We need, instead of drilling for 20 years from now we need to tap, tap, tap the oil where we have it on the land in the United States today. We need to tap, tap, tap the Strategic Petroleum Reserve today, immediately, to protect the American consumer. We need to tap into renewable energy resources in order to protect the American people now with wind and solar.

The Bush administration says no, no, no; I am with the American Petroleum Institute, not the American consumer at the pump. And that is why we say to the oil industry and to the Republican Party, stop your coalition which has driven the price of oil to a point where consumers are being tipped upside down at the pump.

Mr. PEARCE. Mr. Speaker, the Perdido lease in the Gulf of Mexico was sold in 1996. Twelve years later, over $2 billion has been spent before we even produce one drop of oil. That is 34,000 acres that, according to our friends, are idle. And yet, $2 billion has been spent. Another billion dollars has to be spent before that can be produced.

And what is going to happen with this bill is that people are going to say, I am afraid I might lose my lease. 12 years to produce one, not even 1 drop of oil on 34,000 acres, and people are going to stop buying leases. This bill is going to kill production, not assist production.

I would like to recognize Mr. WESTMORELAND of Georgia for 2 minutes.

Mr. WESTMORELAND. Here is a real chart of what the gas prices have done. You have got the Republican Congress, 12 years, and then you have got the Democrat Congress in just 18 months.

But I was really surprised to hear the chairman of the Resource Committee talk about exporting Alaskan oil. There has not been any Alaskan oil exported in 8 years, 8 years. And we talk about, you know, if we are going to drill, I want to know—and this is shameful, but this is snake oil. This is snake oil.

Mr. Speaker, what the American people are being sold today is snake oil. They set up a snake oil shop about 2 weeks ago over here, and it was shut down by the Republican minority because we would not go along with a suspension bill that did not allow drilling.

Here we are right back again, trying to set up another snake oil shop with new ingredients, new facts that are being stirred around in the same thing to try to come up with a different result.

It is not going to come up with a different result because we are not going to cave in to these snake oil salesmen. We are going to stand up for the American people and demand that we drill, that we open up our areas, that we use our own natural resources, that we don't go hat in hand to foreign countries, that we don't give Hugo Chavez $178 million a year, that we use our own resources. And we are not going to be tricked by these new escapades that are being put on by the majority party today.

I feel like I am watching a ''Whose Line Is It?'' Because they are off on so many different things that I don't even know, Mr. Speaker, if they have read their own bill.

They call it the DRILL bill. This is not about drilling. This is about tricking the American people.

Mr. Speaker, I hope that we can pay attention to their words, because I want to show you, this is a quote from January of 2007.

The SPEAKER pro tempore (Mr. SERRANO). The time of the gentleman from Georgia has expired.

Mr. WESTMORELAND. Well, hopefully, Mr. Speaker, they can read this quote and see that there is no sincerity.

Mr. RAHALL. Mr. Speaker, I would remind the gentleman from New Mexico, when he brings up all these bureaucratic delays and environmental lawsuits and that big long chart of his, I was here when we passed the Energy Policy Act of 2005, when I believe that side of the aisle was in control, as well as their party in control of the White House. I thought one of the purposes of EPAC, as passed by the Republican Congress, was to speed up this whole mess.

I yield 2 minutes to the gentlelady from California (Mrs. CAPPS).

Mrs. CAPPS. I thank Chairman RAHALL for his excellent leadership in crafting this legislation, the DRILL Act, which I strongly support.

The oil and gas companies, awash in profits, would have us believe they have nowhere to drill. That is just plain wrong.

According to the Bush administration, 80 percent of our oil and gas resources are available for drilling. The industry is sitting on 68 million acres of public lands where it could be drilling, but isn't. And with this bill today we are speeding up the effort to drill in the Alaska National Petroleum Reserve.

We don't need to open up more areas for drilling when industry is dragging its feet on producing where it already could. This recent push by President Bush to open up the rest of our coast to offshore drilling is a political stunt. It is not about lowering gas prices today or even in the near future. It is just a cynical attempt to change the subject from this administration's abject failure on energy.

The great oilmen rode into the White House 7½ years ago boasting about their new energy policy. Their great plan, now 95 percent implemented, has now resulted in $4 a gallon in gas, $500 billion in oil company profits, and an economy in crisis.

Those of us who opposed the Bush-Cheney energy plan did so because we knew this was the likely result.

Mr. Speaker, Democrats have a better idea, one that meets today's crisis and transitions us to a new energy future. We believe the President should release a small amount of oil from the Strategic Petroleum Reserve. We have done it before, and it works. It would likely bring prices down more in 10 days than the Bush-McCain offshore drilling plan would in 10 years.

In addition, oil companies should drill in the vast stretches of this country where they are now permitted, and the Bush administration should open up drilling in the Alaskan National Petroleum Reserve, build the pipelines and sell that oil and gas to Americans.

Finally, we must seriously ramp up our transition to alternative and renewable energy sources. If, in 10 years, oil and gas are still the focus of our energy debates, we surely will have failed. That would mean following the path that George W. Bush and Dick Cheney have charted, and we know where that leads us.

We need to change direction. I urge my colleagues to support this bill.

Mr. PEARCE. Mr. Speaker, I appreciate the chairman of the committee pointing out that the Energy Policy Act of 2005 was supposed to speed up the delays. And, in fact, we did.

You would remember, sir, that it was in our committee that we established the five categorical exclusions. Those are the categorical exclusions that were dropped out in your energy bill earlier this year that slowed the process down.

You also remember that we established the pilot offices. The pilot offices were established in several places across the country, and your legislation stopped those too.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The gentleman is reminded to address his remarks to the Chair.

Mr. PEARCE. Excuse me, Mr. Speaker. I was simply addressing the questions that were addressed to me by the gentleman from the floor. I would thank you for that reminder, and would point out that, in fact, what we are doing here today, we are saying that people have been laying on these leases, that they are letting them lie idle.

But it was actually the Democrats of the Energy Policy Act of 1992 that passed, Democrats in the majority. And you notice that we have many of the gentlemen on the floor of the House today. Mr. HOYER, Mr. MILLER, Ms. PELOSI and Mr. RAHALL all voted yes in saying that we need, not just 5 years, but 10 years to produce these wells. And now we are having the finger pointed by the same people today, saying that it is irresponsible oil companies who are delaying too long. So the flip-flopping that we are seeing across the country right now is absolutely amazing.

We would love to hear the Democrats say that they want to drill and drill now. The only problem is that I have heard Democrats say that drill is a four-letter word. Well, either they can't spell or they can't count; I don't know which.

But let's yield 2 minutes to Mr. CARTER of Texas.

Mr. CARTER. I have been listening to this debate, and it has been extremely interesting. But I think that we have got a situation here where, because of the fantastic nature of the Congress, nobody understands what we are talking about. In reality, we are talking about leasing, and they are saying use the lease you paid for.

Now, I think the American people, almost every one of them out there, they know what a lease is because probably they have leased an apartment, or they have leased a home or they have leased a car. They have leased something in their life. And I doubt very seriously if they paid a lease price, a pretty good size lease price that came out of their family's pocket, and then didn't use what they leased. They parked the car in the garage and didn't use it. They rented the apartment for a year and never set foot in it, but lived someplace else. Or if they were in business, they rented a warehouse to store things, and then didn't put anything in the warehouse and wasted their money.

Now, what we are talking about here is leases that the people who are in the oil business have spent billions, with a B, of dollars to lease. Does it make sense to anyone's common sense that they would spend that kind of money and then not look to see if there is some way they could get their money back on the deal? Of course they have.

And in fact, as KEVIN BRADY pointed out, they have been looking and looking and looking and looking in this area to find enough resources to justify billions of dollars worth of expenditures to drill.

I will tell you, you are welcome to drill in my back yard. I have got about two, a little over 2 acres. I will lease it tomorrow, okay? But there is no oil in my back yard, and I don't expect anyone to lease it or drill there because they know in Round Rock, Texas there is not any oil.

Now, the same thing goes here. You can talk about use it or lose it, but once you know there is no production in an area, there makes no sense to spend millions of dollars to find nothing. That is what this is all about. Common sense tells you there is no oil there.

Mr. RAHALL. Mr. Speaker, I am very happy to yield 1 minute to the gentlelady from New Hampshire, CAROL SHEA-PORTER.

Ms. SHEA-PORTER. Mr. Speaker, almost 8 years ago two oilmen arrived at the White House. They devised an oil policy that left everybody else out. And now we are seeing their very successful oil policy where we are paying for their secret policy. And yet we didn't hear a word from the Republican side of the aisle. And now, when we are paying almost $5 a gallon, suddenly they are talking about drilling in ANWR.

Now, they know, as well as we do, as well as the Department of Energy knows and says, that it would take 10 years to get any gas from that. The American family would spend $57,000 before they saw one penny from the Arctic National Wildlife Refuge. We need to drill now and we need to drill domestically, and they have the leases.

And don't ever be surprised by the fact that the oil companies are claiming there is nothing underneath there anyway, because what they are really doing is buying back their stock.

So my suggestion to the oil companies is to get to work now. Start drilling domestically with what you have. You have 80 percent of the leased land. Use it or lose it.

Mr. PEARCE. Mr. Speaker, I recognize the gentlelady from Oklahoma (Ms. FALLIN) for 2 minutes.

Ms. FALLIN. Mr. Speaker, H.R. 6515 is the ''use it or lose it'' bill that was defeated last month, but today it is coming back with just window dressing added to this version.

The previous version of this bill, H.R. 6251, was rejected by the majority of Republicans and nearly all the oil patch Democrats, including the chairman of the Energy and Mineral Resources Subcommittee.

Like the last version, H.R. 6515 breaches contracts by requiring terms under which oil companies may use and bid on leases. In fact, this piece of legislation may actually drive away oil and gas companies from the U.S. and lower the production of energy. It is based on a claim that has been dismissed by the Department of Interior, that the industry is stockpiling 68 million acres of Federal leases.

This bill cannot hide 30 years of shutting off access. In Jimmy Carter's last year as President, over 100 million acres were leased onshore, and it reached 160 million acres under Ronald Reagan. In a good year it is now just 50 million acres. The government and the Democrat leadership is the one that is stockpiling oil and gas leases, and the Speaker is keeping it off the market. Over two billion, that's over 200,000 million acres are not leased.

And according to today's New York Times, when the President decided to lift the ban on OCS oil and gas production, the Speaker responded, I'm not going to let him get away with it.

Well, H.R. 6515 and the Speaker are not living up to their promises.

This bill also purports to open up the National Petroleum Reserve in Alaska, but the NRPA is already open. Just yesterday the Secretary of the Interior announced a major lease sale for this fall. So 6515 could delay the drilling because the bill now injects new environmental language that is already existing in the NPRA law. And this is an invitation for environmental groups to sue to stop oil production. And they have been filing lawsuits for the last 10 years to stop the production. This is a bad piece of legislation.

Mr. RAHALL. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Oregon (Mr. BLUMENAUER).

□ 1415

Mr. BLUMENAUER. I was sort of shocked to hear my friend from New Mexico complaining about rules and regulations that fetter the oil-extraction industry as restrictions that make us Third World. Well, you know, think for a moment about the abuses we see worldwide in terms of corruption and environmental abuse, and we have those for a reason.

But even if you're going to ignore that, if you think environmental protection and administrative controls are infringements on freedom and unnecessary, gee, as my friend from West Virginia points out, you passed an energy bill in 2005 that was supposed to streamline it. The Republicans and two oilmen have been in charge for the last 7½ years. If it doesn't work right, whose fault is that administratively?

I would suggest the gentleman look in the mirror and then vote for our legislation.

Mr. PEARCE. The gentleman asks a question whose fault is it. Let's read down through a list of observations: Wilderness Society v. Wisely, 16 leases, 11,000 acres stopped; Montana Wilderness Alliance v. Fry, stops three leases, limits additional 9; Northern Cheyenne Tribe v. Norton, injunction covering 93 percent of the resource area; Theodore Roosevelt Conservation Partnership challenges total of 127 APDs, applications for permits to drill; Southern Utah Wilderness Alliance v. Kempthorne stopped 60 wells; Potash Association stopped 72 wells; Biodiversity Conservation Alliance suspends leases; Wyoming Outdoor Council v. BLM, 11 parcels BLM stopped; National Audubon Society challenging the Resource Operational Division, and then we have Pennaco Energy v. U.S.; Southern Utah Wilderness Alliance; Southern Utah Wilderness Alliance.

The reason that oil and gas exploration is stopped, the reason that we have 68 million acres is because of litigation and excess regulation, many of which do nothing, nothing to improve the environment. Most are bureaucratic delays.

I would suggest that the gentleman should—maybe if he thinks that he can produce oil more cheaply and more effectively than the people who are producing it, maybe he should be there and actually be drilling some wells and find out for himself the difficulty of producing.

Mr. Speaker, I would recognize the gentleman from Nebraska (Mr. TERRY) for 1 minute.

Mr. TERRY. Ask yourselves why folks on the left who are more green than the Riddler and the Democrat leadership that has vowed to prevent any new drilling support this bill. Do I smell hypocrisy? No. Because this bill doesn't open up any new drilling. In fact on balance, it makes it more difficult to drill in an area already open for drilling. It poses new requirements to prove that you have to fully have used other leases before you can get any one there. A new requirement that any company must have a union contract in place before receiving a lease are just some of the couple of examples.

This is not a drilling bill that's going to get us more resources. It's a rhetorical political bill. Don't be suckered. Vote ''no.''

Mr. RAHALL. Mr. Speaker, could you give us the time remaining on both sides.

The SPEAKER pro tempore. The gentleman from New Mexico has 4 minutes left. The gentleman from West Virginia has 6½ minutes left.

Mr. RAHALL. Mr. Speaker, I reserve the balance of my time.

Mr. PEARCE. Mr. Speaker, before I recognize the gentleman from Michigan, again we would just look at one area. This is the Powder River Basin, and 86 percent of the leased land is idle because of the fear of lawsuits. It is lawsuits that are stopping much of the production, and yet the gentleman's bill does nothing. It does nothing to stop the lawsuits.

If we are serious about drilling and drilling now, then let's put something substantial in this bill, let's take it back to committee, let's amend it like we should have, let's put things that restrict the litigation that is stopping Americans from receiving the oil that they deserve and the lower price of gasoline.

Mr. Speaker, I would recognize the gentleman from Michigan (Mr. MCCOTTER) for 1 minute.

Mr. MCCOTTER. I thank you.

This bill is worse than nothing; it is the illusion of something. As was alluded to by my colleague from Nebraska, when you see people who claim to be more green than the Maid of Arran supporting a drilling bill, questions do arise.

In the final analysis, I must be honest. In fairness, this bill will do one thing. It will unleash the new power of the Democratic Party's hybrid of solar and wind power. It's called hot air. Now, hot air will not fuel your car, it will not fly your plane, and it will not lower your gas prices.

I would point out before you vote on this, remember the more hot air that you unleash over this, the more disastrous the consequences to both gas prices and global warming.

Mr. RAHALL. Mr. Speaker, I yield 1½ minutes to the gentleman from Maryland (Mr. VAN HOLLEN).

Mr. VAN HOLLEN. Mr. Speaker, President Bush has called upon the country for more domestic drilling. This bill says yes, Mr. President, let's drill. Let's drill in those areas that are already leased and already ready to go because what the President has not told the American people is that there are over 68 million acres of Federal lands already leased to the big oil and gas companies. They are not moving forward on those leases. They are sitting tight. They like the status quo. They're making record profits. Gas is over $4 a gallon. They like it that way.

What the President said is don't push forward on those already existing leases. Let's go up in the Arctic Wildlife Refuge. But what he hasn't said is the Department of Energy, his own Department of Energy, has found that we won't see one drop of gas on the market for another 10 years as a result of that drilling, and even then the price will be insignificant.

If we really want to get going now, two things we've got to do: One, we need to begin to release oil from the Strategic Petroleum Reserve. That's 10 days until it hits market. Not 10 years. Two, we've got to crack down on the speculators, and this Congress is going to move forward on that measure. We hope we have the President's support because he has said no to releasing oil from the SPR.

In the longer term, we have to do two other things: responsible drilling, and that's what this bill calls for, and we need to make that investment in renewable energy and energy efficiency. If we're going to truly reduce and crack our addiction to oil, especially foreign oil, we need to move forward on those fronts.

This is a responsible bill that says to the President, yeah, let's start drilling on all of those areas where the oil companies have the ability to do that. They're sitting on it. They like it that way. Let's send them a message.

Mr. PEARCE. Again, Mr. Speaker, I would remind the gentleman that oil companies are very rarely sitting on it. They are delayed by regulation. They're delayed by litigation, and if we were serious about drilling and drilling now, drill today, we would do something more than recommend a Black and Decker drill. I was surprised to hear our chairman of the committee say that because it takes billions of dollars to build these rigs out in the middle of the gulf, and to suggest that it is quite as simple as grabbing a Black and Decker and going and drilling with your hand, simply just, I think, intentionally understates the difficulty in providing low-cost gasoline for consumers in today's market. I was surprised.

Mr. RAHALL. Would the gentleman yield?

Mr. PEARCE. Yes, I would yield.

Mr. RAHALL. Of course I was being facetious in case you didn't understand my southern drawl.

But in regard to the issue of litigation lawsuits, lawsuits, lawsuits to which you refer, if I might respond. In regard to the NPRA, the National Petroleum Reserve, ConocoPhillips currently holds 183 leases up there making them one of the largest leaseholders. As of July 16, 2008, I believe that's yesterday, ConocoPhillips has told my staff, ''There are no lawsuits, litigation, on any ConocoPhillips leases in the NPRA nor have there been.''

According to several other sources, there are no lawsuits pending to stop lease sales, exploration, or development of the NPRA, the National Petroleum Reserve.

Mr. PEARCE. Reclaiming my time.

I would just point out to the gentleman that the 34,000 acres with the Perdido lease has got no production coming from it yet. It's declared as idle according to your specifications. And I would just remind the gentleman that there are always reasons why production is not occurring. No one is withholding oil at $140 a barrel.

I reserve the balance of my time.

Mr. RAHALL. Mr. Speaker, I am very honored and proud to yield at this time 1 minute to our superb majority leader, the gentleman from Maryland (Mr. HOYER).

Mr. HOYER. Mr. Speaker, I thank my friend for yielding, and I thank him for bringing this bill to the floor.

Drill Responsibly In Leased Lands. The assertion was that Democrats are not for drilling. This gives lie to that assertion. This says, as we have been saying, there are 88 million acres available for drilling right now. Those acres are subject to lawsuit, my friend says. Any acreage would be subject to lawsuits. This acreage is subject to the availability of drills. Black and Decker or otherwise. What an absurd, I say to my friend, assertion. There are no drills available currently to drill in new lands here or other places.

The minority leader, I presume, is going to be speaking in some few minutes. He said this: ''They're,'' meaning the Democrats, ''offering excuses designed to get people thinking about something other than drilling. They worship at the altar of radical environmentalists.''

This is, of course, the crowd that said global warming didn't exist until just a few months ago. This is the crowd that has been in charge of the White House for the last 7½ years.

The gentleman from New Mexico says, Gee whiz, let's bring the price of gasoline down.

They had an energy policy which they came up with under DICK CHENEY. Some people say it failed. I'm not sure the oil companies thought it failed. It was $1.46 when they brought up the policy. It's now $4 at the pump. The oil companies are making the biggest profits they've made in their history.

The assertion Mr. BOEHNER made is, as I said again, that we worship at the altar of radical environmentalists. Let me quote one of those radical environmentalists: ''I have been an oilman my whole life, but this is one emergency we can't drill our way out of.'' That radical environmentalist's name is T. Boone Pickens, and as he said earlier in that statement, ''I have been an oilman all my life.'' He understands very well what can and cannot be done.

This bill says let's drill. Let's get American product to American consumers and try to bring down prices. We've also asked the SPR be released. Not all of it. Maintain most of it. Why? To bring prices down, to free the oil that Americans have bought for their use and to bring prices down. With Americans being pummeled by $4-a-gallon gas, it's high time that America did just that. With the passage of the DRILL bill, America will move decisively to increase its domestic oil production.

Now, ladies and gentlemen of the House, isn't it an ironic happenstance that the day before we put this bill on the floor, 24 hours before we put this bill on the floor and say let's drill in the National Petroleum Reserve, isn't it ironic that the White House announces they're going to do just that? My, my, my. What an awful idea we had—right up until the time 24 hours ago when the administration decided they would do it.

I'm glad they've done it. And if our actions spurred their action, so be it. And we're going to take credit. Because they've been in office 7½ years. They took it 24 hours ago. What was the reaction of the oil industry? They were happy.

Now, nobody is saying if you have land over here you have got to use it before you get land over here. What we're saying is you can't inventory land. You can't inventory acreage. You can't be a huge, rich oil company and want no competition and therefore inventory land. We're saying that. Yes, we are. We think that makes good sense for the American public.

Today we call their bluff, I think. Yesterday they saw us. And they said, we'll drill here.

□ 1430

Mr. Speaker, 68 million acres of American oil-producing land are sitting leased, available, and idle. There is even more land available for drilling in the National Petroleum Reserve-Alaska, or NPR–A, which we're dealing with today.

Combined, we are talking about an area the size of—and all my colleagues listening to this debate and anybody else who is listening to it, they ought to know currently what is available—the area of Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New York, New Jersey, Delaware, and most of my own State, Maryland. That entire area is currently available for drilling, for getting American product to Americans.

Let's help the oil companies get that oil out of the ground and get it flowing to the Americans who need it. The DRILL bill speeds up the leasing process in the National Petroleum Reserve-Alaska. It ensures that Alaskan oil will fill American gas tanks.

That is, I presume, why, when they knew this bill was coming to the floor, yesterday the administration said they were going to have this land leased. Yesterday. The American public is pretty smart. There's nobody I think that's hearing my voice, wherever they are, doubts that if they just did it yesterday, after being in office for 7½ years, then maybe, maybe, maybe there was a relationship between Chairman RAHALL bringing this bill to the floor and the action yesterday to try to preclude the credit for doing what we think is good policy. Hopefully, we're all going to vote for good policy today and vote for this bill.

It calls upon the President to speed up the completion of the Alaskan oil and gas pipelines. That's what it does because we need those lines to get that oil and product, natural gas and oil, to market and to Americans.

''Drill on the leases you have, or let somebody else do it. But don't just sit on them while Americans are paying $4 a gallon. Use it or lose it.''

The gentleman says, well, they're not just sitting there; they're afraid of lawsuits. We may all be afraid of lawsuits. We may never drive our car because we're afraid of an accident or a lawsuit. That's not what they're in the business for, and very frankly, in terms of fear, when you're making the largest profit for a product, you go look for more, unless of course you want to keep the price high and supply down.

Why is our plan better than the Republicans'? One, it means more oil. The National Petroleum Reserve-Alaska, which is already approved for drilling, has an estimated 10.6 billion barrels of oil. ANWR has 10.4 billion. And the information we have is the oil companies aren't too interested in drilling there.

Two, our plan means more oil, faster. Unlike ANWR and protected coastal areas, NPR–A plus the 68 million leased acres elsewhere are currently approved for production.

And get this, right now, today, available pipelines reach to within 5 miles of the National Petroleum Reserve, and if the pipelines are completed soon, we will speed production up even more.

Third, I see no reason to give even more handouts of public land to companies enjoying record profits and billions of dollars in taxpayer subsidies unless they are using that which they currently have. Inventorying land, inventorying acreage, inventorying possible oil supplies is not what the American people want.

What the American people want is they want production. They want performance. They want prices to go down. That's why we say let's start on the land they already have. Let them eat their vegetables before they think about dessert.

Mr. BOUSTANY. Would the majority leader yield?

Mr. HOYER. I yield to the gentleman from Louisiana.

Mr. BOUSTANY. I would like to ask the gentleman: How can we accurately know what those reserves are if we can't even have seismic, modern seismic activity done? So, that's the reason to open the Outer Continental Shelf, to at least get the process started. If the seismic shows nothing, these companies lose the lease. That's current law. So I don't understand the majority's opposition to opening the Outer Continental Shelf.

Mr. HOYER. Reclaiming my time, what the majority says is we've done seismic, we've had available 10-year leases to do the research on 68 million in the Lower 48. Thirty-three million of those are on the Outer Continental Shelf, and 20 million acres are in the Alaskan Petroleum Reserve.

What we are saying is, we have available now. You don't have to do the seismic. Presumably, that's what you've been doing on the 68 million acres. If you haven't been doing it, then let's release it and give it to somebody else who will because, as you point out, the seismics have not been done in other areas. They have been done here, presumably by people who already had available the leases.

Mr. BOUSTANY. But if the majority leader would yield.

Mr. HOYER. I'll yield one more time, and then I want to finish my comments.

Mr. BOUSTANY. I thank the majority leader.

The point is, if we have tight supply and demand, then we should be opening up all these areas for seismic analysis to get accurate information about these reserves, and if the seismic shows nothing, there's no activity; you lose the lease. The companies lose the money. That is the current law, and I think the American people want an explanation as to why we're not doing that. We should be looking at all of our potential resources.

We, in Louisiana, have known for a long time how this works. In fact, Louisiana delegations for 35 years have fought to open up additional Outer Continental Shelf and let the States share in the revenue.

Mr. HOYER. Reclaiming my time, what the American people want, they want to know why we're simply arguing that we ought to have more available when we haven't used what we now have available. That's what the American people want to know, and that's what this bill says, and that's what we're arguing.

Your argument, with all due respect, is not necessarily wrong, but it certainly is not a replacement for what we have provided here. Let's move ahead on that which is already authorized, and then we can certainly authorize more to see whether or not more is available.

Mr. Speaker, we have lived through 7½ years of Republican energy policy: plans put forth by Vice President CHENEY, a bill passed in 2005—let me stress, a bill passed in 2005. Oil was approximately $2. Their plan was passed, passed through this House, passed through the Senate, sent to the President, he signed it. Three years later, the price of gasoline has doubled. It is a failed policy. We need a new policy. We need to make sure we use the land we have.

And that's why it's so ironic that just yesterday, I tell my friend from Louisiana, isn't it ironic that just yesterday the President made an announcement the day before this bill was going to be announced that he wanted, in October, to allow the leases to move forward on this land which we're talking about? He apparently agrees with the objectives of this bill.

With this responsible domestic production bill we can start today. I urge my colleagues on both sides of the aisle: Let's use the resources that are available right now on leased lands. Drill responsibly in these leased lands. Let's keep America's oil in America. Vote for the DRILL bill. Let's make America more energy independent.

And before I close, let me reiterate what T. Boone Pickens said because the nub of this debate is not just about more oil. The nub of this debate and the nub of the failure in the past of perhaps all of us has been that we have not honestly said to the American public, the only way we will solve this problem, the only way we will become energy independent is to ensure a vigorous program of pursuing renewables so that we will have energy for the future, not just for today; for our children, not just for ourselves.

Vote for this DRILL bill. It is a responsible way forward.

Mr. PEARCE. Mr. Speaker, I would like to insert two documents that show a history of litigation in the NPR–A. If the gentleman from West Virginia is unaware of those, maybe that would help.

LITIGATION HISTORY: OIL AND GAS LEASING IN THE NATIONAL PETROLEUM RESERVE—ALASKA

In 1980 Congress amended the Naval Petroleum Reserves Production Act (Public Law 96–514), directing the Secretary of the Interior to carry out ''an expeditious program of competitive leasing of oil and gas'' in the 23 million acre National Petroleum Reserve in Alaska. Pursuant to this directive, BLM developed an expedited leasing program.

In 1983, BLM completed an environmental impact statement (EIS) and issued a record of decision (ROD) opening all but 1,416,000 acres of NPR–A to leasing. The ROD called for five annual lease sales of approximately two million acres each. Soon after the release of the ROD a lawsuit was filed by two Inupiat Eskimos in U.S. District Court for Alaska. The plaintiffs, together with amicus State of Alaska and North Slope Borough, sought a preliminary injunction blocking the lease sale. They contended that BLM failed to make certain subsistence-related determinations required by Section 810 of the Alaska National Interest Lands Conservation Act (ANILCA), 16 U.S.C. §3120. After a trial on the merits, the district court held in favor of BLM, finding that such determinations were not required. However the court issued an injunction precluding execution of the leases pending appeal of the matter to the Ninth Circuit. The district court's decision was affirmed on appeal in *Kunakana* v. *Clark*, 742 F.2d 1145 (9th Cir. 1984), thus allowing issuance of the leases. By 1998, all leases issued under the 1983 ROD had expired without a significant discovery.

In 1998, BLM completed an EIS and issued a ROD addressing the 4.6 million acre Northeast Planning Area of NPR–A. The ROD opened 87 percent of the area to leasing, excluding an area that included most of the submerged lands of Teshekpuk Lake and lands to the north and east of the lake. Several environmental groups filed suit in U.S. District Court for the District of Columbia (*Wilderness Soc'y* v. *Babbit*, Civ. No. 98–2395), alleging violations of the National Environmental Policy Act (NEPA) and seeking an injunction to preclude lease sales under the ROD. In an unreported decision, the court ruled in favor of BLM as to the plaintiffs' motion for a preliminary injunction, thus allowing the lease sales to move forward. BLM held lease sales in 1999 and 2002, which resulted in the issuance of several leases near Teshekpuk Lake. However, the court has yet to issue a final decision on the merits, and the case remains pending without any action having been taken by the court for several years now.

After completing an EIS, in 2004 BLM issued a ROD addressing the Northwest Planning Area. The ROD opened all 8.8 million acres of the planning area to leasing, but deferred 1,570,000 acres near the village of Wainwright from leasing for ten years. Several environmental groups filed suit against the Department of the Interior in U.S. District Court in Alaska. The plaintiffs argued that BLM acted arbitrarily in violation of NEPA by authorizing leasing in the entire planning area without considering reasonable alternatives and without doing a site-specific analysis of each of the areas affected by the proposed action. The plaintiffs further argued that the biological opinion was arbitrary in violation of the Endangered Species Act, alleging that it was insufficiently thorough, not co-extensive with the ROD, and paid insufficient attention to the uneven distribution of eiders within the affected area. The district court ruled in favor of BLM on all counts, *N. Alaska Envtl. Ctr.* v. *Norton*, 361 F. Supp. 2d 1069 (D. AK 2005). The decision was upheld on appeal in its entirety in *N. Alaska Envtl. Ctr.* v. *Kempthorne*, 457 F.3d 969 (9th Cir. 2006).

Seeking to open additional areas of the Northeast Planning Area to oil and gas leasing pursuant to a 2002 recommendation contained in the President's National Energy Policy, BLM completed an amendment to the 1998 EIS in 2005 and issued an amended ROD in 2006. The amended ROD sought to open for leasing all lands in the planning area except the submerged lands underlying Teshekpuk Lake. In doing so, 389,000 acres that had been unavailable under the 1998 ROD would be available. Several environmental groups filed suit against the Department of the Interior in U.S. District Court in Alaska, alleging violations of NEPA and the Endangered Species Act. Holding in favor of the plaintiffs in part, in *National Audubon Society* v. *Kempthorne*, No. 1:05–cv–00008–JKS (Sep. 25, 2006), the court vacated the ROD. The court found that the amended EIS failed to adequately analyze cumulative impacts associated with the adjoining Northwest Planning Area, and that for similar reasons the biological opinion was inadequate as well. The Department chose not to appeal the adverse decision, but instead proceeded to correct the deficiencies noted by the court by supplementing the amended EIS and revising the biological opinion accordingly. BLM issued the final Supplemental EIS on May 23, 2008. Under the Naval Petroleum Reserves Production Act, potential plaintiffs have 60 days from issuance of a final EIS to bring suit (i.e., until July 22, 2008)

[From the Anchorage Daily News, Dec. 20, 2007]

GROUPS SUE TO PROTECT RARE LOON IN ALASKA'S ARCTIC OIL RESERVE

(By Dan Joling)

Three conservation groups sued the federal government Wednesday hoping to block Arctic petroleum development through protections for a rare loon that breeds in Alaska's National Petroleum Reserve.

The groups claim yellow-billed loons are threatened by industrialization in the 23 million-acre reserve that covers much of Alaska's western North Slope.

''The yellow-billed loon is one of the rarest and most vulnerable birds in the United States,'' said Andrea Treece, an attorney with the Center for Biological Diversity. ''If the loon is to survive in a warming Arctic, we need to protect its critical habitat, not open it up for oil development.''

Inundation of the loons' freshwater breeding areas by rising sea levels tied to global warming is also considered a threat, but petroleum development is the petitioners' main concern.

The lawsuit names Interior Secretary Dirk Kempthorne and the U.S. Fish and Wildlife Service. According to the conservation groups, the agency is more than two years behind the legal deadline for taking action to protect the yellow-billed loons under provisions of the Endangered Species Act.

A spokesman for the agency said a decision on protections is coming.

''We expect to have money available in the fiscal year '08 budget and then complete the status review and the 12–month finding,'' said Bruce Woods.

The Center for Biological Diversity, the National Resources Defense Council, Pacific Environment and other U.S. and Russian scientific and conservation organizations filed a petition in April 2004 to list yellow-billed loons as threatened or endangered. After a petition is filed, agencies have a 12-month deadline to issue a proposed rule listing a species or to decide listing is not warranted.

The Fish and Wildlife Service only last May accepted the petition for review. The determination required the agency to solicit public comment, carry out a status review of the loons and, if merited, issue a proposed rule to protect loons. That has not happened and the lawsuit will seek an order from a federal judge telling the agency to do so.

The yellow-billed loon breeds in tundra wetlands in Alaska, Canada and Russia, and winters along the west coasts of Canada and the United States.

The Fish and Wildlife Service estimates there are 16,500 yellow-billed loons in the world, including 3,700 to 4,900 that breed in Alaska. More than 75 percent of the Alaska breeders nest in the petroleum reserve and many nest in areas recently opened to oil and gas development near Teshekpuk Lake and along the Colville River, according to conservation groups.

Smaller numbers breed on the Seward Peninsula, the land mass east of the Bering Strait, and on St. Lawrence Island in the Bering Sea.

President Warren Harding created the National Petroleum Reserve-Alaska in 1923 as an emergency oil supply for the Navy. Current leasing plans come from a presidential directive guiding the Department of the Interior to foster oil and gas development there.

The lawsuit was filed in San Francisco by the Center for Biological Diversity, the Natural Resources Defense Council and Pacific Environment.

So we now arrive at the point of conclusion of this debate. Protests are up 706 percent. That stops oil production. This bill does nothing against the protests.

Litigation is up in this one case. Eighty-six percent of the available acres are undrilled because of litigation. This bill does nothing about litigation.

In this particular case, 33 percent of this in Utah is out of production because of a combination of litigation and bureaucratic delays. This bill does nothing about that.

Finally, 1992, the Democrat majority extended the drilling from 5 to 10 years because they understood at that point what the Democrat Congress of today does not understand: that it does take time to prove up on leases, find if there is oil there, and produce them. The entire allegation that 68 million acres are completely idle is one that's intended, I think, to misconstrue the whole situation.

And finally, the entire underlying intent of the bill, the use-it-or-lose-it, is already a part of BLM regulations. So this bill does nothing except it duplicates what is already in place for many instances, and it threatens companies with the loss of valuable resources and will actually drive the price of gasoline up.

I would urge a ''no'' vote on the bill today and give the gentleman thanks for the debate.

The SPEAKER pro tempore. The time of the gentleman from New Mexico has expired.

Mr. RAHALL. I would say to the gentleman from New Mexico, again, we realize this is a lengthy process, leasing and permitting and getting into actual production. But again, a lot of the regulatory framework that's in place is in place for a darn good reason, to protect the public, to protect their health, to protect their safety, and to protect our environment, regulatory framework of which I happen to be proud to have supported over the years and I think should be there for that public protection.

I'd be glad to yield the gentleman from Illinois 1 minute.

Mr. EMANUEL. Thank you very much for the time.

Three years ago this summer, President Bush signed into law in 2005, in August—July 28, we passed it here in the House—an energy bill which the President said at that time, ''I'm confident that one day the Americans will look back on this bill as a vital step towards a more secure and prosperous Nation that is less dependent on foreign sources of energy.''

At that time, gas was $2.29 a gallon. By any measurement, that legislation has failed. Today, it's $4.11 a gallon, and our dependence on foreign oil is greater now than it was then.

What has happened here is we have provided the oil and gas companies $15 billion in subsidies of taxpayer money to drill. They're not drilling on the 68 million acres. We have provided them 68 million acres on the Lower 48 to drill. They are not drilling.

So we have a simple thing: use-it-or-lose-it. Get drilling. We agree that supply is part of it. We also agree that efficiency is part of it.

The SPEAKER pro tempore. The gentleman's time has expired.

Mr. RAHALL. I yield the gentleman 30 more seconds.

Mr. EMANUEL. There are three parts to this: supply, efficiency, and alternatives.

When we increased the fuel efficiency of cars, we moved on one of those pieces. Here, we're moving on supply. We're asking you to join us to make sure that we have adequate supplies out there. There are 68 million acres to be drilled, and as the majority leader said earlier, it's ironic on the day that we have the bill on the floor, finally we're going to have 2 million acres opened up in Alaska.

This requires that there's an annual offering of more property up to be drilling. It does not have to only occur when the Congress puts a bill on the floor to threaten an administration that you finally move more supply to market.

This is a comprehensive approach to solving the energy crisis that the country faces.

Mr. PEARCE. Mr. Speaker, I ask unanimous consent to extend debate by 10 minutes, equally divided.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Mexico?

Mr. RAHALL. We're prepared to wrap up, Mr. Speaker. I object.

The SPEAKER pro tempore. Objection is heard.

Mr. RAHALL. Mr. Speaker, to conclude our debate on this side, and in order to promote the passage of this DRILL Act, which will bring American energy to American consumers in a responsible way, I yield 1 minute to our distinguished Speaker of the House, the gentlelady from California, NANCY PELOSI.

□ 1445

Ms. PELOSI. I thank the gentleman for yielding. I thank him for his extraordinary leadership in bringing the most extensive drilling legislation to the floor of the House. Thank you, Mr. RAHALL.

Because part of what we must do in order to bring down the price of energy to the American people is to increase domestic supply and to protect the consumer. And increasing domestic supply means that we must remove all doubt in the minds of those who wish to drill and those who want the drilling to take place that there are 68 million acres in the lower 48 States where drilling is allowed: ''Drill Responsibly in Leased Lands,'' the DRILL bill.

Thank you, Mr. Chairman, for the documentation of that amount of land. Thirty-three million of those acres are offshore. So the question is, why do you not want us to drill offshore? We do, in 33 million acres. Why do you not want us to drill on land? We do, in tens of millions more acres in the lower 48.

And then this bill takes us to Alaska, where the National Petroleum Reserve-Alaska is a bigger source of oil than the ANWR, the refuge in Alaska. So why those who wish to make an argument here are saying we won't let you drill: No, we want you to drill. Why are you saying this is the law, they have to do it anyway? Well, they aren't because these lands are not drilled upon.

We're not getting the product from them.

So in order to protect the consumer and to increase domestic supply, we're talking about two things: We're talking about protecting the consumer with legislation to curb unnecessary, excessive and abusive speculation in the marketplace. That debate is going on in the Senate as we speak here right now and will come to the House soon.

Increasing domestic supply means facilitating drilling where it is allowed already—in tens of millions of acres across our country. It means investments in renewable resources, because that is part of our energy supply now and for the future. And it also means an immediate call upon the President to free our oil. Right now, the President is sitting on over 700 million barrels of oil. This is oil that has been bought and paid for by the American taxpayer and is warehoused in the Strategic Petroleum Reserve. It is there for emergencies, and we have a national emergency in terms of the energy crisis in our country.

The Strategic Petroleum Reserve is 97.5 percent full, the fullest it has ever been in history. All we're asking the President to do is to take 10 percent of that oil and release it over time into the marketplace; increase the supply, reduce the price.

Ten days ago, we called upon the President to free our oil. If he had done so at that time, we would already have an immediate impact at the pump, 10 days. Release the oil from the Strategic Petroleum Reserve, 10 days later we would have had an impact at the pump.

What our colleagues are suggesting about going beyond the areas that already have permits all ready to go will take 10 years to get to the pump. Even the President, who is advocating drilling in the protected areas of OCS, even he said in his press conference the other day, this is not an immediate fix. This will not lower the price at the pump in the near future. Even the President has said that.

So this is a false argument. It's an argument trying to be used to divert attention from the fact that President Bush has had a failed energy policy for the last 7.5 years. If he had acted earlier, we would be reaping the benefits of our investments and renewables. But there has been a resistance in the Congress and within the White House to these changes.

So here we are today at a moment of truth. The truth is that there is a great deal more oil to be exploited in our country. The truth is that it is not being exploited, and this bill would encourage that exploitation. It would encourage those who have the leases to use it or lose it, and if they don't want to exploit the situation, to let someone else drill and produce oil and gas in those acres.

It also says that in Alaska we should be drilling in the National Petroleum Reserve-Alaska. Instead of having a fight over a protected area, let's go to an area that is already permitted for leasing and has more oil in the first place. The bill also says, when we do that, we must bring that product to market.

So let's complete the pipeline—it's 5 miles there to complete the pipeline—and then build the natural gas pipeline to take natural gas from Alaska to the United States. The only reason that has not happened is because the President has not decided it should.

All of this is only a decision. We call upon the President to use the good offices of the President of the United States to encourage those who are in the final stages of decision making on this to move. And then the supply of energy to our country will be vast, and it will create probably a hundred thousand new jobs. Building the Alaska Pipeline, the Natural Gas Alaska Pipeline, would be the biggest infrastructure project in history. And all the President has to do is give the signal that this should be done. He hasn't in 7.5 years. This bill calls upon him to do so.

So when we drill, and when we bring the oil and gas down to our country, we are saying that none of this oil that is being produced can be exported to foreign countries. It is there not for the profit of these corporations, but to meet the energy demands of the American people.

Essential to all of this, though, is to ignore the false claims being made of the impact of drilling on these protected lands. Maybe the science and the technology one day will make that feasible, and we should always keep our minds open to that. But to say we have to go there—which will take much longer to bring product to market—is just a diversion from the matter at hand, which is, a failed policy in the White House. As Mr. MARKEY said, two oilmen in the White House, $4-plus a gallon at the pump. The President is sitting on 700 million barrels of oil that would bring down that price at the pump.

Free our oil, Mr. President. ''Use it or lose it'' to our oil companies. End speculation that is driving up the price. Protect the American consumer. Vote for the DRILL Act.

I thank Mr. RAHALL again for his leadership.

Mr. UDALL of Colorado. Mr. Speaker, I will vote for this bill.

The bill is similar to one I voted for last month that dealt with Federal lands that have been leased for energy exploration and development under the Mineral Leasing Act but where such activities have not yet occurred.

As I noted last month, the debate over this legislation has included statements—by some supporters and some opponents alike—that exaggerates the likely effect of enactment. For example, I believe it would be better to avoid the ''use it or lose it'' rhetoric that over-simplifies the issue and fails to reflect the reality that oil and gas exploration is a complicated commercial and scientific enterprise involving efforts that do not easily fit within strict regulatory timelines.

But while that part of the bill may not be as far-reaching as some have claimed, I think it is a reasonable response to current conditions and should be passed. In essence, it would bar the current holders of federal mineral leases—whether for onshore or offshore areas—from obtaining additional leases unless they are able to show that they are ''diligently developing'' the leases they already hold. The Secretary of the Interior would be responsible for spelling out in regulations exactly what would be needed to show such ''due diligence.''

Current Interior Department regulations include provisions addressing due diligence requirements, so this is not a new concept. But I think giving it greater emphasis is appropriate in view of the continuing importance of oil even as we work to increase the availability and use of alternative energy sources. More useful in terms of energy policy, this bill will reinforce the provisions of current law that aim to prevent hoarding of leases. And providing an incentive for relinquishment of some leases may increase the opportunity for others to explore for and produce oil or gas from those lands.

This approach is similar to that taken when Congress amended the coal-leasing laws by passing the Coal Leasing Act Amendments of 1976 over President Ford's veto. That 1976 legislation provided for a due-diligence requirement as part of a comprehensive overhaul of the laws governing leasing and development of federally-owned coal resources—a provision that some analysts have said had the most immediate practical effect of any of the legislation's various provisions. As a result, for several decades the holders of federal coal leases have been required by law to diligently develop their leases, which has aided in the orderly and efficient development of the nation's coal. I think a similar reinforcement of existing law for leasing of other federal energy resources makes sense.

I have a similar reaction to the other provisions of the bill—they certainly are not all that needs to be done to improve our energy policies, but they can make at least a modest contribution in the right direction.

These provisions include a requirement for the Department of the Interior to offer at least one lease sale annually in the National Petroleum Reserve in Alaska. This is an area of well-established potential that was initially made available for leasing in the Clinton Administration, and with regard to which the current Administration just today announced that 2.6 million acres would be offered at lease sales in the near future. Dictating a leasing timetable in legislation is unusual, but the potentially beneficial effects on prices from tapping the reserves in this part of Alaska are undeniable.

In addition, the bill would reinstate a ban on the export of Alaskan oil that was previously a matter of federal law. Oil is a globally-traded commodity, so the effect of this will be limited, but it may, to some extent, reduce reliance on exports.

The bill calls on the President to facilitate the completion of oil pipelines into the National Petroleum Reserve and to facilitate the construction of a Alaska natural gas pipeline to the continental United States to move the product to market. These are only exhortations, but I see no objection to their inclusion in the legislation.

Mr. Speaker, I do not think this bill is a comprehensive solution toward solving our dangerous dependence on foreign oil. Nor does it come close to addressing all that we must do on energy policy.

We need to do more.

We can look for ways to increase exploration in offshore areas—for example, in 2006 I proposed opening up part of the eastern Gulf of Mexico to within 100 miles of the Florida coast, rather than leave the 125-mile buffer that was finally enacted, and I think that additional acreage should be made available. We should adjust the tax on imported ethanol, and I have introduced to reduce an artificial trade barrier that discourages imports of that fuel. We need to aggressively pursue development of alternative energy sources, including solar and wind power, and we should move aggressively to support research in carbon sequestration for clean coal development, and review policies that inhibit a more proactive effort with nuclear power. And we also need to work even harder to increase energy efficiency, so that we get a greater payoff from all energy sources.

In short, we need a comprehensive and balanced energy policy. This bill by itself is at best a small part of that prescription—but, modest as it is, it does deserve approval and I will vote for it.

Mr. MCKEON. Mr. Speaker, I rise in strong opposition to this legislation, which fails to open up any new lands anywhere to American energy exploration and production. Worse still, this bill imposes restrictive labor requirements including Project Labor Agreements, which eliminate open competition and increase the cost of projects.

A PLA is a labor agreement that requires all contractors working on a site to agree to certain working conditions. If a non-union company is interested in work on a construction site covered by a PLA, these companies will very likely be forced to hire union labor, despite their already having a competent workforce in place.

Why? Well, supporters of these restrictive requirements claim that they are necessary to protect workers' wages.

So here we are, with another ''no new American-made energy'' bill, but now the majority is claiming to be protecting workers' wages. Forgive me, but it's hard to take this bill seriously.

One of the biggest drains on workers' wages is the high price at the pump. Today, the price of a gallon of regular unleaded stands at $4.11. A gallon of diesel costs $4.85.

Low-income workers are disproportionately harmed by high energy costs. If this bill was serious about protecting workers' wages, it would open new areas for exploration, it would promote the development of new sources of American-made energy.

Instead, we're seeing the same tired, old rhetoric from the other side. We're seeing the same stubborn refusal to embrace a comprehensive energy agenda that includes the development of new American-made energy sources, the expansion of alternative fuels, and the promotion of conservation.

This bill does nothing to offer workers the relief they need, and I strongly oppose its passage.

Mr. YOUNG of Alaska. Mr. Speaker, today is yet another sad day for the American people—real people who are suffering from $4-plus pain at the pump and the Democrat Majority's refusal to do anything about it.

This bill is nothing more than a feeble attempt to fool the American people into believing that the Democratic leadership in Congress actually supports more drilling. They don't. The Democrats in Congress have a well documented, 30 year history of opposing more drilling. In fact, just last year, the very same Democrat leaders in this body who now say they support more drilling were arguing that oil companies were drilling too much and too quickly.

And let me remind Members that in the first 100 hours of the Democrat's Majority's ''new direction'' for American energy, they attempted to limit and slow down energy production in the National Petroleum Reserve—Alaska (NPR–A) by undoing the provisions Republicans enacted into law in 2005 that would have expedited more drilling in NPR–A.

This bill is a sham. It will not produce one drop of American-made oil or natural gas. In fact, there is more drilling in my dentist's office than in this bill.

For the record, here are the facts about drilling in NPR–A:

All lands in NPRA that are available to be leased under current Bureau of Land Management planning documents have been offered for lease in the past, are currently leased, or are available to be leased now.

If the Democrats want to open all of NRP–A for production, they'll have to exempt the 24 million-acre area from the National Environmental Policy Act and dozen other environmental laws. And if they wanted to produce more oil, they'd do something to address the multiple environmental lawsuits that have slowed/stopped production in NPRA.

Both industry and the Department of the Interior say the Bureau of Land Management has enough authority to do lease sales and the agency can do them every year if they want—the Democrats' bill won't do anything new.

Both industry and Interior say the only impediment to more production is environmental lawsuits, and this bill doesn't touch that. In fact, the ''use it or lose it'' parts of the bill create new litigation that will hold up leasing in NPRA.

This legislation is yet another unfortunate example of the Democrat leadership's negligence on producing energy. For the last 30 years they have thrown every obstacle they could in the way of producing more oil and gas for consumers.

It's interesting, however, that the Democrat Leadership is arguing that oil companies must ravage the 24 million-acre NPR–A—an area 20 percent larger than ANWR—for its 10.6 billion barrels of oil.

Are we to ''extrapolate'' that the Speaker and the Majority Leader now support allowing Americans to tap the same amount of oil from just 2000 acres of the 19 million-acre Coastal Plain of ANWR?

The Coastal Plain of ANWR, a flat, frozen desert just 74 miles east of the Trans-Alaska Pipeline, is just 1.5 million acres—1/16th the size of NPRA. It contains the same amount of oil. And with today's technology we can produce all of that oil while disturbing no more than 2000 acres, or 0.01 of ANWR's 19 million acres.

If the Majority leadership sincerely wants more oil, surely they would support drilling in ANWR, the environmpntally friendly alternative to NPR–A. But no, they don't. And this fact should serve as a reminder of the Majority's real energy policy: No more drilling.

I urge my colleagues to vote ''no'' on this do-nothing legislation.

Mr. RAHALL. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from West Virginia (Mr. RAHALL) that the House suspend the rules and pass the bill, H.R. 6515.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. PEARCE. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 244, nays 173, not voting 18, as follows:

[Roll No. 511]

YEAS—244

Ackerman
Allen
Altmire
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bishop (GA)
Bishop (NY)
Blumenauer
Boucher
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Buchanan
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castle
Castor
Cazayoux
Chabot
Chandler
Childers
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costello
Courtney
Cramer
Crowley
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doyle
Edwards (MD)
Edwards (TX)
Ellison
Ellsworth
Emanuel
Engel
English (PA)
Eshoo
Etheridge
Farr
Fattah
Filner
Forbes
Foster
Frank (MA)
Gerlach
Giffords
Gillibrand
Goode
Gordon
Graves
Green, Al
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Hayes
Herseth Sandlin
Higgins
Hill
Hinchey
Hirono
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kagen
Kanjorski
Kennedy
Kildee
Kilpatrick
Kind
Klein (FL)
Knollenberg
Kucinich
Kuhl (NY)
Langevin
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McIntyre
McNerney
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Pallone
Pascrell
Pastor
Payne
Pelosi
Perlmutter
Peterson (MN)

Pomeroy
Porter
Price (NC)
Rahall
Ramstad
Rangel
Reichert
Richardson
Rogers (AL)
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Ryan (OH)
Salazar
Sánchez, Linda T.
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shays
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Space
Speier
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tierney
Towns
Tsongas
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Wexler
Wilson (OH)
Woolsey
Wu
Yarmuth

NAYS—173

Abercrombie
Aderholt
Akin
Alexander
Bachmann
Bachus
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boren
Boustany
Brady (TX)
Broun (GA)
Brown (SC)
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carter
Coble
Cole (OK)
Conaway
Costa
Crenshaw
Cuellar
Culberson
Davis (KY)
Davis, David
Davis, Tom
Deal (GA)
Drake
Dreier
Duncan
Ehlers
Emerson
Everett
Fallin
Feeney
Ferguson
Flake
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gingrey
Gohmert
Gonzalez
Goodlatte
Granger
Green, Gene
Hall (TX)
Hastings (WA)
Heller
Hensarling
Hinojosa
Hobson
Hoekstra
Hulshof
Inglis (SC)
Issa
Johnson (IL)
Johnson, Sam
Jordan
Keller
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
LaHood
Lamborn
Lampson
Latham
LaTourette
Latta
Lewis (CA)
Lewis (KY)
Linder
Lungren, Daniel E.
Mack
Manzullo
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Moran (KS)
Musgrave
Myrick
Neugebauer
Nunes
Ortiz
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Price (GA)
Pryce (OH)
Putnam
Radanovich
Regula
Rehberg
Renzi
Reyes
Reynolds
Rodriguez
Rogers (KY)
Rogers (MI)
Rohrabacher
Roskam
Royce
Ryan (WI)
Sali
Saxton
Scalise
Schmidt
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuster
Simpson
Smith (NE)
Smith (TX)
Souder
Stearns
Sullivan
Tancredo
Terry
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walberg
Walden (OR)
Walsh (NY)
Weldon (FL)
Weller
Westmoreland
Whitfield (KY)
Wilson (NM)
Wilson (SC)
Wittman (VA)
Wolf
Young (FL)

NOT VOTING—18

Andrews
Boswell
Brown-Waite, Ginny
Cubin
Doolittle
Gilchrest
Herger
Hunter
Kaptur
Lucas
Marchant
McNulty
Miller, Gary
Paul
Ruppersberger
Rush
Sanchez, Loretta
Young (AK)

□ 1516

Messrs. RADANOVICH, McHENRY, FOSSELLA and Mrs. SCHMIDT changed their vote from ''yea'' to ''nay.''

So (two-thirds not being in the affirmative) the motion was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. RUPPERSBERGER. Mr. Speaker, on rollcall No. 511, unfortunately, I am getting a medical procedure done and cannot vote. Had I been present, I would have voted "yea."

PERSONAL EXPLANATION

Mr. HERGER. Mr. Speaker, I was absent from the House of Representatives on July 17, 2008, because I was invited to accompany the President of the United States on a tour of communities in my Northern California Congressional District that have been devastated by wildfires. For this reason, I missed rollcall votes 509, 510, and 511. Had I been present, I would have voted in the following manner: Rollcall 509, on ordering the previous question on H. Res. 1350—"nay"; rollcall 510, on agreeing to H. Res. 1350, providing for consideration of motions to suspend the rules—"no"; rollcall 511, on motion to suspend the rules and pass H.R. 6515, the Drill Responsibly in Leased Lands Act of 2008—"nay."

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 2125 AND H.R. 1650

Mr. BUTTERFIELD. Mr. Speaker, I ask unanimous consent that my name be removed from two bills, H.R. 2125 and H.R. 1650.

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

There was no objection.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 2488

Mr. MEEKS of New York. Mr. Speaker, I ask unanimous consent to remove my name from a bill, H.R. 2488.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

LEGISLATIVE PROGRAM

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

Mr. BLUNT. I would like to ask my friend, the majority leader, to give us an update on what he plans to bring to the floor next week.

I would yield.

Mr. HOYER. I thank the Republican whip for yielding. On Monday, the House will meet in pro forma session at 12:30 p.m.

On Tuesday, the House will meet at 12:30 p.m. for morning hour and 2 p.m. for legislative business with votes postponed until 6:30 p.m.

On Wednesday and Thursday, the House will meet at 10 a.m. for legislative business. On Friday the House will meet at 9 a.m. for legislative business.

We will consider several bills under suspension of the rules. A complete list of suspensions will be announced by the close of business tomorrow.

In addition, we will consider H.R. 3999, the National Highway Bridge Reconstruction and Inspection Act and H.R. 5501 the Tom Lantos and Henry J. Hyde United States Global Leadership Against HIV/AIDS, Tuberculosis, and Malaria Reauthorization Act of 2008.

We will also consider legislation to address the housing crisis, H.R. 3221, the American Housing Rescue and Foreclosure Prevention Act of 2008. Finally, we may also consider additional energy-related legislation.

Mr. BLUNT. On the topic of additional energy-related legislation, I know we just had a bill on the floor on energy. It was a heated debate. And while a majority voted for the bill, it didn't pass. I wonder if there is any opportunity that bill might come back next week with a rule.

Mr. HOYER. We have not discussed that yet. We regret it, of course, that it didn't pass. But having said that, I'm sure there will be discussions as to what the next steps will be. But I am not prepared to announce what they will be, mainly because I'm not sure what they will be at this point in time. But we are still very interested in the proposition, as you know, that that legislation spoke to, and that is providing an accelerated exploration, discovery and exploitation of our energy here in the United States, drilling in the National Petroleum Reserve in Alaska, building a line to get not only the oil, but also natural gas down to the lower 48, and to ensure that companies aren't inventorying property on which either they or others might be producing energy for America.

So we believe the provisions of that bill are important. And I would think that we're going to be looking at ways in which we may move forward on that. But it has not been decided.

Mr. BLUNT. I thank the gentleman for that. As you mentioned, there is lots of interest in the bill. I appreciate the fact that we were able to extend debate, even on a suspension bill. But I think this is a topic where certainly both sides evidenced a willingness to discuss it. And we need to do that. And I would hope to see more energy legislation on the floor and would hope to have it under a rule if that is at all possible.

On appropriations, last week I mentioned that the chairman, the appropriations chairman, had appeared to announce that there would be no appropriations work on the floor. Your comment at the time, if I recall, was that that had not been a decision that you and the other leaders had made yet.

Today, the Speaker announced that the House would consider the Defense bill before October. I'm wondering if you have any idea when that might happen and if there is a chance that

the five other bills that are out of committee could also get to the floor before October, and what could happen with the Interior bill which would obviously be the most important bill as it relates to this topic of energy that we just discussed.

I would yield.

Mr. HOYER. I thank the gentleman for yielding.

I agree with the Speaker that it is our intention to move the Defense bill. We think that is critically important to do. We think it's critically important to move the other bills as well.

I was having a discussion with the chairman of the Appropriations Committee during the last vote. I asked him about his discussions with Mr. LEWIS to try to facilitate the consideration of appropriation bills. My belief is that they hadn't made as much progress as he had hoped to make, but with relation to the other bills, I will just reiterate what I have said, that I continue to talk to Mr. OBEY about my hope that we can find a way to move appropriation bills to the floor if that is possible. But we have not gotten any scheduled at this point. We do intend to move certainly the Defense bill. The Speaker was accurate on that.

Mr. BLUNT. I thank the gentleman for that. And the Defense bill certainly is critical, as all these bills are. And obviously I share the sense that it's a primary responsibility of the Federal Government to defend the country. But the Homeland Security bill, the Military Construction and Veterans bill also are particularly important components of that very element of what we do, and other bills that are out such as the Financial Services bill, all the discussions we're having and will have about housing over the next few days, but another bill where if we knew that the regulators were funded and how they were funded and the other things that happened, that is a helpful thing to know.

I think that is all the questions I have for today, and I would yield back.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Mr. HOYER. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule be dispensed with on Wednesday next.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland?

There was no objection.

ADJOURNMENT TO MONDAY, JULY 21, 2008

Mr. HOYER. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 12:30 p.m. on Monday next; and further, when the House adjourns on that day, it adjourn to meet at 12:30 p.m. on Tuesday, July 22, for morning-hour debate.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland?

There was no objection.

HONORING ARMY MAJOR GENERAL ANTHONY CUCOLO

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

Mr. GINGREY. Mr. Speaker, on Monday, the 3rd Infantry Division at Fort Stewart, Georgia, underwent a change of command. As a member of the Armed Services Committee whose State is home to Fort Stewart, I rise today to thank Major General Rick Lynch on a job well done as he moves on to Fort Hood, Texas, and to congratulate Major General Tony Cucolo as he takes command of the 3rd ID.

This is a command of monumental importance in the United States Army, Mr. Speaker. The 3rd Infantry Division has one of the most successful combat records of any United States Army division. It was the first conventional U.S. unit to enter Baghdad in 2003 and the first division to actually serve three tours in Iraq.

Major General Lynch commanded the division on this most recent tour in Iraq, during which time we saw undeniable progress. Major General Cucolo has large boots to fill. But I have every confidence that he is the right man for the job.

Having served as brigade commander at Fort Stewart from 1999 to 2001, he is returning to familiar turf. He returns to Fort Stewart from the Pentagon, where he served as the Army's chief of public affairs for the past 2 years.

Mr. Speaker, I hope you will join me, and all of our colleagues, in honoring these two fine soldiers for their service to our Nation.

HONORING J. FRED PATTON FOR HIS GENEROUS CONTRIBUTIONS TO THE COMMUNITY

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

Mr. BOOZMAN. Mr. Speaker, I rise today to honor the life of J. Fred Patton, a gracious contributor to the Third District of Arkansas, who passed away earlier this week.

For more than 101 years, Mr. Patton showed passion for Arkansas through his compassion for neighbors, community service and education that he provided for future Arkansans. He authored ''The History of Fort Smith,'' now in its seventh edition, and taught Sunday school for more than six decades.

Throughout his life, Mr. Patton received numerous professional, civic and humanitarian awards, including the honor of being selected as one of 10 outstanding citizens in western Arkansas and eastern Oklahoma in 1989. I had the privilege to meet and get to know Fred over the years, and he truly was an amazing person who wanted the best for his community.

Mr. Speaker, Mr. Patton certainly will be missed. However, his legacy will live on for generations to come. I thank my colleagues for the opportunity to celebrate and honor the life of this wonderful man.

□ 1530

BRINGING DOWN ENERGY PRICES

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

Mr. SHIMKUS. Mr. Speaker, I wanted to come down to the floor at the end of the week to just say if we really want to be sincere about bringing down the price of energy, we need to have an all-of-the-above strategy.

That is opening up the Outer Continental Shelf which we legislatively limited 25 years. That is bringing on wind and solar. We can use the revenues from opening the OCS to build wind and solar operations. We can use our vast resources of coal, 250 years worth of supply in the Illinois coal basin alone, turning that into liquid fuels creating American jobs. We also can continue to expand the use of biofuels.

The great thing about the Republican proposal is that it is all of the above. We are not willing to say ''no'' to everything. We want everything to come on board, to bring on more supply and lower the cost of liquid fuel for the cost of electricity, and we want these fuels and these commodities to compete. In the competition, we will have lower-cost fuel and energy so we can have a manufacturing base left in the United States of America.

ENERGY POLICIES

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

Mr. MCCOTTER. Mr. Speaker, earlier today we saw a picture of the President of the United States with foreign dignitaries. We today see the Speaker of the House with a foreign dignitary. We do not begrudge either of them on this side of the aisle. We have to have responsible foreign relations. The only difference is we do not use pictures to explain America's energy policy or put forward conspiracy theories as to why you are feeling the pain at the pump.

Let us be realistic about this. We need more American oil production, commonsense conservation, and free market innovations. And no amount of political cant or hot air is going to do anything except keep your prices at the pump to the point where your family budget shrinks.

SPECIAL OLYMPICS CELEBRATES 40TH ANNIVERSARY

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

Mr. PRICE of Georgia. Mr. Speaker, I rise today to thank a special group of people, the millions of participants and volunteers of the Special Olympics. Next Sunday, the Special Olympics turns 40 years old, and we are extremely grateful for the opportunities they provide to the intellectually disabled members of our community.

The goal of the Special Olympics is simple to express, but monumental to achieve: to empower individuals to become physically fit, productive and respected members of the community through sports training and competition. Not deterred by the challenge of their tasks, the organizers of the Special Olympics programs have performed phenomenally and made a serious impact in countless lives.

Ironically, their extraordinary results are likely due to their focus on the games, and not the winners. This is apparent from their oath, ''Let me win. But if I cannot win, let me brave in the attempt,'' a message from which we can all learn.

Mr. Speaker, it is a privilege to recognize and congratulate the Special Olympics on their 40th anniversary and to wish them continued success in their most worthy cause.

AMERICAN ENERGY

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

Mr. KING of Iowa. Mr. Speaker, I come to the floor to address the energy situation as well and point something out that I don't believe has been very well illustrated here.

This chart that I have, the inside circle is all of the Btus of energy that are consumed in the United States annually, 72 quadrillion Btus. The outside circle is all of the different sources of energy. Excuse me, this is the production chart on the inside. The outside circle is the consumption chart. We are producing only 72 percent of the overall energy that we are consuming. We need to grow the entire size of the energy pie. But if you take out of it all of the things that the environmentalists don't want us to do, it leaves only a little bit of solar and wind and geothermal. That is only 0.74 percent of our energy production.

They want to grow it into 100 percent of our energy production. That cannot be done. We have to grow all sources, not the tiny little sliver, three-quarters of 1 percent that the environmentalists would let us do. Let's go for all of it, as the gentleman from Illinois said.

AFFORDABLE ENERGY

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

Ms. JACKSON-LEE of Texas. Today, Mr. Speaker, we addressed an enormously important issue, and that is how to give relief to the American people on these soaring energy prices, small businesses, teachers and bus drivers, families who are carpooling, others who are trying to get to work. We owe them our collective minds to be able to ensure that we have a combined philosophy and program as it addresses the question of affordable energy and protecting our national security.

So I do believe there is a right way of drilling. I do believe we should go into the National Petroleum Reserve, and frankly I believe we should release gallons of oil from the Strategic Petroleum Reserve so the American people can have immediate relief. I also think it is extremely important that we conserve, and we look at solar and wind.

And as it relates to the 23 million leases that are there, only 3 million are used, let us delegate from those who may own them, let us set aside some opportunity for minority and women-owned businesses and small businesses to be able to engage in that. Let's have a collective effort.

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Missouri (Mr. SKELTON) is recognized for 5 minutes.

(Mr. SKELTON addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

OCCUPATION OF IRAQ

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. WOOLSEY) is recognized for 5 minutes.

Ms. WOOLSEY. Mr. Speaker, the Government Accountability Office issued a report on Monday that should worry every single Member of the House. The GAO said that the government isn't moving quickly enough to ensure that radioactive materials don't get into the hands of terrorists.

Last year the GAO ran a sting operation to see how easy it would be for anyone to get a license from the Nuclear Regulatory Commission to buy enough radioactive materials to create a dirty bomb. They set up a bogus company with only a post office box number and got the license within a month.

The government then promised to tighten up on its requirements for the purchase of radioactive materials, but the GAO report found this effort is still years behind schedule. So while the government takes what looks like its sweet time, we live under the threat of a dirty bomb that could kill many Americans and devastate our economy.

But as outrageous as this situation is, it is only a prime example of how our country's real security needs are being ignored.

Another example is the occupation of Iraq because the administration continues to have tunnel vision when it comes to Iraq. While the administration devotes most of our military resources and troops on the occupation of another country, an occupation that actually makes no sense whatsoever, it is blind to the real threats to our security in Afghanistan.

Even Admiral Mike Mullen, the chairman of the Joint Chiefs of Staff, has admitted that we are focusing on the wrong place. Earlier this month he said, ''I don't have troops that I can send into Afghanistan until I have a reduced requirement in Iraq. We don't have enough troops in Afghanistan to hold, and that is key clearly to the future of being able to succeed in Afghanistan.''

Mr. Speaker, al Qaeda is growing stronger along the border between Afghanistan and Pakistan. Even Ryan Crocker, our ambassador to Iraq, admitted when he testified before Congress in March that stopping al Qaeda in Afghanistan should be our top priority, not the occupation of Iraq.

Yet we have five times more troops in Iraq than Afghanistan. That doesn't make military sense; it doesn't make common sense.

We can have two reactions to this tragic situation. We can scratch our heads and wonder at the folly of it all, or we can take action. Of course I prefer action. That is why I have offered a SMART Security plan which would defeat terrorism through strong international alliances, aggressive diplomacy, improved intelligence, and initiatives to address the root causes of terrorism.

In addition, I and my colleague, Representative BARBARA LEE from California, asked Members of Congress to sign a letter to Prime Minister al-Maliki of Iraq last week. Thirty-one Members signed the letter, and I thank them.

The letter states, ''We, the undersigned Members of the United States House of Representatives, support the sovereign right of the government of Iraq to insist that any security agreement between the United States and Iraq include a timetable for the complete redeployment of U.S. Armed Forces and military contractors out of Iraq.''

Prime Minister al-Maliki has called for such a timetable. We should work with him to make it happen. This is a great opportunity to end our disastrous and counterproductive occupation of Iraq.

Yesterday, The Washington Post released a poll that shows that 63 percent

of the American people believe that the war in Iraq was not worth fighting. Let's listen to the American people, Mr. Speaker. Let's bring our troops and military contractors out of Iraq, but let's not repeat the same military folly in other parts of the region.

TEXAS IGNORES WORLD COURT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. POE) is recognized for 5 minutes.

Mr. POE. Mr. Speaker, Texas, the State of Texas, has ignored the order of the World Court in Geneva. Let me give you the facts of this case.

Fifteen years ago in 1993 there were two young teenage girls by the name of Jennifer Ertman, 14, and Elizabeth Pena, 16, headed home as the sun set in Houston, Texas.

They took a shortcut so they could get home in a timely fashion, as ordered by their parents. That was their fatal mistake. They came in contact with a group of gangsters headed by Jose Medellin. It was a gang initiation. The girls stumbled upon the gang of gangsters, and these gangsters kidnapped, held hostage, and brutally sexually assaulted these two girls for as long as they wished.

□ 1545

After they were through, they tortured them, and Jose Medellin strangled each of them with their shoelaces. Medellin was proud of his conduct. He was later arrested by the Houston Police Department along with others from his group of bandits, specifically Derrick O'Brien, Peter Cantu and two others.

These individuals were tried by Texas juries. A Texas jury found that Derrick O'Brien committed the worst crime in our society, ordered the death penalty, and he's been executed.

The ringleader of the case, Jose Medellin, well, his case has been on appeal for 15 years. Here's what has happened in his case. He was convicted. His case worked its way all the way to the Supreme Court of the United States. The Supreme Court upheld this conviction. Then years later he says, I should have been allowed to talk to my Mexican consulate at some time during the proceeding, even though he never requested it upon his arrest.

Of course, then, the Federal Government gets involved in the case. The case works its way back through the Supreme Court. Before it gets to the Supreme Court, the administration, the White House, intervened and told Texas courts to give Medellin a new trial because he was not allowed to ask or see his Mexican consulate, even though he didn't request it. Remember, Medellin was illegally in the United States, even though he had been here since he was 6 months of age.

The State of Texas, the Texas courts, in all due respect to the President of the United States, ignored his request. The case went back to the Supreme Court, right down the street.

A few months ago the Supreme Court of the United States said, World Court has no jurisdiction. The President of the United States has no jurisdiction to tell the courts in Texas what to do and upheld his conviction and ordered him executed.

But, once again, the World Court intervened yesterday, and said the State of Texas cannot execute Medellin.

Well, let me tell you something, the State of Texas on August 5 is going to execute this defendant for what he did. The State of Texas has decided that the World Court has no jurisdiction to tell the State of Texas or any other State what to do. I think it was put appropriately by the fathers of these two girls.

No parent wants to see their child die before their time, especially the way that these two girls died. I have four kids, three of them are girls; and seven grandkids, four of them are girls. Here's what one of the fathers had to say about the death of his daughter. He said, ''The World Court doesn't mean diddly. This business belongs in the State of Texas. The people of the State of Texas support the execution. We thank them.''

More appropriately, the other father, Adolfo Pena, the father of Elizabeth Pena, said, ''I believe we have been through all the red tape we can go through. It's time to rock and roll.''

Justice must be served for victims of crime. 15 years justice has been waiting, in this specific case, 15 years, longer than one of the girls even lived. This defendant arrogantly has been sitting on death row.

I was a judge when this case was tried back in Texas in the 1990s, and it was one of the worst crimes we had ever heard in our city, where two teenage girls minding their own business were kidnapped by a bunch of gangsters, sexually assaulted, tortured, murdered and the criminals bragged about this conduct.

Today is judgment day for Jose Medellin. He deserves the death penalty, he earned it, and justice demands it, whether the World Court likes it or not.

And that's just the way it is.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oregon (Mr. DEFAZIO) is recognized for 5 minutes.

(Mr. DEFAZIO addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

PRESIDENTIAL SIGNING STATEMENTS ACT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. JONES) is recognized for 5 minutes.

Mr. JONES of North Carolina. Mr. Speaker, on May 8, 2008, I introduced H.R. 5993, the Presidential Signing Statements Act. This bill would promote congressional and public awareness and understanding of Presidential signing statements. I am very pleased that next Friday the House Judiciary Committee will examine the issue of Presidential signing statements as part of a hearing on the balance of powers in our government.

The history of Presidential signing statements dates back to the 19th century. However, on September 17, 2007, a Congressional Research Service report noted that U.S. presidents have increasingly employed these statements to assert constitutional and legal objections to congressional enactments.

In doing so, Presidents sometimes communicate their intent to disregard certain provisions of bills they have signed into law. It is for this reason that I have introduced the Presidential Signing Statements Act. Just as the American people have access to the text of bills that are signed into law, they should have easy and prompt access to the content of Presidential signing statements that could affect how those the laws will be executed. To enable a more complete public understanding of our Nation's laws, the Congress should also be able to call for the executive explanation and justification for a Presidential signing statement.

According to CRS, President Clinton signed 381 signing statements while in office. Seventy of these statements raised legal and constitutional objections. President George Bush has signed 157 signing statements, 122 of these statements contain some type of constitutional challenge or objections. Because future Presidents are likely to continue this practice, Congress should act now to pass legislation to ensure proper understanding and disclosure of these signing statements.

The American Bar Association recently examined the issue of presidential signing statements and appointed the task force on presidential signing statements and the separation of powers doctrine.

The task force issued a report urging Congress to enact legislation requiring the President to promptly submit to Congress an official copy of all signing statements he issues and to submit a congressional, to the Congress, a report setting forth in full the reasons and legal basis for this statement. The ABA also recommended that such submissions be available in a publicly accessible database.

The bill that I introduced would require the President to provide copies of signing statements to congressional leadership within 3 days of being issued. Secondly, it would require signing statements to be published in the Federal Register; and, third, require executive staff to testify on the meaning and justification for Presidential signing statements at the request of the House or Senate Judiciary Committee; and, fourth, provide that no monies may be used to implement any

law accompanied by the signing statements if any provision of the act is violated.

Because it's critical that we preserve the division of power in our government and public understanding of our Nation's laws, I hope many of my colleagues will consider cosigning the Presidential Signing Statements Act.

I look forward to next week's House Judiciary Committee hearing, and the opportunity to further discuss why this legislation is a much-needed piece of legislation.

Before I close, I ask God to please bless our men and women in uniform in Afghanistan and Iraq, and ask God to please bless the families of our men and women in uniform, and ask God to continue to bless America.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. MCHENRY) is recognized for 5 minutes.

(Mr. MCHENRY addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

IT'S TIME TO PASS A FEDERAL MEDIA SHIELD LAW

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. PENCE) is recognized for 5 minutes.

Mr. PENCE. Mr. Speaker, the Constitution of the United States provides that Congress shall make no law abridging the freedom of speech or of the press. These two rights form the bedrock of our democracy by ensuring the free flow of information to the American people.

Sadly, today, the free and independent press in America is under fire. In recent years, more than 40 journalists have been subpoenaed, questioned or held in contempt for failure to reveal their confidential sources.

For a journalist, maintaining an assurance of confidentiality to a source is sometimes the only way to bring forward news of great consequence to the Nation. Being forced to reveal a source chills reporting of the news, and, thereby, restricts the free flow of information to the public.

Now, not long ago, a reporter's assurance of confidentiality was unquestioned. That assurance led to sources that willingly provided information to journalists who brought forward news of enormous consequence to the Nation. One thinks of Watergate, recent stories of misfeasance at Walter Reed Army medical center, and even the abuse of steroids in major league baseball.

All of these stories never would have come to the light, stories great and small, were it not for confidential sources and the dogged persistence of a free and independent press. As a conservative who believes in a limited government, I believe the only check on government power in real time is a free and independent press.

A free press ensures the flow of information to the public, and in this time of scandals and rumors of scandals and corruption in high places, such information is needed now more than ever to hold those in power to account. In order to maintain our free and independent press, I authored the Free Flow of Information Act with Congressman RICK BOUCHER of Virginia several years ago. This bill is also known as a Federal media shield statute. It provides a qualified privilege of confidentiality to journalists, which enables them to shield sources from disclosure in certain situations.

Now, the bill is not about protecting reporters, it's about protecting the public's right to know. We introduced the bill in May of 2007, and on October 16 of last year, it passed in this House of Representatives by an overwhelming and bipartisan margin of 398–21. I was especially pleased to earn the support of Republican and Democratic leadership, the chairman and ranking members of the Intelligence and Armed Services Committee, and many other leaders throughout the House of Representatives.

The bill received wide bipartisan support because of measures we added to specifically address very real and legitimate concerns about how a privilege for journalists could impact national security. The Federal Government, as we know, is tasked with a tremendous responsibility of protecting the Nation. We must always put national security in the forefront of our consideration.

The Free Flow of Information Act does just that. Well, with news that the United States Senate may be taking up a version of this legislation as soon as next week, I wanted to rise to speak about the bill and what some of its critics may say.

Critics of the bill will point always to concerns about national security. But our version of the bill only provides a qualified privilege, meaning that disclosure of a source's identity may be required in certain situations. The foremost of those situations, of course, is when the Nation's security is placed at risk. The bill permits compelled disclosure to prevent or identify the perpetrator of an act of terrorism against the United States or its allies, to prevent significant or specified harm to national security, or, in cases that involved the unauthorized disclosure of classified information that caused or will cause significant or articulable harm to national security. In such cases, a judge will be able to determine whether the public interest, in compelling disclosure of a source, outweighs the public interest in gathering or disseminating news or information.

Overall, I sincerely believe the bill strikes a reasonable balance between the public's right to know and the fair administration of justice. In striking that balance, the version of the legislation that passed this House puts national security first.

Long ago Thomas Jefferson warned, ''Our liberty cannot be guarded but by the freedom of the press, nor that limited without danger of losing it.'' Jefferson's words hold true today.

The passage of the Free Flow of Information Act in this Congress is necessary not only to explicitly and fully provide for the freedom and press of our Nation, but also to protect our liberty for future generations of Americans. With the extraordinary bipartisan support of my colleagues in the House of Representatives, and support in the United States Senate, which includes both major party candidates for President of the United States, it is my hope that the United States Senate will take up the Free Flow of Information Act and report it next week with a strong bipartisan affirmation.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. GARRETT) is recognized for 5 minutes.

(Mr. GARRETT of New Jersey addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

WHERE IS THE HOUSE?

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia (Mr. PRICE) is recognized for 5 minutes.

Mr. PRICE of Georgia. Mr. Speaker, here we are, Thursday afternoon, 3:58 p.m. All across the Nation, the day shift is ending, or about to end. Folks getting ready for the afternoon shift. Other folks that work the night shift are either just waking up or just going to sleep to get prepared for another day, another day of work.

Where is the House? The House has gone home, Thursday afternoon, and the House has gone home, not to return until next Tuesday. What didn't we do this week, like we didn't do last week, and the week before, and the week before, we didn't address the number one issue on the minds of Americans and hurting the American pocketbook, and that's the issue of gas prices, didn't address it, nothing.

□ 1600

Now, the majority will tell you that they brought to the floor a drill bill. What they brought to the floor today, Mr. Speaker, cynically, was what they called a drill bill. In fact, it was really just a ''no energy'' energy bill.

Why do I say that? Well, the bill had eight sections. Six sections are either current law or are clerical. Current law: No new energy. One of the sections mandated project labor agreements that would increase the construction costs of Alaskan pipelines by as much as 30 percent. Increasing costs: No new energy. The final section would increase the bureaucracy and the red tape for any new energy production. It didn't open any exploration onshore. It

didn't open any exploration offshore. Increasing costs: No new energy.

Now, what is the solution? Well, the solution is what the American people know, and that is that it's a broad array of items. It's conservation. Americans are doing an incredible job of trying to conserve. We're using less energy than we did last year. Conservation is the key, and we can all do more. It's finding alternative fuel, that fuel that will allow the 21st century to be an American energy 21st century. That will take a little while.

So, in the near term, in the short term, what's the solution? Mr. Speaker, you know what it is. It's what your constituents tell you about. It's increasing supply. It is increasing the supply of energy, American energy for Americans. How do you do that? America has incredible resources.

Onshore resources: We ought to be doing more exploration. We're only using 6 percent of the eligible land to be leased to find American energy for Americans onshore.

Offshore: Deep-sea exploration. The vast majority of Americans support environmentally sensitive and sound deep-sea exploration. We ought to be doing that. Only 3 percent of the available territory is being utilized currently.

Utilizing clean coal technology: We now have technology available that allows us to use coal of which America is, remarkably, the world's greatest repository of coal in the world, and we ought to be using that for clean coal technology.

Oil shale, which exists in our western area: There are more than 2 trillion barrels of oil that could be extracted from oil shale in environmentally sensitive and sound ways.

Mr. Speaker, as you know, we're doing none of that. Now, it's not because there isn't legislation for it. In fact, we have bills right here at the desk: H.R. 3089, the No More Excuses Energy Act; H.R. 2279, the Expand American Refining Capacity Act; H.R. 5656, to Repeal the Ban on Acquiring Alternative Fuels; H.R. 2208, the Coal Liquid Fuel Act. All sorts of bills exist. They exist, but we aren't allowed a vote.

As you know, the majority party, the Democrat leadership, beholden to leftist individuals, will not allow a vote on the floor of the House. All we're asking is for a vote. We're not asking for a guaranteed outcome, just a vote. Give us a vote, Mr. Speaker. Why not? What are you afraid of? Why not have a vote? Why not respond to the demand of the American people and increase American energy for Americans? Bring down gas prices. We demand a vote. We hope that next week we'll see it.

The SPEAKER pro tempore (Ms. JACKSON-LEE of Texas). Under a previous order of the House, the gentleman from Michigan (Mr. MCCOTTER) is recognized for 5 minutes.

(Mr. MCCOTTER addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

FUNDING THE NATIONAL INSTITUTE FOR HOMETOWN SECURITY BY EARMARK

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Arizona (Mr. FLAKE) is recognized for 5 minutes.

Mr. FLAKE. Madam Speaker, I rise today to highlight an earmark in the fiscal 2009 Department of Homeland Security appropriations bill. Now, the reason I'm having to do this is that it looks like we won't even be considering this bill on the floor, and therefore, it may be that all of the earmarks, the hundreds of earmarks that were approved in the committee for that bill, may be dumped into the bill, just airdropped into the bill, at the last minute without even being considered by the House. That's simply not right.

This earmark is for the Kentucky-based National Institute for Hometown Security. When I came across this earmark, I was surprised at the dollar amount. In fact, it was the second largest earmark requested by an individual in the Department of Homeland Security appropriations bill. Now, I would submit that spending like this pushes the Federal Treasury threat level past orange, or high risk, right into the red zone, or severe category.

According to the Web site of the earmark recipient, the institute sponsor suggested organizing the higher education institutions of Kentucky to more effectively compete for research funds and projects aimed at improving homeland security. It appears that the purpose of the consortium and of the institute is to make Kentucky better at receiving Federal funds, arguably an admirable purpose. It's simply too bad that it's paid for with Federal funds.

The institute goes on to say that the institute is designed to help develop new technologies and devices that commercialize them. Now, with taxpayers shouldering over $5 trillion in Federal debt, why do we need to fund programs for the benefit of commercializing products?

This institute was created in 2004. According to the Department of Homeland Security, the agency which is charged with overseeing this, the Department has never requested funds for the National Institute for Hometown Security. Why are we doing this through an earmark?

I must ask the question: Would this institute exist in the first place if select members of a powerful committee did not direct the spending for it?

Since receiving its first earmark, the institute has received more than $60 million in Federal earmarks, including $12 million in 2005, $20 million in 2006, $20 million in 2007, $11 million in 2008. If this earmark is approved, the institute will have received $74 million in earmark funding. For what? What has the center produced or achieved that can possibly be worth this kind of money? Will we continue to earmark for this institute indefinitely?

I am certain, if I had the opportunity to challenge this earmark on the House floor during regular order, the sponsor might be glad to highlight what he believes the institute's achievements are. My response would simply be: If this institute is so important, if it's so needed for the Department of Homeland Security, why do you have to earmark funding for it? Why doesn't the Department seek its own funding and say this is a vital institute? ''We ought to provide funding within the budget. We're going to request it.'' No. The money has to be earmarked by an appropriator.

In 2005, a Washington Post story provided details on the institute. It indicated that the sponsor of the earmark has, as a senior appropriator, ''encouraged contractors to move into his district and has announced millions of dollars in antiterrorism research at Kentucky colleges and universities.''

That same article highlighted the sponsor's having taken credit for $206 million in homeland security research-related funding for the State. The Post article indicated: ''So much Federal money for high-tech homeland security projects has flowed to southeastern Kentucky, that those who are there have taken to calling it 'Silicon Holler' with the institute and the university consortium at the heart of it.''

I would submit that handling this funding in any other way than through earmarks might put a damper on what appears to be a spoil system where certain powerful Members are able to shower their districts with taxpayer dollars. If we had regular order and a regular authorization-appropriation oversight process, we wouldn't be earmarking funds like this.

I would inquire also as to what, if any, oversight the Appropriations Committee has undertaken to ensure that the $60 million that has already been given to the institute was worthwhile and why an additional $11 million is warranted.

I would submit also that, when taxpayers send their dollars to Washington, they expect more than an earmarking system that is absent real oversight and that seems to just give the keys to the Treasury to a few powerful appropriators.

Mr. Speaker, I will soon be circulating a letter to Speaker PELOSI and to the chairman of the Appropriations Committee, Mr. OBEY, asking them to ensure that if we don't have regular order and if we don't go through the appropriations process that we not airdrop earmarks into an omnibus bill when this body has not had a chance to even see them, let alone to adequately vet them.

I urge my colleagues to do better with the taxpayers' money. We should be better stewards. We have a time-honored process in this body of authorization, appropriation and oversight

that we have been ignoring for years, and the taxpayers are the worse for it. We cannot continue to do that. This institution is a better body than that, and we ought to give more respect to it.

AMERICA'S CHALLENGES IN THE 21ST CENTURY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, the gentleman from California (Mr. DREIER) is recognized for 60 minutes as the designee of the minority leader.

Mr. DREIER. Madam Speaker, as we all know from listening to our colleagues and, even more importantly, from listening to the American people, the United States is currently facing a host of critical and complex challenges that have an enormous impact on our daily lives.

Fuel prices have skyrocketed, creating a ripple effect throughout our entire economy. We pay ever increasing prices at the pump, at the supermarket and nearly everywhere we buy the everyday goods that our families need. We all feel the strain of these rising prices. At the same time, we see our economy softening because of the housing crisis.

The threat of radical extremism persists throughout much of the globe, including, of course, in Afghanistan and in Iraq, where our brave men and women in uniform are fighting. We, of course, constantly face the problem of illegal immigration, which exposes the weaknesses of our borders and further strains our economy.

Madam Speaker, these challenges are as diverse as they are complicated. They did not develop overnight, but have arisen over time. They contribute to a growing and pervasive frustration by the American people. These challenges are daunting, but they are far from hopeless.

I believe the key to finding the solutions to the challenges of the 21st century is not to view them as isolated problems. We need a broad, visionary approach that sees these issues for what they are: the interconnected challenges of a smaller and smaller world.

Growing demand for energy in both China and India, combined with volatility in the Middle East, central Asia and the Niger Delta contribute to rising gas prices here in the United States. Natural disasters combined with rising fuel prices contribute to a global food crisis that threatens a billion people. Weak and corrupt governments perpetuate poverty in the developing world, which is exacerbated by the growing food crisis, contributing to growing unrest and ripe conditions for radical extremism.

Every single day, Madam Speaker, every day, people who have not been screened for a criminal or for a terrorist background enter our country through porous borders. Of course, we know all too painfully well the cabal of 20 hijackers from 7 years ago this coming September 11. They fed off the deep discontent that poverty and ignorance breed. They trained in Afghanistan, received funding through international financing schemes. They entered the United States by way of a broken immigration system and perpetrated, as we all know, the worst terrorist attack on U.S. soil.

These issues are not isolated from each other. Any 21st century agenda for America must recognize the fundamental nature of these issues and take a comprehensive view towards solving them. I believe this demands an approach that looks inward as well as outward.

First and foremost, we need to look at how American policy is affecting American problems, and we need to find an American solution. Second, we need to look at the reality of this interconnected world about which I've spoken and give our approach a global view.

Our energy crisis provides a good illustration of exactly what I mean. There are a number of contributing factors that are driving up prices, as I've mentioned. There is growing demand abroad. There is volatility in many oil-producing regions, but we are also suffering because we have failed here at home to develop our own domestic solutions.

Technology in the oil and gas industry has become so advanced that we can explore and drill without damaging our environment. Yet we have vast resources untapped in ANWR and way off our shores. An increased supply of oil does very little good without the capacity to refine it. Yet we have not built a new refinery in three decades.

□ 1615

We all know that nuclear energy is the cleanest, safest, most cost-effective energy source known to man, and yet we have also not built a new reactor in three decades. Furthermore, despite the fact that we in the United States and in my State of California are the world's leaders in innovation, we have not invested nearly, nearly enough in new green technologies that diminish our dependence on fossil fuels and allow us to use the energy we have more efficiently.

Madam Speaker, these are American failures. We need a comprehensive overhaul of our national energy policy to increase our domestic production, improve efficiency, and make us more self-sufficient. But at the same time, there is no escaping the global oil market and the reality that prices are driven by global factors. By promoting our own responsible energy agenda, we don't extricate ourselves from the global market. We shape it, we shape it, Madam Speaker, through our leadership. By increasing supply while diminishing demand through technology improvements, we can help to stabilize and reduce global prices.

By neutralizing the acute crises caused by out-of-control prices, we can help to reduce the volatility that drives up prices to begin with. In other words, we need a uniquely American solution without losing sight of our place of leadership in this interconnected world.

Madam Speaker, the same is very true for the problem of illegal immigration. Failure on this issue is a failure of our border security. We cannot address this problem without addressing our borders. The solution begins with substantial resources for the border patrol and increased technology, including fencing along our border. We simply must strengthen and modernize our first line of defense.

Yet we would be hopelessly shortsighted if we didn't recognize that the problem does not begin, the problem does not begin at the border. It begins in the poor villages of our neighbors to the south. Nowhere else on Earth do a developed and a developing country share a 2,000-mile border. Nowhere else on the face of the earth is a border of 2,000 miles existing between a developed and a developing nation. As we seek to hold back the tide of illegal immigration with a strong border, we must also endeavor to diminish the flow of that tide in the first place.

In the long run, Madam Speaker, growth and opportunity in Mexico is the key to ending the scourge of illegal immigration. As their economy grows and jobs are created, the desire to attempt to cross our border will greatly diminish. Because of this, a permanent solution to the problem demands that Mexico pursue sound economic policies so that there is opportunity on both sides of the Rio Grande.

Our policy toward Mexico must be focused on encouraging them to be accountable to the Mexican people for making the necessary economic reforms which will lead to this important growth. And because strong economies require strong institutions, we must also encourage them to pursue efforts to build their own capacity.

Greater bilateral engagement will ensure Mexico's continued effort to liberalize their economy, to modernize and train their law enforcement and judiciary is important, to build the capacity of their Federal, State, and local government institution is also key, to strengthen the rule of law and provide an environment where economic opportunity can flourish is critically important. It will also ensure that we have an able and effective partner in our efforts to stem the illegal flow of people and narcotics across our border.

Madam Speaker, we have already seen, and this doesn't get much attention, but we have already seen some positive results from our engagements. Mexico has taken a number of important steps toward reform, liberalization, and institutional capacity building. President Felipe Calderon put forth a bold reform agenda in his presidential campaign. Since then, he has taken very positive steps in instituting

economic reform, strengthening the rule of law, and very important—and they're suffering greatly from this as you know, Madam Speaker—combating corruption.

But we know very well that a great deal of hard work lies ahead for Mexico. Millions, millions still live in poverty, and good jobs are all too rare. Many key institutions are still very weak, exposing shortcomings at all levels of government. The criminal justice system in Mexico is still woefully strained in its efforts to combat the illegal trafficking of drugs, guns, and people.

These remaining challenges have left us no choice but to get tough on the issue of border security. But they also demand that we recognize that fundamental reform in Mexico is absolutely essential to tackling illegal immigration in the long run.

Again, these are solutions, Madam Speaker, that demand a robust agenda here at home with a view toward the broader international context out of which these challenges arise.

The need for development, opportunity, and growth abroad extends well beyond illegal immigration into the tremendous threat we face from the spread of radical and violent extremism. When confronting any national security threat, we know that our Armed Forces are the guarantors of our security. We need a strong, modern military to protect our homeland and fight our battles overseas. But the terrorists' designs of radical extremists will never be thwarted through military might alone. Their ability to perpetrate attacks originates with their efforts to exploit the frustrations and disaffection in the developing world.

Madam Speaker, with over a billion people living on less than $1 a day, the potential for exploitation is virtually limitless. Poverty breeds hopelessness, ignorance, and intolerance. These circumstances are made possible by weak or corrupt governments. They do not have the ability to strengthen the institutions that make economic opportunity possible or provide a voice for their people's frustrations.

The result, as we all have tragically found, is fertile ground for terrorism. Development is the only long-term sustainable solution because it is the only approach that addresses the root problems. We must pursue greater economic engagement so that new opportunities can be created, and we must also work to strengthen institutions so that governments are more accountable and economies are more open.

In March of 2005, I had the great privilege of joining with my colleague, DAVID PRICE, under the leadership of Speaker Hastert and now Speaker, then-minority leader, NANCY PELOSI, as we founded the House Democracy Assistance Commission. I had the privilege of leading the Commission when we were in the majority.

Today we continue that very able work under, as I said, my colleague, Mr. PRICE. Our Commission endeavors to engage in precisely the kind of capacity building that I have been discussing. We work with 12 legislatures around the world in new and reemerging democracies providing guidance and training in legislative functioning. Our mission, Madam Speaker, within the broad goals of capacity building, is very specific: to strengthen the representative bodies of these fledgling democracies so that they effectively meet the needs of the people they represent.

A strong, effective legislature is critical to enacting the economic policies that create both growth and opportunity. It ensures a check on an overreaching executive branch, and it gives a voice to those with grievances, all of which contribute to a vibrant, a very vibrant, prosperous, and peaceful democracy, all of which are necessary to ensure that radical extremism cannot take root.

Madam Speaker, clearly our struggle against terrorism demands a global development agenda. Once again, we see that the solution to the challenges we face requires that we look inward as well as outward. We cannot guard against terrorist attacks without a strong national defense, but we cannot overcome terrorism without engaging worldwide.

The challenges of the 21st century are not isolated problems, and we cannot hope to address them by isolating ourselves from this interconnected world. Of course, moving forward on these great challenges also demands that we, as Americans, find common ground.

In many ways, we, as a Nation, are currently grappling with very fundamental philosophical questions on the problems that we are confronting. A central question we all have is how to apply our core American principles to the new challenges that we face. How do we secure ourselves against new threats without diminishing the civil liberties that we hold so dear? How do we wage a war against Islamist extremism without appearing to treat those of the Muslim faith with the very intolerance that fuels extremism? How do we end the scourge of illegal immigration while continuing to be that shining city on a hill to the many legal immigrants who have always helped to make this country the great Nation that it is? How do we engage in the worldwide marketplace while ensuring that Americans can successfully compete in a very dynamic economic environment?

There are those who say that America is bitterly divided today over these questions. Madam Speaker, it's certainly true that there is great diversity of opinion in how to address the security and economic challenges that we face. But if we are willing to engage each other in honest and open debate, this diversity of opinion is our great strength, not our weakness.

As we face these substantial new challenges that I discussed, we need that great clash of ideas just as our founders intended. Unfortunately, resorting to inflammatory talking points has supplanted sincere and honest debate. The shrill voices of ''talking heads'' are no substitute for true engagement.

Madam Speaker, I believe Americans have grown weary of politics-as-usual, of the endless fighting that takes place right here in Washington, DC, but not because of the existence of opposing views. Americans have grown weary of the obstinacy, the hardened positions and intolerance of differing opinions. The refusal to truly engage in an open and substantive way is something that has frustrated most Americans. Now, Madam Speaker, in a country of over 300 million people there will never, there will never be uniformity of opinion, but there can and should be a deep respect for the clash of ideas and an interest in reaching broad consensus on the great issues of our day.

Madam Speaker, this is the essence of the United States of America. And it is the essence of what we just celebrated earlier this month on July 4th: the freedom of ideas, all ideas to be debated, debunked, or developed in this messy process of democracy. I truly believe that our country will rise to the challenges we face today just as we have always done. We will accomplish this through open, sometimes heated and passionate, but always respectful debate. We will accomplish it by applying the core American values that we have long held while maintaining a global perspective on the challenges of the 21st century.

□ 1630

Whether the issue is soaring gas prices, illegal immigration, terrorism, or any other challenge that we face, we must set our priorities as Americans. But we must tackle our problems with a worldwide focus, boldly asserting our global leadership role. By doing so, we will make our borders safer, our economy stronger, and our future ever brighter for our children.

PEAK OIL

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, the gentleman from Maryland (Mr. BARTLETT) is recognized for 60 minutes.

Mr. BARTLETT of Maryland. Madam Speaker, I want to begin this evening's discussion by reading a little reminisce that was written by one of my staff members, Dr. John Darnell. He's imagining that he is talking to his granddaughter at some future date, and this little reminisce is called, ''Making It Through the Energy Crisis—Future Reminiscences with my Grandchildren.''

''Grandfather, tell us the story about the men who went to the Moon and barely made it back—and how that was like when the world discovered there wasn't enough oil.

''Oh, you mean *Apollo 13*. Yes, that story is very much like what happened back in the energy crisis of 2008, before you were born. What those astronauts had to do to survive was very much like what the world had to do.

''Tell us the story, Grandfather!

''*Apollo 13* was one of many trips to the Moon and back, some returning without landing. This trip was planned to include a landing to explore the lunar surface. When they left Earth they were on a 'safe return' trajectory so that if something went wrong, their craft would have automatically looped around the Moon and returned on the proper path for a safe landing. In order to land on the lunar surface, however, they had to adjust their trajectory for a better orbit for the landing. Once they had made that adjustment, they were no longer on the 'safe return' trajectory.

''And, that's when the problem happened?

''Right! A sudden, loud bang announced the problem—there had been some warning signs that something was not right for some time before, but the controllers didn't know what to make of them—and in a similar way the early symptoms of the energy crisis were misunderstood and ignored.

''So, what was the loud bang?

''One of the liquid oxygen tanks that powered the command module's fuel cell and supplied oxygen to breathe had exploded! When they finally realized what had happened, they had to quickly shut off the oxygen to the fuel cell to save what was left. That meant there was no power for the command module. Fortunately, in planning the mission, they had rehearsed what they would do if the command module lost power—they would use the lunar lander as a 'lifeboat'! That's like what we called 'contingency planning' in preparing for anticipatable disruptions of the world's energy supplies.

''So, that's how they got back safely?

''Well, yes, but that wasn't all there was to it—their problems were far from over.

''First, not only could they no longer land on the Moon, but the power and oxygen they had assumed would be available were now limited to what the lunar lander could supply—only intended for two people for a few days on the surface—which now had to be stretched out to supply three people for the trip all the way back to Earth.

''How could they get by on so little?

''By purposeful conservation! By that I mean that it was not enough to just use a little less energy; they had to use a lot less.

''The astronauts not only had to save enough to make it all the way back before their supplies ran out, they also had to have enough power to spare to operate the controls of the lunar lander during two course corrections.

''The world in 2008 faced a very similar problem: availability of fossil fuels had reached a peak and could not keep growing to match exploding demand, not to mention needs of business as usual. And, not only did the world have less energy available than it could have used, but, as with the astronauts, purposeful conservation was needed to save enough extra to have resources, including energy, to spare for investing in the shift to a more sustainable energy path.

''It sounds like the astronauts almost ran out of time if they hadn't changed course to speed up their return—which used up some of their reserves! How close did they come to running out?

''Very close. Every minute and every breath used up precious supplies—the time they bought by conserving made it possible to invest in the course corrections, with very little to spare! Not only that, but they had an unanticipated complication: carbon dioxide was building up in their atmosphere—they could have returned intact, but dead from asphyxiation!

''That's spooky—the world today has the same problem—how did they solve their problem?

''It wasn't easy! It took creative, out-of-the-box thinking and collaboration among the crew and backup crew on Earth, using a duplicate capsule on the ground. Eventually they were able to improvise a makeshift device, using materials on hand, including a sock, to adapt the command module's filter to the lunar lander.

''Of course, as you point out, there has been a parallel need to curb global carbon dioxide emissions that has limited choices of technologies as the world has shifted to a more sustainable energy economy. Conservation, itself, dramatic efficiency improvements and carbon-neutral and sustainable energy resources all have helped reduce greenhouse gas emissions far below 'business as usual' projections, while homegrown businesses and jobs have flourished far in excess of the losses in traditional industries.

''They were really lucky to have overcome all those problems to make it back safely when it looked like they didn't have a prayer!

''You're right; it was pretty amazing that they made it! Maybe more than you realize—when they made their course corrections, they had to use hand calculators and steer by hand to hit a reentry 'window' that was like the thickness of a sheet of paper four feet way. If they had missed it, their reentry vehicle would have either burned up or bounced off into space!

''But, it wasn't just luck. They had prepared and rehearsed contingency plans in case of anticipatable emergencies, so they didn't panic; instead they communicated, cooperated, collaborated creatively, and rose to the challenge with determination to do what was necessary to make it, even if it meant some hardship. And some prayer probably didn't hurt!

''It has taken a similar sense of determination, worldwide, for us to make it as far as we have in the transition to a sustainable energy economy. In the past 20 years we have come a long way toward that goal but there is still a long way to go. And it was by no means inevitable or easy. There were many points where it could have gone seriously awry. In the early years there was a lot of denial, anger and blame, and an impulse to fight over control of access to the remaining oil and gas.

''But, there is still oil and gas being used today—we didn't run out—why didn't they realize that we could switch to renewable energy sources like we use today?

''A lot of people thought we could do just that—along with a slew of other things that seemed reasonable . . . But, by the time the crisis hit, fossil fuel prices were killing the economy and everything cost so much that no one had any money to spare to invest in any of the alternatives . . . And, when the shortages hit, there was nothing ready to turn to as a substitute on the scale that was needed—time had become a scarce resource as well as money and energy itself! And, every proposed solution was competing for those same scarce resources!

''Reluctantly, people came to see that only one thing could accomplish what was needed: purposeful conservation! Even in the midst of the crisis, contingency plans could be implemented rapidly at almost no cost, buying time, saving money, extending the depleting resources and further reducing costs by falling demand resulting in lower prices.

''Conservation with the purpose of investing the conserved resources in greatly improved efficiency buys still more time and lowers the level of energy needed for a comfortable standard of living—a level that can be sustainably and affordably be supplied from a variety of sources.

''I see—since even efficiency takes time, money and energy, you have to start with purposeful conservation to buy time and be able to afford it and so on. But, today everyone seems to take that for granted—what made the difference?

''International cooperation instead of confrontation. Consuming Nations committed to reducing their consumption in concert with a calculated decline in production by producing countries—faster than natural depletion rates. This had the effect of making things predictable, creating reserves and extending the resource productivity, assuring that no one is tempted to seek an unfair advantage, and reducing competition for control of dwindling resources, that is wars.

''The second profound change has been the challenge of the 'International Race to Sustainability.' Like the race to the Moon that spawned the Apollo missions, the Race to Sustainability has captured the imagination of innovators all over the world. Much of the resources that had been formerly dedicated to building military capability in anticipation of a struggle of control of fossil resources are now

being directed toward the prestigious goal of leading the Race to Sustainability.

''Now, as you know, there are ongoing competitions that demonstrate self-powered, zero energy communities, both new and retrofitted. Self-powered, net food and fuel producing farms that are now commonplace, as increasingly are self-powered manufacturing in the renewable sector. Even transportation is becoming self-powered with the increasing deployment of highly efficient, Personal Rapid Transit networks.

''Wow, Grandfather, the way you tell it, the story of the world's transition to sustainability is almost as exciting as the *Apollo 13* story! We're so lucky to be alive to be a part of it!

''Yes, it is an exciting time to be alive! With new, highly efficient technologies, the energy available whenever there is access to sunshine, blowing wind, running water, the energy of the ocean or the Earth's heat, can bring prosperity! The world has never seen such widespread prosperity! Increased democracy, better education of women, health care are following close behind.

''Thank you, Grandfather,'' very much for this story.

I read this because I think it sets in perspective what we want to be talking about today, and I have a chart here that kind of tells us where we are and what's been happening recently.

This chart could go back through the 8,000 years of recorded history, and it would look just the same as it does in these last 400 years of recorded history. The amount of energy being produced would be very low, not discernible from the baseline as a matter of fact, and now we start with the Industrial Revolution using wood here, and you see the increased energy production. And then we learn to use coal, and boy, it shot up. But then when we learned to use gas and oil, it really took off. And that curve is one that we're going to see several times in the charts that we're going to see just in a few moments, and this curve is on a very compressed abscissa. So it's a very sharp curve.

It shows a couple of very dramatic things. First of all, it shows that the rate of increase in the use of gas and oil up through the Carter years was on such a trajectory that it would now be well off the top of the chart if something had not happened. That something that happened was the oil embargoes in the 1970s and the oil price spike hikes that inspired people to be more efficient. We actually had a recession.

Here you see it as a drop in the demand for oil around the world, and it's not so plain on this chart because the abscissa is so compressed. We're going to see it on subsequent charts.

The rate of increase in the use of oil is now on a very much lesser slope than it was at the beginning. It's interesting to note that the world's population essentially followed this curve. The world's population started out down here through about 8,000 years of recorded history at something like half a billion or so people around the world, and now it's increased to what, nearly 7 billion people. If we had a population on here, it would pretty much follow the rate of increase in the use of fossil fuels here, the release of energy. That's because our quality of life has been so much affected by this incredible amount and quality of energy that we've found under the ground.

The next chart takes us back a few years to show us how we got here and the warnings that we have had, that we were going to be here. Oil at $140 a barrel was not unanticipated if you had looked at the warning signs. And incredibly, most of the world and most of the leaders in our country have chosen to ignore or not look at these warning signs.

Back in 1956, it was on the 8th day of March, a very famous speech was given by M. King Hubbert to a group of oilmen in San Antonio, Texas.

□ 1645

And what he predicted was that by 1970 the United States would reach its maximum oil production. Now, that was preposterous when he made that prophesy because we were then king of oil, I think producing more oil, consuming more oil and exporting more oil than any other country in the world. And to suggest that in just 14 years no matter what we did we would reach our maximum capacity for producing oil was just silly to those who listened to it. But right on schedule, in the 1970s, you can see from the chart here, we reached our maximum oil production, just as M. King Hubbard had predicted. He became a legend, an icon in his own lifetime.

This chart shows us another thing, and that is the attempt by one of the groups out there who are still kind of in denial about whether or not we're reaching that point where the world has no more ability to produce an increased amount of oil. CERA, Cambridge Energy Research Associates, they use this chart to try and convince you that M. King Hubbard really didn't know what he was talking about.

The ''Hubbard curve'' was the lower 48 prediction here, and the actual oil production from the lower 48 are the green squares. And maybe a statistician could convince you that those are different curves, but I think to the average layman, gee, M. King Hubbard had it pretty right, this is what he predicted would happen, and this is what happened.

Now, if you take the total U.S. production, because we found a lot of oil in Alaska and we found a lot of oil—we have about 8,000 wells in the Gulf of Mexico—and if you add those two production sites to the lower 48, which he predicted, you see we get just a blip in the slope down the other side of Hubbard's peak.

Now, I want you to take a look at where we were in 1980. That's about here. And you're looking back and you can see, gee, M. King Hubbard was really right, wasn't he? The world did reach its maximum oil production in 1970.

And I'm going to use this time period, 28 years, because I think that we had known, of an absolute certainty, for 28 years that we were going to be here today. M. King Hubbard was right about the United States; we peaked right on schedule. I think it was in 1979 that he predicted the world would be peaking about now.

Now, if he was right about the United States—and the United States is certainly a microcosm of the world—why shouldn't he be right about the world? Essentially no attention was paid to this. Essentially no preparation was made for the inevitability that the world would reach this maximum production.

The next chart looks at where the world has been and where the world is going relative to oil production.

There are a number of bars here which show when oil was discovered and how much of it was discovered. Notice that the first discoveries were in the forties, and then, boy, some really big fields found here in the fifties. And then most of it found in the sixties and peaking about '80. But ever since the sixties it's been down, down, down. And that's in spite of ever-more incentives to find oil, in spite of ever-better techniques to discover oil, like computer modeling and 3–D seismic. And we now have a pretty good notion of the Earth's geology, and it's known that oil can exist only in certain unique geologic formations.

The solid black line here indicates the consumption, the worldwide consumption. Now, we saw that curve on the first chart we showed you. There we had really compressed the abscissa here because we have 400 years instead of 100 years on it. And remember that curve was going up very sharply and then there was the recession during the seventies? And then a much slower rate of increase because today we have much more efficient air conditioners and refrigerators and freezers and so forth. We better insulated our homes. We used to do a lot of things to conserve energy. Note where this curve would be now if this rate of increase had continued. It would be off the top of the chart, wouldn't it? So the embargoes of the seventies and the oil price hikes then were really a blessing in disguise because it encouraged us to do what we ought to have been doing even before that, and that was to become more efficient.

Now, what will the future look like? Now, that depends upon how much more oil you think we're going to find. But I would just caution that one needs to keep in mind this chart that shows what we have found. With ever-increasing incentives to find oil, it's been down, down, down.

Now, the creators of this curve kind of predict what they think the future

looks like, and they have oil peaking in production about now, which is about when M. King Hubbard said it would peak in production. Notice that since the eighties we have not been finding as much oil as we've been using, so we've filled in that difference between what we found and what we use by borrowing from the reserves back here. Everything above this line is a reserve. So we've been borrowing from these reserves.

We have a lot of these reserves left. And their projection for future discoveries—and I would have drawn the curve a little lower—but their projection for future discoveries is this curve. It's not going to be smooth like that, it's going to be up and down, but on the average, probably about that. So you've got to fill in the difference between what we discover and what we use by borrowing from the reserves back here.

Now, you can't pump what you haven't found. So if you think the future is going to be much different from what they project, then you have to believe that we're going to find a whole lot more oil than they believe.

The next chart. I mentioned the speech by M. King Hubbard that I thought was probably the most important speech of the last century. And I think that this one is the most insightful speech of the last century. This was a speech given by Hyman Rickover, the father of our nuclear submarine, to a group of physicians in St. Paul, Minnesota on the 4th day of May, 1957, just a bit, a year after M. King Hubbard had given his speech. Now, I don't know if Hyman Rickover knew of M. King Hubbard, I don't know if he had read that speech. But these are a couple of things that he said, which I think are so obvious.

''There is nothing that man can do to rebuild exhausted fossil fuel reserves. They were created by solar energy,'' he said, ''500 million years ago and took eons to grow to their present volume.

''In the face of the basic fact that fossil fuel reserves are finite, the exact length of time these reserves will last is important in only one respect: The longer they last, the more time do we have to invent ways of living off renewable or substitute energy sources and to adjust our economy to the vast changes which we can expect from such a shift.'' Wow, this was 51 years ago. We were then about 100 years into the age of oil, which he called this ''Golden Age.''

I really love this paragraph because I think it is such an apt description of where we are and who we are and what we're doing, which he felt, and I feel, is immoral.

''Fossil fuels resemble capital in the bank. A prudent and responsible parent will use his capital sparingly''—I haven't noticed that the world has been doing that with fossil fuel—''in order to pass on to his children as much as possible of his inheritance. A selfish and irresponsible parent will squander it in riotous living and care not one whit how his offspring will fare.''

I think of this statement when I hear the pleas of those who say, ''Drill now, drill more, pay less.'' And the unfinished part of that sentence is, ''We don't really care about what happens to our kids and our grand kids, we want it now.''

Another counsel in Hyman Rickover's speech—and he says this 51 years ago, I don't hear our leaders saying this today—''I suggest that this is a good time to think soberly about our responsibilities to our descendants—those who will ring out the Fossil Fuel Age.''

Hyman Rickover knew we were 100 years into the Fossil Fuel Age; he didn't know then how long it would last. Remember he said that no matter how long it lasted, the only important thing was that the longer it lasted, the more time that we have to plan an orderly transition to renewable fuels.

We might give a break to these youngsters by cutting fuel and metal consumption so as to provide a safe margin for the necessary adjustments which eventually must be made in a world without fossil fuels. How much better off would we have been as a country and as a world if 51 years ago we had listened to Hyman Rickover, who said this is a good time to think soberly about our responsibilities to our descendants. I have 10 kids, 16 grand kids and two great-grand kids, and I am genuinely concerned about what I'm going to leave to my kids.

Have we reached peak oil worldwide? This is in dispute by many people, but I just want to give you the data compiled by the two entities in the world that most effectively follow the production and consumption of oil. This is the IEA, the International Energy Association, and the EIA, the Energy Information Administration; the prior a European entity, and the latter a creature of our Department of Energy.

Here is their data, and they have pretty good concurrence. For about the last 3 years they show oil production worldwide as being flat. And what has happened in that 36 months? That oil production has been constant. Try as we might, the world has not been able to increase oil production for 3 years.

Three years ago, oil was about $52 a barrel. Today, it's $130, $140 a barrel. This is exactly what one would predict would happen with the constant supply and increasing demand. This kind of is, energy-wise, the perfect storm, because just at the time that the world has probably reached its maximum capacity to produce oil is just the time that the third world, led by India and China, are industrializing and demanding more and more oil.

Our rate of increase in the use of fossil fuels is only about 2 percent in our country, it's only been about 2 percent worldwide, but that is now increasing. The growth rate in India and China, they're not at all happy with 2 percent. The last data I saw, China's economy was growing at 11.7 percent a year, and their demand for oil was even greater than that because in this rapidly growing economy they haven't taken the time to make sure they're using these energy sources efficiently.

And it's not that we haven't been warned. We certainly knew from M. King Hubbard and what happened in 1970 in our country, and by 1980 we knew of an absolute certainty that M. King Hubbard was right about our country peaking in 1970. And by the way, we have drilled more oil wells than all the rest of the world put together. In spite of that fact, we produce only about 8 percent of the world's oil and that's because we have only about 2 percent of the world's reserves.

Your government has paid for four major studies—they've resulted in five reports because one of the studies resulted in two reports—on this issue, and two of those were in '05. This was the first big report called the Hirsch Report, for the senior investigator on it, by SC IC, a very large, prestigious international engineering science organization. The second was a report later on in '05 by the Army Corps of Engineers. Then we had two reports in '07, just last year. The Government Accountability Office did a study, and at the request of the President and the Secretary of Energy, the National Petroleum Council did a study. And all four of these studies, in different words, said that the peaking of oil is a certainty. It's not if, it's when. The peaking of oil is a certainty. And it's either present or imminent, with potentially devastating consequences.

There are some really interesting and important geopolitical considerations, and this next chart looks at those. This is really an interesting chart. This is the ''World According to Oil.'' And this is what our globe would look like if the size of the country was relative to how much oil reserves it had. And we see some very interesting things here. Saudi Arabia dominates the planet. That's because Saudi Arabia has about 22 percent of all the oil reserves in the world. We think that's what they have. You see, most of the oil reserves are held by countries like Kuwait and Iran and Saudi Arabia and Iraq. We know a little bit more about Iraq because we're there, but these other countries hold their data very close. The world community cannot look at their data. We know what they're producing because we buy it. We really don't know what the reserves are. So these are estimates as a result of what they tell us they have in reserve. We hope there is that much there.

Some interesting things about this ''World According to Oil.'' Look at the United States over here. We have 2 percent of the world's oil. We're 50 percent of the land mass of the globe in the ''World According to Oil.'' And a very interesting thing is that the country from which we get our biggest supply of oil, Canada, has about half the oil

that we have in the lower 48 and Alaska.

The country from which we get our third largest—it used to be the second until a few months ago—Mexico, has considerably less oil than the United States. Now, Canada can export oil because there are not very many Canadians. The Mexicans can export oil. Although there are a lot of them, they're so poor they can't afford to use it, and so they're exporting.

□ 1700

But this shows that the first and third suppliers of oil in our country are very small reserves. They have between them about the same amount of reserves that we have, that is, about 2 percent of the world's reserves.

Another very interesting thing to look at is the size of China and India. More than a third of the world's population, about 2.4 billion people out of a little bit less than the 7 billion people we have. And look at their size. You can hardly find Japan here because Japan is almost totally dependent on outside sources of energy. But these two huge countries demanding more and more energy and they are dwarfed by Russia. Russia has maybe three or four times, three times the energy that we have. They don't have all that much compared to giants like Saudi Arabia, but they, I think, may be the world's largest exporter because they are very aggressively pumping the oil that they have.

The next chart shows us a logical consequence of this. I mentioned how small the reserves in China are; so what is China doing about that? And this chart shows what they're doing about it. This is a map of the world, and it shows where the Europeans have invested, where the Russians have invested, where we have invested, and where China has invested. Where you see a dollar sign, and I don't see very many of them, is where we have invested. This symbol you see where China has invested, and you see it all over the world. They even tried to buy Unocal in our country. But China is now buying oil all over the world, and they aren't just buying oil, they're buying goodwill. Do you need a soccer stadium, a hospital, roads? Why is China doing this? Because in today's world, it doesn't make any difference who owns the oil. It is a global commodity. He who comes with the dollars gets the oil. I hope it continues to be dollars. If it's euros or something else, our economy is even in more trouble. So why are they buying oil all around the world? Of course, you can't get inside the heads of the leaders there, but you can only guess why they are doing it from some other things that they're doing.

One of the other things they're doing is very aggressively building a blue-water navy. They're building their navy much more aggressively than we are and much faster than we. They launched—the exact number I'm not sure of, but maybe ten or so submarines last year; we launched one. Their navy will soon be bigger than ours, nowhere what our Navy is.

China this year will graduate six times as many engineers as the United States graduates, and about half of our engineers are going to be Chinese and Indian students. The Chinese will graduate more English-speaking engineers in China than we graduate the total number of engineers in our country. It is impossible for a country that is so aggressively pursuing education in these technical areas, with a huge population and a great work ethic, to not be a serious challenge to us, by and by, economically and militarily.

Is this huge navy that they're building necessary because they want to be able in the future to use their oil and not share it with the world, as now you must? In order to use their oil, they are going to have to have a navy big enough to protect the sea lanes so that they can have access to their oil.

The next chart, this chart shows the 10 companies on the basis of oil production and reserve holdings. Now, we have giants in our country, oil companies, ExxonMobil and Chevron and Royal Dutch Shell and so forth, and many people believe the price of oil is high because somehow they're gouging us. The bar on the right here shows the reserves of oil, and these are the top 10 companies or countries that hold oil reserves. And you see that 98 percent of all of the top 10 are oil countries, where oil is owned by the country. Now, that was pretty obvious from that chart we had that showed the world according to oil, but this puts it in bar chart form.

Luke Oil, which is kind of independent of Russia, has only 2 percent of the 100 percent of the oil that's owned by the largest 10.

The bar on the left here shows production. This is not who owns it but who is producing it. Now, even though these people own the oil, our oil companies might be producing it for them. But that's not true because, you see, if you take the top 10 in the production of oil, 78 percent are these companies in North Africa and the Middle East, and only 22 percent is represented by the giants: ExxonMobil, Royal Dutch Shell, BP. Only 22 percent represented by these giants.

The next chart shows some numbers that shocked a number of our people. And the President has a letter from at least 3 years ago now by 30 prominent Americans: Boyden Gray and McFarlane and Jim Woolsey and 27 others, including several retired four star admirals and generals, really concerned, telling the President: Mr. President, the fact that we have only 2 percent of the world's oil and use 25 percent of the world's oil and import about two-thirds of what we use is a totally unacceptable national security risk. What if we didn't have access to that oil? They said this is a problem we have really got to fix.

Now, we are really good at pumping oil. You see our little 2 percent of the oil reserves results in 8 percent of the world's production. So our oil wells are going to be pumped down quicker than the average oil well in the world, and we have actually less than 5 percent of the world's population. We have about 1 person out of 22, and this 1 person out of 22 uses a fourth of all of the oil in the world. This is not lost on other nations. They understand this, and they are watching us to see what we do.

The next chart is a chart from the first study that I mentioned, the Hirsch Report, which resulted in two publications. And this is a chart which shows us very explicitly what T. Boone Pickens is telling us in his ads, that you're not going to drill your way out of this one.

Now, this chart makes what I think and what others think is a grossly unrealistic projection, and that is that we're going to find as much more oil as all the reserves yet to be pumped in the world. Now, as LaHerrere says, this is an absolutely implausible projection. Remember that big chart showing the down, down, down, and they are suggesting that's going to turn around and produce as much more oil as all the known reserves in the world today. And even if that happened, even if that happened, it would push the peaking of oil out to only 2016, it says here. This is one of the reasons T. Boone Pickens says you're not going to drill your way out of this.

Oil consumption up through the Carter years was so great that every decade—and think about this. This is a stunning statistic. Every decade we used as much oil as had been used in all of previous history. Had that curve continued, when you've used the half the oil, which is where I think we are now, you would have 10 years of oil left. And that's not 10 years at this rate because in the future it's going to be harder and harder to get. That's what has happened in the United States, harder and harder to get, less and less of it, and because of the world's supply and demand, ever higher and higher prices.

Look what happens if you find ways to get more of it out. Then you really fall off. If you're concerned about your kids and your grandkids, you would like to leave a little something for them. But even if you did that, it pushes the peak out only to 2037, this chart says.

Now let's look at energy and how much we use and where it comes from because this will tell us what our options are for the future and what our challenges are for the future. I would like to use an analogy relative to this chart which I think is easy to understand. A young couple whose grandparents have died and left them a considerable fortune, and they have established a life-style where 86 percent of the money they spend comes from their grandparents' inheritance and only 14 percent of it comes from what they're

earning. And they look at how old they are and how long they're likely to live, and they say, ''This is going to run out before we retire. We have got to do something.'' There are only two things they can do, one or both of these. Either they can use less, spend less, or make more. And that's precisely where we are in terms of energy, that 86 percent of all of the energy we use is our grandparents' inheritance. It's fossil fuels that were placed in the ground a very long time ago over a very long time span. And we now are removing them from the ground in a very short time period. And, of course, one of the consequences of this is we are now dumping into the atmosphere CO_2 that had been sequestered from the atmosphere over a very long time period in the past. We're now releasing that into the atmosphere in a very short time period. And many people are concerned about this increase in CO_2 and what it's doing for global warming and climate change and so forth.

Only 14 percent of the energy we use comes from sources other than coal, natural gas, and oil. But eventually as we run down, and oil and gas and coal are not forever—that's obvious that they are finite, that they will run out. The only question is when we are going to reach the peak and how long it will take before we run down the other side of the curve of the age of oil. So ultimately we are going to be living entirely on renewable energy and nuclear energy. Now, we may add some additional renewable energies here. We're the most creative, innovative society in the world, and what we can do when we have to is just absolutely incredible.

Note that a bit more than half of all of the energy we use that's not fossil fuels comes from nuclear. It's 8 percent of our total energy used. It's about 20 percent of our electricity. If you were in France, it would be about 80 percent of your electricity. So, clearly, that could grow. I know some people that have been really opposed to nuclear, but these are bright people, and when they look at a probable alternative to not producing more nuclear, which is shivering in the dark because of lack of energy, more nuclear doesn't look like a bad alternative to shivering in the dark; so they now are more focused on the potential of renewables and nuclear.

And here we look at the present renewables, and you see hydroelectric, and that's probably not going to grow in our country. We have dammed about every river we should and maybe a few that we shouldn't have. The biomass, that can grow a little bit. That's primarily energy produced by the timber industry and the paper industry, wisely, using a byproduct that would otherwise go to the landfill.

Solar and wind here are just trifling. They are a tiny part of the 6 percent here. And they are growing. They are growing like 30 percent a year. But when you start out so small, even 30-percent-a-year growth represents a tiny, tiny percentage of our total energy.

Geothermal here is true geothermal. It's not hooking your air conditioner to ground temperature, which you really ought to do. If you don't do that, what you are trying to do in the summertime to cool your house is to heat up the outside air. If what you're trying to do is heat up the ground, which is 56 degrees, that's a whole lot easier than heating outside air, which is 100 degrees. And the reverse is true in winter, of course.

The next chart shows the U.S. energy consumption by sector. And this is important because where are we going to have our real challenges in energy production? About 40 percent of our energy is electric power, about 28 percent of our energy is transportation, 21 percent industrial, and residential and commercial is about 11 percent.

The next chart looks at where we get the energy from for electricity. Mostly we are talking about liquid fuels, but electricity is also a challenge.

□ 1715

And the take-away from this discussion is that the future for transitioning to renewable alternatives for electricity is a very much brighter future than transitioning to fossil fuels.

And here we look at what we're producing electricity from today. Almost half of it is from coal, natural gas, nuclear and hydroelectric. And that can't go a whole lot. Microhydro might be as big as this by the way without the impacts on the environment that this big macrohydro does by damming up rivers. Petroleum, very little petroleum produced here. Other gases and other forms of energy, pump storage and so forth you see there. Now in a fossil fuel deficient world, coal is going to go away eventually. Natural gas is going to go away eventually. And the petroleum, liquid fuels and coke will go away eventually.

The next chart is a blowup of a tiny part of that chart. And this shows renewables. Only 2½ percent of our electricity is produced by renewables. It is really small. One-thirtieth of our electricity is produced by renewables, and much of that by wood. And if we want to sustain our forests and still build houses—and we're having trouble stabilizing that now—we probably can't grow that a whole lot. Wind, boy, that can really grow. I look around and I see almost no wind machines, and I see leaves on the trees blowing everywhere. And so we could have a whole lot more wind machines and a whole lot more energy from that. Waste. That could and should grow. But I will caution that that is self-limiting. That waste stream you see go to the county landfill—and watch what is dumped in the county landfill. Almost everything dumped there is going to be the result of profligate use of fossil fuels. And in a fossil fuel deficient world, that waste stream is going to be very small. We ought to be burning it. I think that is a better alternative than putting it in a landfill. What is even better is we ought to be recycling where that is appropriate. But burning is a good idea. But that is not a solution to our problem. And it's not a true renewable. It's a sensible thing to do. But it's not a true renewable, although it's listed here because it's dependent on the use of fossil fuels for using most of it. And they're going to wind down. There will be less and less of that.

Geothermal, that could grow probably a lot because there are several places in our country where we're near enough to the molten core of the Earth, and we can tap into the heat of the Earth. And that is essentially an inexhaustible source of energy. In Iceland, I saw not a chimney in Iceland because all of their energy comes from geothermal.

Solar PV. Wow, I'm a big fan of that. China and Japan have the six largest companies in the world. We used to lead in that area. We have lost that lead. Now six of the largest producers in the world are in China and Japan. That is growing at about 30 percent a year. And wind is growing. Wind is bigger and growing very fast. But we're talking here about percentages of 2½ percent. This is 1 percent up here. Notice down there that our solar today is a tiny, tiny part of 1 percent, like 1/100th of 1 percent.

The amount of energy that we get from fossil fuels is just incredible. The world uses about 85 million barrels a day. We use a little over 21 million barrels a day, about one-fourth of that. And each barrel represents the work equivalent of 12 people working all year. It has been so cheap, such a high quality and so easy to get. When oil was $12 a barrel, in terms of life improvement by using energy, you could buy the work equivalent of one man all year long for $1. This is why Hyman Rickover referred to this as a ''Golden Age.''

About a year and a half ago, I had the privilege of leading a codel of nine of our Members to China. And I was shocked. My colleagues were shocked when we started talking about energy with China. They talked about post oil. Post oil. We have trouble in our country thinking beyond the next election or thinking beyond the next quarterly report. In China, they seem to think in terms of generations and centuries. There will be a post oil world. And they're looking at what needs to be done to get there in an orderly fashion. They have a five-point plan. And everybody we talked to there knew it. Everybody knew. No matter what sector of government we were in, they talked about the five-point plan.

Number one is conservation. Do you remember the little story I read about the grandfather telling his grandchildren the story of Apollo 13 and the analogy of that to our transition from fossil fuels to renewables, or at least 20 years of it? It all began with purposeful

conservation. That is the number one thing we have to do. That is not just riding in a Prius rather than an SUV. Coming to work the other day, I noticed in front of me was an SUV in one lane with one person in it, and a Prius in the other lane next to it with two people in it. I thought to myself, the people in that Prius are getting six times the miles per gallon per person as compared to the person riding in the SUV.

We have enormous opportunities for conservation. Enormous opportunities for conservation. Then, domestic sources of energy alternatives and diversify, get them from home if you can, and the fourth one may surprise you. They're concerned about the environment. Although they are the world's biggest polluter, they have 900 million people, three times our population in rural areas, and through the miracle of communications, they know the benefits of industrialization, and they're demanding them. They are demanding them. And I think China sees their empire unraveling like the Soviet empire unraveled if they can't meet the needs of these people. And so they have a huge, huge challenge in pollution and environmental impact.

The fifth point is one that is very interesting. Even though they are buying up oil all over the world, because they think we may have confrontation, they are building a big blue water Navy, and they are going to own their own oil. They are pleading for international cooperation. Do you remember in the little story we read about the grandfather and his grandchildren? It was international cooperation, spending our money on the race to sustainability rather than on weapons that could destroy each so other so that we could have more of the oil that finally got us through this huge challenge that we face.

What America needs to do, I think we need to have a program that has the total commitment of World War II. I lived through war. I was born in 1926. If you're doing the arithmetic, yeah, that makes me 82 years old. But I remember that war. We had victory gardens. We had daylight savings time. Everybody grew a victory garden who could. They cleared vacant lots in New York City. And you could see the pictures of the rubble in the middle and the vegetable gardens growing between the rows of rubble. No new cars were made in 1943, 1944 and 1945. The cars back then were either 1942 or 1946 cars. Everybody saved their household grease and took it to a central repository. Everybody was involved. It was the last time our country was at war. Our military has been at war since then, our military families have been at war since then. But our country was at war then. Everybody was involved. That is what is going to have to happen if we're going to make it in an orderly fashion through the exciting challenges that we face. We need to have the technology intensity and focus of the Apollo program. Huge technology. I remember the cartoon of the little red-headed freckle-faced boy who said ''6 months I couldn't even spell 'engineer' and now I are one.'' And everybody wanted to be involved in engineering. And we were focused on that program. How it riveted America. We need the urgency of the Manhattan project. And this is not going to be cheap. But living without oil is not going to be cheap either.

What are we doing about it? The next chart shows what I have been personally doing about it. I have a bill that is a companion bill to a Senate bill S. 2821 which passed 88–8, and our bill is 5984. What it does is to extend the alternative energy tax credits. With oil at $140 a barrel, it still isn't high enough for the business world to make investments. And so they have got to be encouraged to do that. And this is one of the things that government can do with tax credits is encourage the right thing there. We really need to do that.

Renewable domestic sources, H.R. 6107. Peak Oil Caucus and resolution. We have a resolution and a Peak Oil Caucus with about equal numbers of Republicans and Democrats. These are members that recognize that peak oil as an inevitability and a huge challenge. I'm really enthusiastic about ARPA–E. DARPA has been enormously effective for our military. I think we need a similar thing for our energy. ARPA–E, deciding where to invest the precious time and dollars in energy that we have. What is likely to pay the biggest benefit?

I am a big fan of improving CAFE standards. H.R. 80 is self-powered farms. If our farms can't be energy independent and produce a little bit of energy for those in the city, we're in trouble, aren't we, for the future? Tax credit for hybrids. We really need to do that. It's still cheaper not to buy the hybrid even with gas at $4 a gallon. But you really need to do that because we need to conserve the oil because we need it for other purposes. So we need tax incentives to buy more hybrids.

Fuel flexibility, neutrality, plug-ins. It costs only about $100 more to make a car that can burn any fuel, any reasonable fuel. They do that. Every car made in Brazil is that kind of a car. Well, can we do this and live happily? The next chart is an interesting chart. This looks at some quantitative measures of quality of life, such as how long you live, your education level and relative income. And that is on the ordinate. Here on the abscissa is how much energy you use. Of course, we are all alone, way out there at the right. We use more energy per capita than anybody else in the world. But on these quantitative things, are we that much better off than other countries in the world? No, not at all. There are a number of countries using essentially the same amount of energy that we use that live as long, have as high an education level and have the same relative income that we have. A number of countries here.

The next chart shows a subjective look at this. And this is even more compelling. What we're doing here is simply asking people, how good do you feel about your quality of life? Here we are. We feel pretty good about quality of life. But notice there are 22 countries I think who feel better about their quality of life than we do. The former chart was qualitative. This one is quantitative. They feel better about their quality of life than we do and use very much less energy. They use half as much energy as we do. Yes, we can consume much less energy and still live a very high quality of life. Lots of other people are doing it.

The next chart shows what can happen in our country when there is an incentive. The people in California—I don't even know if they know this. But people in California use only 65 percent as much electricity as the rest of us. That is because they were told 3 years ago that you are going to have rolling blackouts and brownouts unless you use less electricity. So they voluntarily use less electricity. Who will argue that Californians don't live as well as the rest of us? They use 65 percent as much energy as we.

The next chart shows something else. Inefficiency. This chart shows at what speed you should be driving your car to get the highest efficiency. And that depends on when your car was built. If you have an older car, it is much less efficient. CAFE standards really helped, didn't they? But the 1984 cars, it peaks down here, the 1997 cars, you see two peaks here, but the big peak, you should be driving around 55, 60 miles per hour. And do notice how rapidly the efficiency falls off if you drive faster than that? If you are concerned about $4 gas, slow down. It will go a whole lot further. It will cost you a whole lot less and be safer too.

The next chart is another look at efficiency. And there are a number of things like this. And this shows efficiency of lighting. The incandescent bulb is primarily a heat source. I brewed chickens with it. You get that much light and that much heat. Fluorescent is very much better. But they pale in efficiency compared to light-emitting diodes. I have a little LED flashlight that I carry in the pocket of my work clothes. I forget when I put batteries in it. It is so efficient.

The next chart is a look at the alternatives that we have and the finite resources that we can turn to, and we need to come to the floor and spend a lot of time talking about these, because I think one of the biggest challenges today is realistic expectations of what we can get out of these sources. They're all there, like tar sands and oil shale and coal and nuclear and so forth. Those are transition sources. The nuclear could be there for a long time if we can go to breeder reactors. And then the renewable sources. But these are finite sources. They will run out. Alan Greenspan, when he was talking about the dot com

market and how that bubble broke, he said that it rose because of ''irrational exuberance'' was the term he used. Well, a lot of people today have irrational exuberance.

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Two bubbles have already broke. One was the hydrogen bubble. You hardly ever hear anybody talk about hydrogen any more. The corn ethanol bubble has broken with disastrous results, people hungry in the world because of this program.

And the next bubble—and remember that you heard it here—we will get nothing like a lot of people believe we will get out of cellulosic ethanol. And next time we will have a chance to talk in more detail about that.

Well, I am excited about this. There is no exhilaration like the exhilaration of meeting and overcoming a big challenge. This is a huge challenge. The American people are up to it if they know what the challenge is and if they know what they need to do.

I think we can again become the major exporting country in the world. I think we can again be filled with manufacturing, making the technologies and the equipments necessary to transition to these renewables. I am excited about the future. I am excited about where my children and grandchildren will be living.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. MCNULTY (at the request of Mr. HOYER) for today after 1:35 p.m.

Mr. RUPPERSBERGER (at the request of Mr. HOYER) for today on account of medical procedures.

Ms. BORDALLO (at the request of Mr. HOYER) for today.

Ms. GINNY BROWN-WAITE of Florida (at the request of Mr. BOEHNER) for today after 2 p.m. on account of personal reasons.

Mr. DOOLITTLE (at the request of Mr. BOEHNER) for today on account of the President's invitation to visit the wildfires in California.

Mr. HERGER (at the request of Mr. BOEHNER) for today on account of the President's invitation to visit the wildfires in California.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Ms. WOOLSEY) to revise and extend their remarks and include extraneous material:)

Mr. SKELTON, for 5 minutes, today.

Ms. WOOLSEY, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

(The following Members (at the request of Mr. POE) to revise and extend their remarks and include extraneous material:)

Mr. PENCE, for 5 minutes, today.

Mr. JONES of North Carolina, for 5 minutes, July 23.

Mr. POE, for 5 minutes, July 23.

Mr. MCCOTTER, for 5 minutes, today.

Mr. MCHENRY, for 5 minutes, July 22, 23 and 24.

Mr. PRICE of Georgia, for 5 minutes, today.

(The following Member (at his request) to revise and extend his remarks and include extraneous material:)

Mr. FLAKE, for 5 minutes, today.

ADJOURNMENT

Mr. BARTLETT of Maryland. Madam Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 30 minutes p.m.), under its previous order, the House adjourned until Monday, July 21, 2008, at 12:30 p.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

7599. A letter from the Administrator, Rural Utilities Service, Department of Agriculture, transmitting the Department's final rule—Accounting Requirements for RUS Electric Borrowers (RIN: 0572–AC08) received July 11, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7600. A letter from the Director, Defense Procurement, Acquisition Policy, and Strategic Sourcing, Department of Defense, transmitting the Department's final rule—Defense Federal Acquisition Regulation Supplement; Export-Controlled Items [DFARS Case 2004–0010] (RIN: 0750–AF13] received July 11, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

7601. A letter from the Chief Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule—Final Flood Elevation Determinations—received July 11, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

7602. A letter from the Associate General Counsel for Legislation and Regulations, Department of Housing and Urban Development, transmitting the Department's final rule—Revisions to the Hospital Mortgage Insurance Program: Technical and Clarifying Amendments [Docket No. FR–4927–F–03] (RIN: 2502–A122) received July 11, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

7603. A letter from the Assistant General Counsel for Regulatory Services, Department of Education, transmitting the Department's final rule—National Institute on Disability and Rehabilitation Research (NIDRR)—Disability and Rehabilitation Research Projects and Centers Program—Rehabilitation Research and Training Centers (RRTCs)—received July 11, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and Labor.

7604. A letter from the Assistant General Counsel for Regulatory Services, Department of Education, transmitting the Department's final rule—National Institute on Disability and Rehabilitation Research—Disability and Rehabilitation Research Projects and Centers Program—Disability Rehabilitation Research Projects (DRPPs) and Rehabilitation Research and Training Centers (RRTCs)—received July 11, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and Labor.

7605. A letter from the White House Liaison, Department of Education, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

7606. A letter from the Commissioner, Social Security Administration, transmitting the semiannual report on the activities of the Office of Inspector General for the period October 1, 2007 through March 31, 2008, pursuant to 5 U.S.C. app. (Insp. Gen. Act), section 5(b); to the Committee on Oversight and Government Reform.

7607. A letter from the Acting Director Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Magnuson-Stevens Fishery Conservation and Management Act Provisions; Fisheries of the Northeastern United States; Atlantic Sea Scallop Fishery; Closure of the Elephant Trunk Scallop Access Area to General Category Scallop Vessels [Docket No. 060314069–6069–01; I.D. 031307A] received May 18, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

7608. A letter from the Deputy Assistant Administrator For Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Groundfish Observer Program [Docket No. 070316061–7124–02; I.D. 031907B] (RIN: 0648–AV13) received September 4, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

7609. A letter from the Deputy Assistant Administrator, Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Atlantic Highly Migratory Species (HMS); Atlantic Shark Management Measures [Docket No. 0612242866–8619–02] (RIN: 0648–AU89) received July 11, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

7610. A letter from the Director, Administrative Office of the United States Courts, transmitting the first annual report on statistics mandated by the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005, pursuant to 28 U.S.C. 159(c); to the Committee on the Judiciary.

7611. A letter from the Chief Scout Executive and President, Boy Scouts of America, transmitting the Boy Scouts of America's 2007 Report to the Nation, pursuant to 36 U.S.C. 28; to the Committee on the Judiciary.

7612. A letter from the President, National Council on Radiation Protection and Measurements, transmitting the 2007 Annual Report of independent auditors who have audited the records of the National Council on Radiation Protection and Measurements, pursuant to 36 U.S.C. 4514; to the Committee on the Judiciary.

7613. A letter from the General Counsel, National Tropical Botanical Garden, transmitting the annual audit report of the National Tropical Botanical Garden for the period from January 1, 2007 through December 31, 2007, pursuant to 36 U.S.C. 4610; to the Committee on the Judiciary.

7614. A letter from the New York State Tri-Level Legislative Task Force, transmitting the Task Force's report on improving public confidence in law enforcement and our criminal justice system; to the Committee on the Judiciary.

7615. A letter from the Program Analyst, Department of Transportation, transmitting

the Department's final rule—Airworthiness Directives; Przedsiebiorstwo Doswiadczalno-Produkcyjne Szybownictwa ''PZL–Bielsko'' Model SZD–50–3 ''Puchacz'' Gliders [Docket No. FAA–2008–0045; Directorate Identifier 2007–CE–100–AD; Amendment 39–15339; AD 2008–02–09] (RIN: 2120–AA64) received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7616. A letter from the Attorney U.S. DOT/RITA, Department of Transportation, transmitting the Department's final rule—Revision of Airline Service Quality Performance Reports and Disclosure Requirements [Docket No. RITA 2007–28522] (RIN number 2139–AA12) received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7617. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Bombardier Model CL–600–2B19 (Regional Jet Series 100 & 440) Airplanes [Docket No. FAA–2007–0185; Directorate Identifier 2007–NM–246–AD; Amendment 39–15337; AD 2008–02–07] (RIN: 2120–AA64) received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7618. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule—Modification of Class E Airspace; Canby, MN [Docket No. FAA–2007–27676; Airspace Docket No. 07–AGL–2] received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7619. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Poplar Bluff, MO [Docket No. FAA–2007–28773; Airspace Docket No. 07–ACE–9] received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7620. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Airbus Model A318, A319, A320, and A321 Airplanes [Docket No. FAA–2007–26812; Directorate Identifier 2006–NM–199–AD; Amendment 39–15006; AD 2007–07–09] (RIN: 2120–AA64) received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7621. A letter from the Acting Director of Regulations, DOT/PHMSA, Department of Transportation, transmitting the Department's final rule—Pipeline Safety: Protecting Unusually Sensitive Areas From Rural Onshore Hazardous Liquid Gathering Lines and Low-Stress Lines [Docket ID PHMSA–RSPA–2003–15864] (RIN: 2137–AD98) received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7622. A letter from the Attorney, Department of Transportation, transmitting the Department's final rule—OST Technical Corrections [Docket No. OST–2008–] (RIN: 2105–AD74) received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7623. A letter from the FMCSA Regulatory Ombudsman, Department of Transportation, transmitting the Department's final rule—Hours of Service of Drivers [Docket No. FMCSA–2004–19608] (RIN– 2126–AB14) received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7624. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule—Passenger Facility Charge Program Debt Service, Air Carrier Bankruptcy, and Miscellaneous Changes [Docket No. FAA–2006–23730; Amendment No. 158–4] (RIN: 2120–AI68) received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7625. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule—Airworthiness Standards; Aircraft Engine Standards for Engine Life-Limited Parts [Docket No.: FAA–2006–23732; Amendment No. 33–22] (RIN: 2120–AI72) received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7626. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule—Airworthiness Standards: Safety Analysis [Docket No. FAA–2006–25376; Amendment No. 33–24] (RIN: 2120–AI74) received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7627. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule—Nationality and Registration Marks, Non Fixed-Wing Aircraft [Docket No. FAA–2007–27173; Amendment No. 45–25] (RIN: 2120–AJ02) received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7628. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule—Proposed Establishment of Class E5 Airspace; Eagle Pass, TX [Docket No. FAA–2008–027; Airspace Docket No. 08–ASW–3] received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7629. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule—Modification of Class E Airspace; Marshalltown, IA [Docket No. FAA–2007–27679; Airspace Docket No. 07–ACE–4] received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7630. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule—Modification of Class E Airspace; Monticello, IA [Docket No. FAA–2007–27678; Airspace Docket No. 07–ACE–3] received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7631. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule—Revisions to Cockpit Voice Recorder and Digital Flight Data Recorder Regulations [Docket No. FAA–2005–20245; Amendment No. 23–58, 25–124, 27–43, 29–50, 91–300, 121–338, 125–54, 129–45, and 135–113] (RIN: 2120–AH88) received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7632. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule—Operation of Civil Aircraft of U.S. Registry Outside of the United States [Docket No.: FAA–2007–0020; Amdt. No. 91–299] (RIN: 2120–AJ14) received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7633. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule—Performance and Handling Qualities Requirements for Rotorcraft [Docket No.: FAA–2006–25414; Amendment Nos. 27–44 and 29–51] (RIN: 2120–AH87) received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7634. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 747 Airplanes [Docket No. FAA–2007–28989; Directorate Identifier 2007–NM–070–AD; Amendment 39–15319; AD 2007–26–17] (RIN: 2120–AA64) received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7635. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule—Flight Simulation Device Initial and Continuing Qualification and Use [Docket No. FAA–2002–12461; Amendment No. 60–3] (RIN: 2120–AJ12) received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7636. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule—Drug Enforcement Assistance [Docket No. FAA–2006–26714; Amendment Nos. 47–28, 61–118, 63–36, and 65–51] (RIN: 2120–AI43) received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7637. A letter from the Secretary, Department of Transportation, transmitting the Department's report on the Tribal-State Road Maintenance Agreements, pursuant to Public Law 109–59, section 1119(k); to the Committee on Transportation and Infrastructure.

7638. A letter from the Director, APO/Dockets Unit AD/CVD Operations Support, Department of Commerce, transmitting the Department's final rule—Antidumping and Countervailing Duty Proceedings: Documents Submission Procedures; APO Procedures [Docket No. 0612243018–8043–01] (RIN: 0625–AA73) received July 11, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7639. A letter from the Officer for Civil Rights and Civil Liberties, Department of Homeland Security, transmitting the first quarterly report of the Department's Office of Civil Rights and Civil Liberties, covering the period from October 1, 2007, to December 31, 2007, pursuant to 42 U.S.C. 2000ee–1; jointly to the Committees on the Judiciary and Homeland Security.

7640. A letter from the Secretary, Department of Commerce, transmitting the annual report on the activities of the Economic Development Administration for Fiscal Year 2007, pursuant to 42 U.S.C. 3217; jointly to the Committees on Transportation and Infrastructure and Financial Services.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. DINGELL: Committee on Energy and Commerce. H.R. 1108. A bill to protect the public health by providing the Food and Drug Administration with certain authority to regulate tobacco products; with an amendment (Rept. 110–762). Referred to the Committee on the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Ms. ESHOO (for herself, Mr. LANGEVIN, Ms. SUTTON, and Mr. ALTMIRE):

H.R. 6528. A bill to impose a limitation on lifetime aggregate limits imposed by health plans; to the Committee on Energy and Commerce, and in addition to the Committee on

Education and Labor, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CALVERT (for himself, Mr. BURTON of Indiana, Mr. CARTER, Mr. DOOLITTLE, Mr. GALLEGLY, Mr. HERGER, Mr. KANJORSKI, Mr. LATTA, Mr. LEWIS of California, Mr. DANIEL E. LUNGREN of California, Mr. MCKEON, Mr. NUNES, Mr. RADANOVICH, Mr. ROHRABACHER, and Mr. DREIER):

H.R. 6529. A bill to greatly enhance the Nation's environmental, energy, economic, and national security by terminating long-standing Federal prohibitions on the domestic production of abundant offshore supplies of oil and natural gas, and for other purposes; to the Committee on Natural Resources.

By Mr. RANGEL (for himself and Mr. LEVIN):

H.R. 6530. A bill to amend United States trade laws to eliminate foreign barriers to exports of United States goods and services, to restore rights under trade remedy laws, to strengthen enforcement of United States intellectual property rights and health and safety laws at United States borders, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on Rules, and Homeland Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BERMAN (for himself, Mr. COBLE, Mr. CONYERS, and Mr. SMITH of Texas):

H.R. 6531. A bill to amend chapter 13 of title 17, United States Code (relating to the vessel hull design protection), to clarify the definitions of a hull and a deck; to the Committee on the Judiciary.

By Mr. RANGEL (for himself, Mr. OBERSTAR, Mr. MICA, Mr. DEFAZIO, Mr. DUNCAN, Mr. ALTMIRE, Mr. BAIRD, Ms. BERKLEY, Mr. BISHOP of New York, Mr. BLUMENAUER, Mr. BOOZMAN, Mr. BOSWELL, Mr. BOUSTANY, Mrs. BOYDA of Kansas, Ms. CORRINE BROWN of Florida, Mr. BROWN of South Carolina, Mr. BUCHANAN, Mrs. CAPITO, Mr. CAPUANO, Mr. CARNAHAN, Mr. CARNEY, Mr. COBLE, Mr. COHEN, Mr. COSTELLO, Mr. COURTNEY, Mr. CUMMINGS, Ms. DELAURO, Mr. DENT, Mr. MARIO DIAZ-BALART of Florida, Mrs. DRAKE, Ms. EDWARDS of Maryland, Mr. EHLERS, Ms. FALLIN, Mr. FILNER, Mr. GERLACH, Mr. GRAVES, Mr. HALL of New York, Mr. HAYES, Mr. HIGGINS, Ms. HIRONO, Mr. HODES, Mr. HOLDEN, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. JOHNSON of Illinois, Mr. KAGEN, Mr. KUHL of New York, Mr. LARSEN of Washington, Mr. LATOURETTE, Mr. LEWIS of Georgia, Mr. LIPINSKI, Mr. LOBIONDO, Mr. MCNERNEY, Mrs. MILLER of Michigan, Mr. MORAN of Kansas, Mr. NADLER, Mrs. NAPOLITANO, Ms. NORTON, Mr. PASCRELL, Mr. PETRI, Mr. PLATTS, Mr. POE, Mr. POMEROY, Mr. RAHALL, Ms. RICHARDSON, Mr. SALAZAR, Mr. SHUSTER, Mr. SIRES, Mrs. TAUSCHER, Mr. WESTMORELAND, Mr. YOUNG of Alaska, and Mr. SPACE):

H.R. 6532. A bill to amend the Internal Revenue Code of 1986 to restore the Highway Trust Fund balance; to the Committee on Ways and Means.

By Mr. MORAN of Kansas:

H.R. 6533. A bill to require the Secretary of Agriculture to carry out conservation reserve program notice CRP-598, entitled the ''Voluntary Modification of Conservation Reserve Program (CRP) Contract for Critical Feed Use''; to the Committee on Agriculture.

By Mr. FLAKE:

H.R. 6534. A bill to rescind certain earmark projects under SAFETEA–LU for the purpose of eliminating the shortfall in the Highway Trust Fund, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. DELAHUNT:

H.R. 6535. A bill to amend the Vietnam Education Foundation Act of 2000; to the Committee on Foreign Affairs.

By Mr. GEORGE MILLER of California (for himself and Mr. SENSENBRENNER):

H.R. 6536. A bill to provide for the admission to the United States of certain Tibetans; to the Committee on the Judiciary.

By Ms. BORDALLO (for herself, Ms. ROS-LEHTINEN, Mr. KILDEE, Mr. FALEOMAVAEGA, Mr. ABERCROMBIE, Mr. FARR, Ms. WOOLSEY, Mrs. CHRISTENSEN, Ms. LEE, Mr. FORTUÑO, Ms. HIRONO, and Mr. KLEIN of Florida):

H.R. 6537. A bill to reauthorize and amend the National Marine Sanctuaries Act to establish a National Marine Sanctuary System, to strengthen and clarify management authorities, and for other purposes; to the Committee on Natural Resources.

By Ms. SHEA-PORTER (for herself, Mr. LARSON of Connecticut, Mr. MARKEY, Mr. NEAL of Massachusetts, Mr. MCGOVERN, Mr. MICHAUD, Mr. DELAHUNT, Mr. HODES, Mr. FRANK of Massachusetts, Mr. CAPUANO, Mr. LANGEVIN, and Mr. WELCH of Vermont):

H.R. 6538. A bill to provide funding for home energy assistance under the Low-Income Home Energy Assistance Act of 1981 and the Weatherization Assistance Program for Low-Income Persons established under part A of title IV of the Energy Conservation and Production Act; to the Committee on Energy and Commerce, and in addition to the Committees on Education and Labor, and the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. BACHMANN:

H.R. 6539. A bill to provide for the use of information in the National Directory of New Hires in enforcing sex offender registration laws; to the Committee on Ways and Means, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BAIRD:

H.R. 6540. A bill to create a Trade Agreement Enforcement Commission; to the Committee on Ways and Means.

By Mr. BRADY of Pennsylvania:

H.R. 6541. A bill to authorize the Board of Regents of the Smithsonian Institution to plan, design, and construct laboratory space to accommodate the Smithsonian Tropical Research Institute's terrestrial research program in Gamboa, Panama; to the Committee on House Administration, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BRADY of Pennsylvania:

H.R. 6542. A bill to authorize the Board of Regents of the Smithsonian Institution to plan, design, and construct laboratory and support space to accommodate the Mathias Laboratory at the Smithsonian Environmental Research Center in Edgewater, Maryland; to the Committee on House Administration, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. GINNY BROWN-WAITE of Florida (for herself and Mr. MITCHELL):

H.R. 6543. A bill to amend title 38, United States Code, to extend the demonstration project on adjustable rate mortgages and the demonstration project on hybrid adjustable rate mortgages; to the Committee on Veterans' Affairs.

By Mr. BURTON of Indiana:

H.R. 6544. A bill to provide immediate relief from high fuel and food prices and to pursue alternatives in renewable energy; to the Committee on Ways and Means, and in addition to the Committees on Energy and Commerce, Natural Resources, Armed Services, and Science and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CAZAYOUX (for himself, Mr. KLEIN of Florida, Mr. PATRICK MURPHY of Pennsylvania, Ms. GIFFORDS, Mr. CHILDERS, Mrs. BOYDA of Kansas, Mr. HODES, and Ms. SHEA-PORTER):

H.R. 6545. A bill to require the Director of National Intelligence to conduct a national intelligence assessment on national security and energy security issues; to the Committee on Intelligence (Permanent Select).

By Mr. HASTINGS of Washington (for himself and Mrs. MCMORRIS RODGERS):

H.R. 6546. A bill to amend the Internal Revenue Code of 1986 to allow tax-exempt bond financing for fixed-wing emergency medical aircraft; to the Committee on Ways and Means.

By Mr. INSLEE (for himself and Mr. DICKS):

H.R. 6547. A bill to provide for equitable compensation to the Spokane Tribe of Indians of the Spokane Reservation for the use of tribal land for the production of hydropower by the Grand Coulee Dam, and for other purposes; to the Committee on Natural Resources.

By Mrs. MALONEY of New York (for herself, Ms. DELAURO, Ms. PRYCE of Ohio, Ms. KAPTUR, and Ms. NORTON):

H.R. 6548. A bill to authorize the Administrator of General Services to convey a parcel of real property in the District of Columbia; to the Committee on Transportation and Infrastructure.

By Mr. SARBANES:

H.R. 6549. A bill to amend section 5542 of title 5, United States Code, to provide that any hours worked by Federal firefighters under a qualified trade-of-time arrangement shall be excluded for purposes of determinations relating to overtime pay; to the Committee on Oversight and Government Reform.

By Mr. SARBANES (for himself, Mr. VAN HOLLEN, Mr. GILCHREST, Mr. SCOTT of Virginia, Mr. TOM DAVIS of Virginia, Mr. HOYER, Mr. CUMMINGS, Mr. MORAN of Virginia, Mr. RUPPERSBERGER, Ms. NORTON, Mr. HINCHEY, Mr. FORBES, Mr. CASTLE, Mr. GERLACH, Mr. ARCURI, Mr. MCNULTY, Mr. WOLF, Mrs. DRAKE, Mr. BARTLETT of Maryland, Mr. HOLDEN, and Ms. EDWARDS of Maryland):

H.R. 6550. A bill to amend the Water Resources Development Act of 1996 to make

modifications to the Chesapeake Bay environmental restoration and protection program; to the Committee on Transportation and Infrastructure.

By Ms. SOLIS (for herself, Mr. KENNEDY, Mr. JONES of North Carolina, Mr. CUMMINGS, and Mr. SIMPSON):

H.R. 6551. A bill to amend the Public Health Service Act to provide for a loan repayment program for faculty members at programs of general dentistry or pediatric dentistry to alleviate faculty shortages; to the Committee on Energy and Commerce.

By Mr. TERRY:

H.R. 6552. A bill to provide incentives for the reduction of green house gases; to the Committee on Ways and Means, and in addition to the Committees on Oversight and Government Reform, Rules, Energy and Commerce, and Science and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. UDALL of Colorado:

H.R. 6553. A bill to clarify the authority of the Secretary of Agriculture regarding additional recreational uses of National Forest System lands subject to ski area permits; to the Committee on Agriculture, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. YOUNG of Alaska:

H.R. 6554. A bill to amend the Internal Revenue Code of 1986 to allow the personal exemption deduction for a stillborn child; to the Committee on Ways and Means.

By Mr. CARNEY (for himself, Mr. DOYLE, Ms. SCHWARTZ, Mr. HOLDEN, Mr. MURTHA, Mr. KANJORSKI, Mr. GERLACH, Mr. PATRICK MURPHY of Pennsylvania, Mr. ALTMIRE, and Mr. PLATTS):

H. Con. Res. 390. Concurrent resolution honoring the 28th Infantry Division for serving and protecting the United States; to the Committee on Armed Services.

By Ms. CLARKE (for herself and Mr. TOWNS):

H. Con. Res. 391. Concurrent resolution recognizing the disparities that are associated with predatory lending abuses in minority communities and expressing the sense of the Congress that as new abuses continue to emerge, such laws should ensure that all those responsible for representing and protecting families have the authority to act to address these new problems; to the Committee on Financial Services.

By Mr. HASTINGS of Florida (for himself, Ms. KILPATRICK, Mr. AL GREEN of Texas, Mrs. MALONEY of New York, Mr. MEEK of Florida, Mr. DAVIS of Alabama, and Mr. BISHOP of Georgia):

H. Con. Res. 392. Concurrent resolution supporting the goal of increased and sustainable homeownership in the United States and recognizing the importance of homeownership programs, fair lending laws, and fair housing laws in achieving that goal; to the Committee on Financial Services.

By Mr. KING of New York:

H. Res. 1352. A resolution honoring Theodore Roosevelt, the 26th President, for his invaluable contributions to this Nation as a soldier, naturalist, statesman, and public servant on the 150th anniversary of his birth; to the Committee on Oversight and Government Reform.

By Mr. BUYER (for himself and Mr. SCALISE):

H. Res. 1353. A resolution remembering Dr. Michael E. DeBakey, known as the ''best surgeon who ever lived'', who served our Nation throughout his career and was the father of cardiovascular medicine and Veterans Administration Medical Research; to the Committee on Energy and Commerce.

By Mr. BARRETT of South Carolina:

H. Res. 1354. A resolution amending the Rules of the House of Representatives to require a vote each year on whether to increase Members' pay; to the Committee on Rules.

By Mr. DAVIS of Illinois:

H. Res. 1355. A resolution expressing support for designation of Disability Pride Day and recognizing that all people, including those living with disabilities, have the right, responsibility, and ability to be active, contributing members of our society and fully engaged as citizens; to the Committee on Education and Labor.

By Mr. GARRETT of New Jersey (for himself, Ms. FOXX, Mr. CHABOT, Mr. FRANKS of Arizona, Mr. DANIEL E. LUNGREN of California, Mr. MILLER of Florida, Mr. AKIN, Mr. MCCOTTER, Mr. GOODE, Mr. BARTLETT of Maryland, Mr. BRADY of Texas, Mr. DAVID DAVIS of Tennessee, Mrs. BLACKBURN, Mr. GINGREY, Mr. WILSON of South Carolina, Mr. POE, Mr. PITTS, Mrs. MUSGRAVE, Mrs. SCHMIDT, Mr. WALBERG, Mr. SAM JOHNSON of Texas, Mr. LATTA, Mr. CONAWAY, Mr. BONNER, Mr. KLINE of Minnesota, Mr. BARRETT of South Carolina, Mr. WELDON of Florida, Mr. SALI, Mr. KINGSTON, Mr. SHADEGG, Mr. BROUN of Georgia, Mr. DOOLITTLE, Mr. MCHENRY, Ms. FALLIN, Mr. BISHOP of Utah, Mr. SCALISE, Mr. LAMBORN, Mr. BROWN of South Carolina, Mr. PRICE of Georgia, Mr. MACK, Mr. CARTER, and Mr. TIAHRT):

H. Res. 1356. A resolution celebrating the 221st anniversary of the signing of the Constitution of the United States of America, and for other purposes; to the Committee on Oversight and Government Reform.

By Ms. MATSUI (for herself, Mr. HONDA, Mr. THOMPSON of California, Ms. ROYBAL-ALLARD, Mr. MCGOVERN, Mr. ABERCROMBIE, Mrs. NAPOLITANO, Ms. SUTTON, Mr. HASTINGS of Florida, Mr. GEORGE MILLER of California, Mr. WU, Mr. FALEOMAVAEGA, Mr. GRIJALVA, Mr. BERMAN, Mr. BACA, Ms. ZOE LOFGREN of California, Ms. SOLIS, Mr. FILNER, Mrs. TAUSCHER, Ms. BORDALLO, Mr. SCOTT of Virginia, Mr. FRANK of Massachusetts, and Ms. HIRONO):

H. Res. 1357. A resolution recognizing the significance of the 20th anniversary of the signing of the Civil Liberties Act of 1988 by President Ronald Reagan and the greatness of America in her ability to admit and remedy past mistakes; to the Committee on the Judiciary.

MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

333. The SPEAKER presented a memorial of the Senate of the State of New Jersey, relative to Senate Resolution No. 74 urging the Congress of the United States to enact legislation that would prohibit the Federal Emergency Management Agency from requiring the purchase of new flood insurance based on revised flood insurance rate maps developed as part of the National Flood Insurance Program's Map Modernization Program; to the Committee on Financial Services.

334. Also, a memorial of the Legislature of the State of Arizona, relative to House Concurrent Memorial No. 2007 urging the Congress of the United States enact legislation to provide adequate school facilities in tribal lands; to the Committee on Education and Labor.

335. Also, a memorial of the House of Representatives of the State of South Carolina, relative to House Resolution No. 5037 urging the Congress of the United States to appoint an independent counsel to investigate the Prisoner of War-Missing in Action issue; to the Committee on the Judiciary.

336. Also, a memorial of the Senate of the State of Michigan, relative to Senate Resolution No. 155 memorializing the Congress of the United States to enact the Youth Prison Reduction through Opportunities, Mentoring, Intervention, Support, and Education Act, H.R. 3846; jointly to the Committees on Education and Labor and the Judiciary.

337. Also, a memorial of the Legislature of the State of Idaho, relative to Senate Joint Memorial No. 111 urging the Congress of the United States to pass necessary and appropriate legislation to resolve the illegal immigration crisis; jointly to the Committees on the Judiciary and Homeland Security.

338. Also, a memorial of the House of Representatives of the State of Hawaii, relative to House Resolution No. 209 requesting that the Congress of the United States enact legislation to waive single state agency requirements with regard to the administration of funds under the Homeland Security Grant Program; jointly to the Committees on Homeland Security, Energy and Commerce, and Transportation and Infrastructure.

PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Mr. CROWLEY introduced a bill (H.R. 6555) for the relief of Wahab Munir and Hunain Munir; which was referred to the Committee on the Judiciary.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 111: Mr. PITTS.
H.R. 303: Mr. CRENSHAW and Mrs. BIGGERT.
H.R. 333: Ms. WOOLSEY.
H.R. 736: Mr. ROGERS of Kentucky.
H.R. 1063: Ms. FALLIN.
H.R. 1113: Mr. UDALL of Colorado and Mr. BISHOP of New York.
H.R. 1117: Mr. HINCHEY.
H.R. 1174: Mr. TURNER.
H.R. 1283: Mr. THOMPSON of California.
H.R. 1376: Mr. CONYERS, Mr. BRADY of Pennsylvania, and Mr. GRIJALVA.
H.R. 1419: Mr. SHIMKUS and Mr. SESTAK.
H.R. 1472: Mr. SOUDER.
H.R. 1552: Mr. ISRAEL and Ms. SUTTON.
H.R. 1584: Mr. WALZ of Minnesota.
H.R. 1606: Mrs. GILLIBRAND.
H.R. 1610: Mr. JOHNSON of Illinois.
H.R. 1671: Mr. RENZI and Mr. CARNAHAN.
H.R. 1776: Mr. BRADY of Pennsylvania.
H.R. 1820: Mr. FILNER and Mr. SERRANO.
H.R. 1927: Mr. CUELLAR and Mr. PATRICK MURPHY of Pennsylvania.
H.R. 1932: Mr. BISHOP of New York.
H.R. 1944: Mr. LATHAM.
H.R. 2020: Ms. MCCOLLUM of Minnesota.
H.R. 2104: Ms. FALLIN.
H.R. 2232: Mr. SHERMAN.
H.R. 2266: Mr. FATTAH and Mr. SCHIFF.
H.R. 2279: Mrs. MILLER of Michigan, Mr. PORTER, Mr. MARCHANT, and Mr. LINDER.
H.R. 2332: Mr. REYNOLDS, Ms. BORDALLO, Mr. MCHENRY, and Mr. WALBERG.
H.R. 2519: Ms. SCHAKOWSKY and Mrs. MCCARTHY of New York.
H.R. 2706: Ms. FALLIN.

H.R. 2809: Ms. MCCOLLUM of Minnesota.
H.R. 2915: Mr. RYAN of Ohio.
H.R. 2965: Mr. MORAN of Kansas.
H.R. 2994: Mr. RYAN of Ohio.
H.R. 3014: Mr. RUPPERSBERGER.
H.R. 3109: Mr. DAVIS of Alabama and Mr. BUTTERFIELD.
H.R. 3148: Mr. MCCOTTER.
H.R. 3175: Ms. CORRINE BROWN of Florida.
H.R. 3186: Mr. PETERSON of Minnesota, Mr. LATHAM, Mr. RYAN of Ohio, and Mr. KAGEN.
H.R. 3202: Mr. BOUCHER.
H.R. 3283: Mr. VAN HOLLEN, Mr. JACKSON of Illinois, and Mr. BRADY of Pennsylvania.
H.R. 3334: Mr. BUTTERFIELD and Mr. NADLER.
H.R. 3339: Mr. BISHOP of New York.
H.R. 3363: Ms. GIFFORDS.
H.R. 3394: Ms. CORRINE BROWN of Florida and Mr. GRIJALVA.
H.R. 3689: Ms. VELÁZQUEZ.
H.R. 3737: Mr. COSTELLO.
H.R. 3834: Mr. ELLISON and Mr. ABERCROMBIE.
H.R. 3989: Mr. MCNULTY.
H.R. 4105: Mr. UDALL of Colorado, Mr. TIERNEY, and Mr. RYAN of Ohio.
H.R. 4138: Mr. SESTAK.
H.R. 4544: Mrs. JONES of Ohio, Mr. SCOTT of Virginia, Mr. PASTOR, and Mr. MCNERNEY.
H.R. 4651: Mr. BOUCHER.
H.R. 4789: Ms. GRANGER.
H.R. 4838: Mrs. LOWEY.
H.R. 4990: Mr. GORDON.
H.R. 5229: Mr. RUSH.
H.R. 5265: Mr. EVERETT.
H.R. 5449: Mr. SIRES.
H.R. 5454: Mr. YOUNG of Florida and Mr. RYAN of Ohio.
H.R. 5466: Mr. BOUCHER.
H.R. 5513: Mr. MANZULLO, Mr. MARCHANT, Mr. GINGREY, Mr. WILSON of South Carolina, and Mr. POE.
H.R. 5543: Ms. GIFFORDS.
H.R. 5546: Mr. HOEKSTRA and Mr. RAHALL.
H.R. 5564: Mr. BROUN of Georgia.
H.R. 5573: Mr. WESTMORELAND.
H.R. 5585: Mr. LATOURETTE.
H.R. 5595: Mr. KILDEE.
H.R. 5656: Mr. SHUSTER, Mr. MARCHANT, Mr. DAVID DAVIS of Tennessee, Mr. PORTER, and Mrs. MILLER of Michigan.
H.R. 5673: Mr. EVERETT.
H.R. 5775: Mr. MCHENRY.
H.R. 5823: Mr. HOLDEN.
H.R. 5825: Ms. RICHARDSON.
H.R. 5833: Mr. STARK.
H.R. 5897: Mr. CHILDERS.
H.R. 5925: Mr. FATTAH and Mr. GILCHREST.
H.R. 5987: Mr. GERLACH.
H.R. 6057: Mr. TIERNEY, Mr. NADLER, and Mr. CLAY.
H.R. 6067: Mrs. BOYDA of Kansas.
H.R. 6078: Ms. MOORE of Wisconsin.
H.R. 6079: Mr. MARKEY, Mr. MCGOVERN, Mr. ROTHMAN, and Mr. SOUDER.
H.R. 6100: Mr. HINCHEY.
H.R. 6107: Mr. LINCOLN DAVIS of Tennessee.
H.R. 6113: Mr. COHEN.
H.R. 6126: Ms. SUTTON.
H.R. 6144: Mr. SIRES.
H.R. 6160: Mr. HINCHEY and Mr. MEEKS of New York.
H.R. 6195: Ms. SCHWARTZ, Mr. TIM MURPHY of Pennsylvania, Mr. YOUNG of Alaska, and Mr. MCGOVERN.
H.R. 6209: Mr. FILNER and Mr. LATOURETTE.
H.R. 6210: Ms. SHEA-PORTER.
H.R. 6268: Mr. BUTTERFIELD and Mr. KUHL of New York.
H.R. 6282: Mr. KING of New York.
H.R. 6288: Mr. TIBERI.
H.R. 6293: Mr. ISSA, Mr. WITTMAN of Virginia, Mr. BUTTERFIELD, and Mr. MORAN of Kansas.
H.R. 6310: Mr. PORTER.
H.R. 6311: Mrs. NAPOLITANO.
H.R. 6316: Mr. LIPINSKI.
H.R. 6330: Mr. PERLMUTTER.
H.R. 6335: Mr. BISHOP of Georgia, Ms. SCHAKOWSKY, Mr. HASTINGS of Florida, Ms. MOORE of Wisconsin, Mr. THOMPSON of Mississippi, Mr. BUTTERFIELD, Mr. LEWIS of Georgia, Mr. PAYNE, and Ms. NORTON.
H.R. 6363: Mr. BURTON of Indiana, Mr. SKELTON, and Mr. LOBIONDO.
H.R. 6373: Mr. CALVERT.
H.R. 6384: Ms. FALLIN, Mr. WELDON of Florida, Mr. BARRETT of South Carolina, Mr. KLINE of Minnesota, Mr. BONNER, Mr. LATTA, Mr. SAM JOHNSON of Texas, Mrs. SCHMIDT, Mr. AKIN, Mr. PITTS, Mr. POE, Mr. WILSON of South Carolina, Mr. GINGREY, Mr. MARCHANT, and Mr. MCCOTTER.
H.R. 6392: Mr. GERLACH.
H.R. 6397: Mr. SALI.
H.R. 6399: Mr. ELLISON.
H.R. 6401: Ms. MCCOLLUM of Minnesota and Ms. LEE.
H.R. 6419: Mr. PAUL.
H.R. 6427: Mr. ALLEN, Mr. CARSON, Mr. CAPUANO, Mr. CONYERS, Mrs. GILLIBRAND, Mrs. MCCARTHY of New York, Mr. TIERNEY, Mr. SIRES, Mr. PASTOR, Mr. KUHL of New York, Mr. HOLT, Mr. HODES, Mr. HINCHEY, Mr. MURPHY of Connecticut, Ms. MCCOLLUM of Minnesota, Mr. ARCURI, Ms. SHEA-PORTER, Mr. KILDEE, Mr. COHEN, Mr. GRIJALVA, Mr. SHAYS, Mr. TOWNS, Mr. HARE, and Mr. DAVIS of Illinois.
H.R. 6435: Mr. SIRES.
H.R. 6438: Mr. BRADY of Pennsylvania, Mr. MCGOVERN, Ms. CORRINE BROWN of Florida, and Mr. WALZ of Minnesota.
H.R. 6458: Mr. FARR and Ms. MATSUI.
H.R. 6460: Ms. KILPATRICK, Mr. KAGEN, Ms. MCCOLLUM of Minnesota, and Ms. HIRONO.
H.R. 6461: Mr. HOLDEN and Mr. KUHL of New York.
H.R. 6462: Mr. CARNEY and Mr. LOBIONDO.
H.R. 6478: Mr. BOUSTANY.
H.R. 6479: Mr. THOMPSON of California and Mrs. TAUSCHER.
H.R. 6508: Mrs. MALONEY of New York.
H.R. 6521: Mrs. BIGGERT.
H.R. 6523: Ms. CASTOR, Mr. WILSON of Ohio, Ms. RICHARDSON, Mr. COHEN, Mrs. BOYDA of Kansas, Mr. SPACE, and Ms. GIFFORDS.
H.R. 6525: Mr. FILNER and Mr. COHEN.
H.R. 6527: Mr. CAMPBELL of California.
H.J. Res. 96: Mr. SCALISE, Mr. BISHOP of Utah, Mr. MCHENRY, Mr. MCCOTTER, Mr. BARRETT of South Carolina, and Mr. LATTA.
H. Con. Res. 24: Mr. LEWIS of Georgia.
H. Con. Res. 321: Mr. TIERNEY.
H. Con. Res. 327: Ms. LINDA T. SÁNCHEZ of California.
H. Con. Res. 341: Mr. HULSHOF and Mr. GENE GREEN of Texas.
H. Con. Res. 351: Mr. COURTNEY, Mr. DOGGETT, Mr. SPRATT, Mr. STARK, Mr. WEINER, Ms. SUTTON, Ms. HIRONO, Mr. THOMPSON of California, Mr. MOLLOHAN, Mr. UDALL of New Mexico, Mr. ETHERIDGE, Ms. SCHAKOWSKY, Mr. DAVIS of Illinois, Ms. SLAUGHTER, Mr. KILDEE, Mr. CAPUANO, Mr. SCHIFF, Mr. KIND, Mr. INGLIS of South Carolina, Mr. HOLDEN, Mrs. DAVIS of California, Ms. WASSERMAN SCHULTZ, Mr. SCOTT of Virginia, and Mr. RUPPERSBERGER.
H. Con. Res. 376: Mr. WAMP, Mr. SIMPSON, Mr. LAHOOD, Mrs. MUSGRAVE, Mr. NUNES, Mr. ROSKAM, Mr. WALSH of New York, Mr. FLAKE, Mr. SHAYS, Mr. ENGLISH of Pennsylvania, Mr. SULLIVAN, Mr. HELLER, Mr. BARRETT of South Carolina, Mr. TERRY, Mr. MCHENRY, Mr. UDALL of Colorado, and Mr. BOREN.
H. Con. Res. 378: Ms. SCHAKOWSKY and Mr. SIRES.
H. Con. Res. 386: Mr. BROUN of Georgia and Mr. TIAHRT.
H. Res. 645: Mr. PASTOR, Mr. MURTHA, Mr. MCGOVERN, and Ms. WATSON.
H. Res. 671: Mr. ROTHMAN and Mr. SESSIONS.
H. Res. 870: Mr. GRIJALVA, Mr. BUTTERFIELD, and Mr. VAN HOLLEN.
H. Res. 1042: Mr. WHITFIELD of Kentucky, Mr. ARCURI, Mr. TIM MURPHY of Pennsylvania, Mr. PATRICK MURPHY of Pennsylvania, and Mr. CAZAYOUX.
H. Res. 1045: Ms. LINDA T. SÁNCHEZ of California.
H. Res. 1078: Ms. BALDWIN and Mr. OLVER.
H. Res. 1143: Mr. BISHOP of New York.
H. Res. 1151: Mr. REYES, Mr. PORTER, Mr. BILBRAY, and Mr. MARCHANT.
H. Res. 1159: Mr. SHERMAN.
H. Res. 1202: Mrs. MCMORRIS RODGERS and Mr. GALLEGLY.
H. Res. 1239: Mr. BRADY of Pennsylvania and Ms. BORDALLO.
H. Res. 1245: Mr. FRANK of Massachusetts.
H. Res. 1273: Mr. ELLISON.
H. Res. 1287: Mr. SHAYS, Mr. BACHUS, and Mr. COBLE.
H. Res. 1288: Ms. BORDALLO, Mr. MCGOVERN, Mr. PAYNE, Mr. HINCHEY, Mr. HOLT, Mr. CLEAVER, Mr. WEXLER, Mr. DUNCAN, Mr. MCNULTY, and Mr. KIND.
H. Res. 1316: Mr. HILL.
H. Res. 1324: Mrs. LOWEY, Mr. HOLDEN, Mr. HOLT, Mr. COHEN, and Mr. TIAHRT.
H. Res. 1328: Mr. BISHOP of Georgia, Mr. RANGEL, Mr. MELANCON, Mr. PAYNE, and Mr. CALVERT.
H. Res. 1332: Mr. TOWNS, Ms. BERKLEY, Mr. AL GREEN of Texas, and Mr. TIBERI.
H. Res. 1337: Ms. SCHAKOWSKY, Mr. DOGGETT, Mrs. CAPPS, Mr. GRIJALVA, Mr. CROWLEY, Mr. PALLONE, and Mr. BISHOP of Georgia.

DELETION OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.R. 1650: Mr. BUTTERFIELD.
H.R. 2125: Mr. BUTTERFIELD.
H.R. 2488: Mr. MEEKS of New York.

PETITIONS, ETC.

Under clause 3 of rule XII,

293. The SPEAKER presented a petition of the City Council of New Orleans, Louisiana, relative to Resolution No. R-08-325 calling upon the Congress of the United States to fund fully the Green Jobs Act and the Energy Efficiency and Conservation Block Grant Program in the 2009 Appropriations Bill; which was referred to the Committee on Education and Labor.

DISCHARGE PETITIONS

Under clause 2 of rule XV, the following discharge petition was filed:

Petition 13, July 15, 2008, by Mrs. THELMA D. DRAKE on H.R. 2493, was signed by the following Members: Thelma D. Drake, John R. ''Randy'' Kuhl, Jr., Roy Blunt, Rodney Alexander, Scott Garrett, Thaddeus G. McCotter, W. Todd Akin, John Shimkus, David Davis, Nathan Deal, Robert E. Latta, Adrian Smith, K. Michael Conaway, F. James Sensenbrenner, Jr., Henry E. Brown, Jr., John Kline, Daniel E. Lungren, Ted Poe, Todd Russell Platts, Kay Granger, Kevin Brady, Todd Tiahrt, Lynn A. Westmoreland, J. Gresham Barrett, Mike Rogers (AL), Jean Schmidt, Ron Paul, Thomas E. Petri, Lamar Smith, John Linder, Bill Shuster, Sue Wilkins Myrick, Michele Bachmann, Joe Wilson, George Radanovich, Donald A. Manzullo, Sam Johnson, David Dreier, Judy Biggert, Spencer Bachus, Candice S. Miller, Robin Hayes, Mark Steven Kirk, Jeff Miller, Geoff Davis, Charles W. Boustany, Jr., Dan Burton,

Steve King, Terry Everett, Harold Rogers, Rob Bishop, Tim Walberg, Ginny Brown-Waite, Patrick J. Tiberi, Bill Sali, Joe Knollenberg, Michael K. Simpson, Patrick T. McHenry, Ron Lewis, John Boozman, John Campbell, Zach Wamp, Mac Thornberry, Gus M. Bilirakis, Phil Gingrey, Jim Jordan, John A. Boehner, Deborah Pryce, Pete Sessions, Michael T. McCaul, Cathy McMorris Rodgers, Steve Scalise, Virginia Foxx, Ralph M. Hall, Tom Price, Mario Diaz-Balart, John Sullivan, Marsha Blackburn, Tom Latham, Doug Lamborn, Howard Coble, Gary G. Miller, Joseph R. Pitts, Paul C. Broun, Dave Camp, Frank R. Wolf, Wally Herger, Walter B. Jones, Eric Cantor, Marilyn N. Musgrave, Edward R. Royce, Ander Crenshaw, Trent Franks, Steve Chabot, Michael R. Turner, Howard P. ''Buck'' McKeon, Jeff Flake, Randy Neugebauer, Mark E. Souder, Sam Graves, Dennis R. Rehberg, Jo Bonner, Mary Bono Mack, Connie Mack, John E. Peterson, Tom Cole, Peter Hoekstra, Thomas M. Reynolds, Jerry Weller, Peter J. Roskam, John R. Carter, Jeb Hensarling, Mike Ferguson, Greg Walden, Charles W. Dent, Jo Ann Emerson, Adam H. Putnam, Jeff Fortenberry, John T. Doolittle, Louie Gohmert, Robert B. Aderholt, Ed Whitfield, Ric Keller, John L. Mica, Mary Fallin, Michael C. Burgess, John Abney Culberson, Joe Barton, Tim Murphy, Fred Upton, and Ileana Ros-Lehtinen.

DISCHARGE PETITIONS—ADDITIONS OR DELETIONS

The following Members added their names to the following discharge petitions:

Petition 10 by Mr. KUHL, Jr., on H.R. 5656: David Dreier and Ileana Ros-Lehtinen.

Petition 12 by Mr. ROSKAM on H.R. 2208: John A. Boehner, Lamar Smith, John Linder, Patrick J. Tiberi, John Campbell, Wally Herger, David Dreier, and Spencer Bachus.

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Congressional Record

PROCEEDINGS AND DEBATES OF THE 110th CONGRESS, SECOND SESSION

Vol. 154 WASHINGTON, THURSDAY, JULY 17, 2008 No. 118

Senate

The Senate met at 10 a.m. and was called to order by the Honorable BLANCHE L. LINCOLN, a Senator from the State of Arkansas.

PRAYER

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

Let us pray.

Eternal Spirit, whose inward fellowship means cleansing, forgiveness, peace, and power, dissolve the barriers that keep our lawmakers from You. Take away the barrier of self-sufficiency that tempts them to live independent of Your will. Remove the obstacle of spiritual blindness that makes them unaware of invisible and eternal resources. Take them over the hurdle of compromise that prompts them to deviate from integrity and to forget that You are the only constituent they must please. Give them the grace of receptive hearts and humble dependence on You. Lord, continue to fill this Senate Chamber with Your presence, empowering Senators to listen to Your voice before they speak and then to speak with the echo of Your wisdom.

We pray in the Redeemer's Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable BLANCHE L. LINCOLN 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, July 17, 2008.

To the Senate:

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

ROBERT C. BYRD,
President pro tempore.

Mrs. LINCOLN 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—Madam President, following leader remarks, there will be a period of morning business for up to 1 hour, with Senators permitted to speak for up to 10 minutes each. The Republicans will control the first 30 minutes, the majority will control the next 30 minutes.

Following morning business, the Senate will resume consideration of the motion to proceed to S. 3268, the Stop Excessive Energy Speculation Act.

We have a number of issues we wish to talk about for a short time this morning. First, this gas crisis is really a crisis. If someone in Las Vegas, for example, becomes concerned, as many people are, about how much it costs to drive to work every day, there are things that can be done. Maybe they can carpool, maybe there is public transportation. At least there are some alternatives. If you live in rural Nevada, the problem becomes a little more difficult, because you have to drive such long distances. But there are ways that extra travel can be avoided. If you are a mother or father, taking children to soccer games or basketball games, there is a way you can avoid that by going with your neighbor, by working out arrangements so more than one family goes in a car.

But if you are a senior citizen on a fixed income, and you see winter approaching, there are no alternatives. The alternatives are very bleak. If you cannot afford the fuel in your tank or heating oil in the Northeast, it is very difficult. You are subject to freezing and getting sick. That is why we have to do something with LIHEAP.

I have had Democrats and I have had Republicans come to me: When are you going to do something on LIHEAP? So I have a couple of unanimous consents I am going ask on LIHEAP.

UNANIMOUS-CONSENT REQUESTS—S. 3186

Mr. REID. Madam President, I ask unanimous consent that the Senate proceed to Calendar No. 835, S. 3186, a bill to provide for the Low-Income Home Energy Assistance Program; that the bill be read three times, passed, and the motion to reconsider be laid on the table.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. CORNYN. I object.

The ACTING PRESIDENT pro tempore. Objection is heard.

Mr. REID. I now ask unanimous consent that the Senate proceed to Calendar No. 835, S. 3186, a bill to provide for the Low-Income Home Energy Assistance Program, at a time to be determined by the majority leader, following consultation with the Republican leader, and that when the bill is considered, only six germane first-degree amendments be in order to the bill, three amendments from each side, and that they be subject to second-degree amendments that are germane to the first-degree to which offered; that upon the disposition of all amendments, the bill be read a third time, and the Senate then vote on passage of

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

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the bill; that upon passage of the bill, the bill be held at the desk.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. CORNYN. Madam President, reserving the right to object, our side thinks it is imperative that we move to lower gas prices, so I object to the unanimous-consent request.

The ACTING PRESIDENT pro tempore. Objection is heard.

STOP EXCESSIVE SPECULATION ACT OF 2008—MOTION TO PROCEED

Mr. REID. I now ask unanimous consent that the Senate proceed to Calendar No. 882, S. 3268, the gas speculation bill, at a time to be determined by the majority leader, following consultation with the Republican leader.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. CORNYN. Reserving the right to object, I understand the distinguished majority leader and the distinguished Republican leader are going to be discussing a process by which amendments might be allowed to this important piece of legislation. Therefore, pending resolution of that, I object.

The ACTING PRESIDENT pro tempore. Objection is heard.

Mr. REID. I certainly understand that.

I now move to proceed to Calendar No. 882, S. 3268.

The ACTING PRESIDENT pro tempore. The clerk will report the motion.

The assistant legislative clerk read as follows:

Motion to proceed to the bill (S. 3268) to amend the Commodities Exchange Act to prevent excessive speculation with respect to energy commodities, and for other purposes.

Mr. REID. Madam President, I hope matters can be arranged today so we can move to this without having to try to invoke cloture again. This would be the 83rd or 84th time we would have to do that. I hope we can work something out.

I have said, I say again today: Is speculation the only problem with high gas prices? No. But it is a problem. Everyone acknowledges that. That is evidenced by the fact that the Republican part of the energy package has a provision in there dealing with speculation. So I hope if the Republicans, when they look at the speculation bill that we have introduced, if there is a way that can be changed, we will be happy to work with them.

I would be happy to continue discussions with the minority to determine how we can proceed through this to see what amendments need to be offered.

One of the things I want to make sure everyone understands, I have been obviously here a long time, more than a quarter of a century. And during my tenure here in the Senate, it has always been, with rare exception, when we get to a bill, whether you have a Republican majority leader or a Democratic majority leader, you find out what amendments people are interested in offering and take a look at those amendments. We look at theirs, they look at ours. This does not mean you have to approve or disapprove of the amendments. But there needs to be an idea to find out if this is worth the time of the majority or minority in entering into this debate.

So I hope we can work out something. It is extremely important that we do something on speculation and other issues relating to energy, because it is a problem.

Madam President, I am so sorry, these scripts are prepared and sometimes I do not look up to see—on our side we have 11 women now in the Senate.

I commented to my wife today, now in our family we do not do ''short'' jokes, about people being short, because my wife is 5 feet tall, I have a son who is 5 feet 2 inches, and a boy who is 6 feet 2 inches. And we do not do short jokes.

We were very busy here yesterday, and I looked to the back of the Chamber, and there were PATTY MURRAY and BARBARA BOXER, both about 5 feet tall, back there talking, I am sure scheming as to what they were going to do to get something done.

This place has changed so much in the years I have been in the Senate. When I came here, we had BARBARA MIKULSKI. Now, of course, we have, just on the Democratic side alone, 11 Democratic Senators who are women. And without any qualifications, this Senate is such a much better place because of women.

Men and women are different. They have, at least in my opinion, different thought processes and they have different abilities. So, anyway, I am sorry if I referred to the Chair as ''Mr. President'' when I know that the Senator from Arkansas is one of the fine Members of Congress, having served in the House and in the Senate, and what a pleasure it is to work with her.

UNANIMOUS-CONSENT REQUEST—EXECUTIVE CALENDAR

Mr. REID. Madam President, as if in executive session, I ask unanimous consent that on Thursday, July 17, that is today, at a time to be determined by the majority leader, following consultation with the Republican leader, the Senate proceed to executive session and consider the following nominations: Calendar Nos. 687 and 688; that there be 60 minutes of debate to run concurrently on both nominations, with the time equally divided and controlled between Senator LEAHY and Senator SPECTER or their designees, with Senator SCHUMER controlling the chairman's time; that upon the use or yielding back of that time, the Senate proceed to vote on confirmation of Calendar No. 687; that upon the confirmation of Calendar No. 687, the Senate then proceed to vote on confirmation of Calendar No. 688; that upon confirmation of the nominations, the motions to reconsider be laid upon the table, en bloc, the President be immediately notified of the Senate's action, there be no further motions in order, and the Senate resume legislative session.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. CORNYN. Madam President, reserving the right to object, the ranking member, Senator SPECTER, wishes a block of time for Senators to speak. He would agree if the distinguished majority leader would agree to modify his unanimous-consent request. Senator SPECTER would agree to debate from noon to 3:00 today with the votes to follow.

Mr. REID. Madam President, I am not going to agree to that modification; I will tell you why.

Mr. CORNYN. I object.

The ACTING PRESIDENT pro tempore. Objection is heard.

Mr. REID. Madam President, the hue and cry of the Republicans is that we do more judges. We wanted to do more judges. I say to my friend, the ranking member of the Judiciary Committee, we have lots of time on the floor. The American public sees it all the time, where we are in quorum calls. Anytime we are in a quorum call, with rare exception, Senators can come and ask that it be called off and proceed to speak for as long as they want.

We have a number of things we need to do today. There is going to be a conversation on energy. And I recognize there are some problems with the economy. Housing is a difficult problem. Energy is a difficult problem, as are gas prices and global warming, education. But I am telling you, I cannot ever remember going home and someone coming up to me and saying: Could you guys do some more judges? We need to take care of this judges problem.

As Senator Lott said when he was the majority leader, and I am repeating my friend Senator Lott's statement: Frankly, judges are not a big issue as it relates to the other problems we are facing here in America today.

So I say, if the ranking member of the Judiciary Committee wants to come and talk for 3 hours, he can do it on his own time. There is lots of time here. We have made an offer giving reasonable time to confirm two judges, and we are happy to do that. An hour is certainly more time than is normally taken. And if Senator SPECTER wants to come and talk about the plight of the American judiciary system, he can do that, but I wish to get these two judges approved.

If they are not going to agree to that, we are not going to do the judges. It is the Republicans' call.

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, there will now be a period of morning business, with Senators permitted to speak therein for up to 10 minutes each, with the Republicans controlling the first 30 minutes and the majority controlling the next 30 minutes.

The Senator from Texas.

ORDER OF PROCEDURE

Mr. CORNYN. Madam President, I ask unanimous consent to split our time equally between myself, the Senator from Georgia, and the Senator from Missouri.

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

ENERGY

Mr. CORNYN. Madam President, after the last election in 2006, the Democrats gained control of both the House and Senate. With that victory comes responsibility; that is, to manage the agenda in a way that addresses America's most urgent priorities. Unfortunately, we have seen a record that does not reflect well and, perhaps, is one reason why poll numbers for the Congress are at a historic low. The American people, according to the latest Rasmussen and Gallup Polls I have seen, have given Congress the lowest ratings since polling began. One might ask, why is that? It is something we should all be concerned about.

First, we know it took 145 days until we finally passed a reauthorization of the Foreign Intelligence Surveillance Act. Thanks to the good work of Senators ROCKEFELLER and BOND on a bipartisan basis, they came up with a good bill. Unfortunately, we dawdled for 145 days on our ability to gather intelligence by listening to communications between foreign terror subjects. We waited for 145 days to finally get that done. Thankfully, we finally did. The rest of the record is not as good as even that. For 604 days, the Colombia Free Trade Agreement has been left pending. In Texas, we sell $2.3 billion worth of agricultural goods and manufactured goods to Colombia each year. It bears a tariff because Congress has refused to take up, principally because of the Speaker of the House, Ms. PELOSI, the Colombian Free Trade Agreement that would remove those barriers to American goods being sold in Colombia. Unfortunately, it is not a two-way street, because Colombian goods bear no tariff coming into the United States. This is an example of the congressional inaction shooting American agriculture and the manufacturing sector in the foot when it comes to their ability to compete in a global economy, due to mismanagement of the agenda.

For 749 days, judicial nominees have been waiting for an up-or-down vote on the Senate floor. I disagree with the distinguished majority leader. Judges do matter. People need access to courts. We might as well put a padlock on the front door of the courthouse if we are not going to confirm well-qualified judicial nominees to serve. Whether it is victims of crime who need access to the courts or a small businessman or woman who has a civil dispute they need resolved in a court of law, those people are being denied access to justice because we are not confirming enough judges nominated by the President.

Finally, it has been 815 days since Speaker PELOSI, before she ran for her current position, said Democrats, if elected and given the responsibility and the privilege of serving as leaders of the Congress, would come up with a commonsense plan to relieve prices of gasoline at the pump. Back when she assumed control of the House and when Democrats assumed control of the Senate, gasoline was $2.33 a gallon. Today it is $4.11, and we are still waiting for that commonsense plan to relieve the pain at the pump.

It is no secret the price of energy is driving up the price of all sorts of commodities, including food. I recently was at a food bank in Houston where they said the demand for their services to provide food to people who can't otherwise provide for themselves has gone through the roof because the cost of food has gone up, along with the cost of gasoline and energy.

We want to try to work with our colleagues on the other side. I hope we can on this Energy bill the majority leader has brought to the floor. But it only addresses a narrow aspect of the problem, speculation on the commodities futures market. We need a comprehensive bill to deal with the law of supply and demand and to acknowledge that Congress has been part of the problem and not part of the solution by imposing moratoria on development of oil and gas reserves on the Outer Continental Shelf for 27 years. Last year, when Congress put a ban on development of the oil shale in Colorado, Wyoming, and Utah, Congress became part of the problem and not part of the solution, when it comes to producing more oil domestically and relying less on imported oil from the Middle East.

I have been fascinated by the Presidential campaigns, the slogans the different parties have adopted. I know we have seen Senator OBAMA say ''Yes, we can'' and talk about change. But unfortunately, the answer from our friends on the other side of the aisle, when it comes to a commonsense energy policy, when it comes to bringing down the price of oil by producing more American supply, seems to be: No, we can't.

We would love to work with our friends on the other side of the aisle to say, yes, we can address the needs of the American people and help relieve some of the pain they are suffering at the pump. But every time we bring up an energy proposal, whether it is on nuclear energy, clean coal, offshore exploration, oil shale or ANWR, it seems we get an answer of no. The so-called energy bills our friends on the other side of the aisle have proposed do not produce one drop of additional energy or one kilowatt of additional electricity. How can you call that an energy policy?

The new energy produced as a result of our friends on the other side saying no, instead of yes, to bipartisan efforts to solve the problems has been no new energy produced. Our friend, Senator MENENDEZ from New Jersey, said we need to talk less and act more. I would agree with that. We need to talk less and act more. Unfortunately, what we have received so far is a lot of talk and no action. We need action to help bring down the price of gasoline at the pump.

Republicans believe we need a comprehensive policy that conserves energy and eliminates waste. Recently, I was in Tyler, TX, at a Brookshire Grocery, where they have modified their tractor-trailer rigs to use less diesel and modified the speed at which they drive. They are reducing consumption of the skyrocketing prices of diesel. We can conserve and use less, but we also need to find more. It makes no sense, as some have suggested, that we ought to sue OPEC to get them to open the spigot even wider so we can send more money overseas to the Middle East and to the Organization of Petroleum Exporting Countries. That makes no sense whatsoever, to pass higher tax burdens on those people who produce domestic energy. We tried that back in the 1980s during the Carter Presidency. All it did was drive down domestic production and drive up foreign imports. Eventually, as we all know, higher taxes get passed on to the consumer. That is not an answer.

We believe the answer to our energy problems is to find more and use less. As we travel this bridge to a clean energy future, we know we need more renewable fuels—wind energy, solar—to develop electricity. Yes, we need biofuels, but we have to work through the problem of using food for fuel that has contributed to higher food prices. We need a balanced energy policy.

We implore the distinguished majority leader not to try to check the box to try to say we have done something, when, in fact, we have done nothing to address high prices at the pump, and to work with us to allow us to increase supply of domestic energy. We could produce as many as 3 million additional barrels of oil a day from American sources, if Congress would simply get out of the way, lift the moratoria, and allow that exploration and production to begin. If we did that, it would send an important signal to the commodities futures markets that Congress is not going to stand in the way and that more supply will be available in the future. I believe it would have a dramatic impact and a dramatic reduction on the price of future contracts for

oil, much as we saw the President's announcement that he was lifting the executive moratorium on offshore exploration seemed to have a dramatic impact in one day, lowering the price of oil by about $8.

We ask, as respectfully and earnestly as we know how, the majority leader not to make this another political exercise but to work with us to try to create a real solution. It would reflect well on all of us, Republicans and Democrats, and we would see our basement-level popularity ratings go up.

I yield the floor.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. CHAMBLISS. Madam President, I rise to talk about the issue of gas prices. As I have done over the last several weeks, I wish to read a couple of letters I have received from Georgians. I know everybody in here is similar to me. You have thousands and thousands of these. But this shows how critically important this particular issue is to every single American.

Scott Needling of McDonough, GA, writes:

> Senator Chambliss: I'm fed up with Congress ignoring the will of the American people. Stop playing politics, and act on the will of the people. We have been demanding that you drill and use our 3 trillion barrels of oil. We need other resource avenues that the last three administrations [have not] addressed. Stop the partisan politics and pass the will of the people. The American people do not want a socialistic society, period. Fix the problem.

That is a very frustrated constituent.

Robin Lasseter of Tifton, GA, writes:

> Senator Chambliss: Please do something about the gas prices. I am a stay at home mom and with raising a family on one income, the price of gas is cutting us short on our needs. Something needs to be done soon. We are having to cut corners in a lot of different places in order to afford gas to and from work. Everything is increasing except wages. We both have a college education and drive fuel efficient cars, but the money we bring in just isn't stretching far enough.

This is a sample of the issues facing real people out there and they are looking to Congress for relief. I just left an Energy Committee hearing or roundtable discussion. The Presiding Officer was also there. There were two energy experts there. I wish to read several bullet points that were mentioned by these individuals who deal with this issue every single day and have a long history of studying it.

The first gentleman said, at the bottom line, supply and demand is the cause of the increase in prices today, but it is a complex issue. It ranges from the Iranian risk factor, all the way to the markets. He also said the cost of exploration has doubled in the last 4 years. The reason is a shortage of labor, a shortage of engineers, and a shortage of steel. In the markets, while speculation is a hot topic and transparency is a good thing, why have commodities risen? His answer was: First of all, the value of the dollar; secondly, oil is a good investment, and it is a good hedge against inflation.

The second gentleman said that between 2003 and 2005, there has been a shock of increased demand and decreased supply. As a result of that, the excess capacity of oil on hand by oil-producing countries has been exhausted. He said there are fears that new fields are not coming online. There are fears there is disruption in the marketplace. Between 2004 and today in the market, there has not been enough supply. There is barely an increasing amount of supply each and every year. He said oil is now a financial asset, that this happened sometime not in recent weeks or months but back in 2006 and that the primary driver of the increase in oil prices is the value of the dollar, just like the first speaker commented. He said people are looking for a place to invest. Pension funds are looking for a place to invest. They are looking for a way to hedge against the value of the dollar. Lastly, the increase in demand, which we have seen in the United States over the last couple years, is not being met by our global partners.

I say this to indicate to the American people how complex this problem is. We, as policymakers, have to take our time to make sure that we get it right with respect to whatever type of policy we set with legislation.

I think there are four issues we have to think about with respect to trying to find a solution to gas prices.

First of all, I do not think there is any question that we have to have more domestic production of oil. Today, we depend upon foreign imports for 62 percent of our petroleum needs. That has gotten way out of bounds. So it is imperative that we look for additional resources inside the United States. We have those resources. The resources are available from different assets. Some are controversial. Some are not controversial. We as policymakers have an obligation to find those areas for domestic exploration that we can get done in the short term and make sure we move that balance away from 62 percent to certainly something that is much lower and much more reasonable.

Secondly, from a gas supply standpoint—not oil supply, a gas supply standpoint—we simply have to have more gas refined in this country. There may be some oil companies that do not have excess capacity. They may be producing all they can produce. We need to make sure there are incentives out there, as we have on the books today, to incentivize additional production. If they do not have excess capacity, we need to make sure they are able to build new refineries. We have not seen a refinery built in the United States in the last 25 years. Certainly, we know what has happened with demand for gasoline in the last 25 years.

The third thing we need to do is continue down the road of research and development of alternative fuels, alternative fuels such as ethanol and biodiesel. These, again, are not the total answer to the problem, but we have taken steps in this body to make sure we have an increase in the supply of alternative fuels, particularly ethanol, over the next several years.

In my home State—which has never been an ethanol-producing State; thus, we have never been an ethanol user—we now have two ethanol production plants under construction. In the farm bill we just passed, we greatly expanded the energy title. I am very proud of that energy title we put in place in the current farm bill because here is what it does: We recognize that we need more production of ethanol in this country. We also recognize that, with the mandates we have put in place over the last couple of years, we have had some unintended consequences that have arisen.

We have 101 ethanol-producing facilities in this country today. We have an additional 100 that are either under construction or are on the drawing board to be completed within the next 14 to 16 months. All but two of those ethanol-producing facilities are resourced with corn. So, as a result of the mandates we have put in place, the demand for corn has risen for the production of ethanol, to the point where we are now seeing food prices increase.

The price of food at the grocery store today, based on the increase in commodity prices, is truly not reflected yet. The increase in food prices we are seeing today, in my opinion, is solely the result of additional transportation costs or energy costs. This fall, when our manufacturers of food products start taking in new commodities at the new prices, that is when you are really going to see an increase in the cost of food.

As a result of that, in the farm bill, when we looked at this issue, we said: We don't need to incentivize the additional production of alternative fuels from corn-based ethanol-producing facilities. What we need to do is to incentivize the production of ethanol from alternative sources, such as cellulosic products.

In Georgia, we cannot grow corn in the quantities they do in the Midwest. We have a hotter climate, a longer growing season. Our soil is not quite as rich, and we do not have the dependable rain resource they have. But there is one thing we can grow like nobody else in the country; that is, a pine tree.

The two exceptions to the 201 facilities I mentioned earlier—one located in Colorado, one located in my home State of Georgia—are going to be manufacturing ethanol from cellulosic products. In our case, in Georgia, it is going to be from pine trees. That is the type of innovation and creation we have provided for in the farm bill, and it is part of the equation we need to have in place as we move forward.

There is one other area, and that is the area of conservation. We simply have to move down the road of making sure we have alternative vehicles available for those individuals who really

want to implement conservation measures from a personal household perspective. Electric cars, battery-operated cars—those types of vehicles need to be available.

We have a bipartisan effort underway to help solve this problem. I look forward to continuing to work with Republicans and Democrats to see a resolution of this issue regarding gas prices.

Mr. President, I yield back.

The PRESIDING OFFICER (Mr. BROWN). The Senator's time is expired.

The senior Senator from Missouri is recognized.

Mr. BOND. Mr. President, I am grateful to the majority leader for moving to a discussion of energy. Energy is one of the most important subjects I hear about when I go back to Missouri.

Americans are suffering record pain at the pump. They want help now. It is clear, if you are listening to the people at home, they are saying: We are all suffering. Farmers, truckers, families, and small businesses are suffering from record-high prices. Farmers are telling me their costs for farming and transportation have gone up. Nitrogen, drying—those costs have gone up. Truckers, small trucking company operators are laying off people. They are shutting down because the prices are so high and they are not able to pass along all the full costs. Families are telling me they have had to change their family budgets, their plans, because their budgets will not accommodate it. They will not accommodate $4-plus gas, going to $5. They are telling me—they are telling us—stop fighting, stop the gimmicks, stop half-measures. Do something now that will bring gas prices down.

So this morning, I ask my colleagues in the Senate: Let's get real about lowering gas prices. Any real plan that has a chance to lower gas prices must increase production, increase conservation, look at speculation and marketplace impacts. That is what I support. That is the Gas Price Reduction Act that more than 40 of my colleagues and I have introduced, and we hope more will join us.

It is like a three-legged stool: without all three legs, it will not stand up, it will not pass the test. Too many plans, such as the Democratic leadership's speculation-only bill, have only one leg. We know how long a one-legged stool will hold up.

Fundamentally, we must find more and use less, as the Senators from Texas and Georgia said. It is economics 101. It is amazing how well the American people out in the real world—where we live when we are not here working—understand that when prices are going up so rapidly, that is because demand is outstripping supply. We need to find more oil to relieve the pressure and get prices down.

The Gas Price Reduction Act will supply more oil. Right now, there are at least 18 billion barrels of oil waiting for us off our Atlantic and Pacific coasts. Many think there are many times more. That is a 10-year supply we are blocking from ourselves by our legislative action. The Gas Price Reduction Act will open those offshore areas and allow us to put American oil to use helping America.

For those who say it will take years to get, they ignore the immediate price-lowering effect of the news of new supplies. It happened this past week. Since the President announced the suspension of the Presidential moratorium on offshore drilling earlier this week, prices have fallen $10. It is now up to Congress to do the same thing and bring immediate and long-term, lasting relief to the American families and workers. The fact that we do that will bring prices down.

For those States concerned about opening and drilling off their shores, we allow States to opt in or opt out of the program. If California does not want to participate, that is fine, but that should not block the people of the State of Virginia from saying: We want to explore for oil and gas and share in the revenues and provide our people the benefits of a greater supply, which will bring the prices down.

For those who are concerned about the environment—and I hope all are; we should be—one only needs to look at how environmentally safe modern oil-drilling technology has become. We put in all kinds of standards and controls. I have seen oil drilling above the Arctic Circle, at Prudhoe Bay. The caribou, the birds, the flora flourish. Even the mosquitoes love it. It has caused no environmental damage. Please note that when we compare our environmental standards to those in other countries, our standards for development, exploration, and refining are much higher than other countries.

Some people want to go beg OPEC to produce more. Does anybody think they are going to be concerned about the air emissions, which affect the entire world, as we are in the United States? Do you believe Venezuela or Iran is going to have the same high standards we have? No, they will not.

Here in the United States, the terrible tragedy of Katrina at least proved that modern offshore drilling is environmentally safe. There was no significant spillage of oil when the hurricane blew over thousands of oil rigs in the Gulf of Mexico. It shut them down, drove the prices up, with no environmental damage.

Some say we need to force the oil companies to use leases we have before we issue new leases. They want to say: Use it or lose it. Well, welcome to the party. Guess what. That requirement is already in the leases. The leases are 6, 8, 10 years, and if they do not find any oil, then they go back to the Government. Maybe somebody else can. But they pay. They take the chance. They go into areas they have not explored, not done any seismic testing. If they do not find it, then they do not do it. That is the reason they call it exploration, because a lease is no guarantee that oil is actually present. They have to take an eyeball look at it and guess. Only after they sign the lease do they have the permission to begin seismic exploration. There is a lot of land. The oil people tell me they have a lot of goat pastures. Goat pastures are oil leases which appear to be good but are great for raising goats because they won't produce any oil. Most of these leases show no prospects for oil that is worth extracting.

Now, I would be happy to lease them a few acres in my backyard. I would be happy to have them look for it. Unfortunately, we have not had any history of having oil there, but I would be happy to have them explore for it. If they find it there, I would welcome their drilling in my backyard.

But instead of real plans to supply the American people with significant amounts of oil, we get half-measures that will do little, although calling them half-measures is probably giving them too much credit.

One plan from Democrats in the House is to raid the Strategic Petroleum Reserve and divert 10 percent of its volume to consumers—70 million barrels. Putting aside that the Reserve is for national emergencies, such as in times of war, that plan would only provide 3½ days' worth of oil. We consume over 20 million barrels a day.

What would have made a difference would have been if President Clinton had signed the authorization we passed in Congress in 1995 to explore in ANWR. The best estimates are—well, he said at the time: It will not do anything for 10 years. That was 1995. Ten years was up in 2005, and we would have been getting at least a million, and probably more, barrels a day.

But we have introduced the Gas Price Reduction Act that would provide struggling families and workers the equivalent of 10 years of new oil supplies versus the 3 days of new supplies from raiding the Strategic Petroleum Reserve.

The facts are clear: Only real relief will come from the Gas Price Reduction Act.

Of course, there are other things we can and should do to cut our oil use down the road and ensure there is no abuse. We are already using renewable fuels, lots of corn ethanol and beginning soy diesel. When we get the project right, I agree with my colleague from Georgia that cellulosic ethanol will be a help. But corn ethanol is not the reason why food prices are up. Eighty percent of the price of food is off farm. Corn production went up by 2.6 billion bushels last year. Only 900 million went into ethanol. Stop scapegoating ethanol. It is part of the solution, not part of the problem.

I will reserve the rest of my remarks for later, and I appreciate the chance.

I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania is recognized.

HOUSING

Mr. CASEY. Mr. President, thank you very much.

We have before the Senate in the next couple of days a number of important pieces of legislation, but one of the debates going on right now in the Senate and beyond across the country is the response by the Senate and by the administration on housing. In particular, we have a raging debate about what to do about the two so-called mortgage giants, Freddie and Fannie, as we know them by their acronyms.

There is no question that these two entities play a substantial role in what has been happening to our housing market. By one estimate, they hold half of the value of all the mortgages in the United States of America—trillions and trillions of dollars—by one estimate as much as $5 trillion. We have to apply a lot of scrutiny and exercise the kind of due diligence as it pertains to the administration's proposal to shore up Fannie and Freddie. It is vitally important. However, I think the Congress has to be able to do two or three things at once.

We have to be able, as we are applying the kind of due diligence and the kind of review the taxpayers expect us to provide—and we should do that. There is a long way to go. We can't just sign off and say the Treasury Department and the administration or any other entity can do whatever they want and we will just rubberstamp it. We have to make sure the taxpayers' interests are protected, but while we are doing that, we have to get housing legislation passed.

As the Presiding Officer knows, not just because of the families in Ohio and Pennsylvania and across the country who are suffering from the root of our economic trouble, which is one word, ''housing,'' or the problems with housing—as he knows, this legislation has been held up. There are some in Washington who are using this debate about scrutiny of the Fannie and Freddie proposal, scrutiny about taxpayer interests, which are legitimate and real, using that debate as a way to slow down the bipartisan housing legislation. I think we have to make sure we commit ourselves to a path over the next couple of days and do it with a sense of urgency about what is happening in America today because no matter what we do on due diligence with regard to the mortgage companies, if we don't provide relief to families across America on the question of housing, we will not be doing our jobs.

I think the people across this country, just as they hope we do on gas prices—they certainly believe that on the price of gas, or any other prices rising for them, especially on the question of housing—expect us to get something done. So far, there are people in this body who want to slow things down. So I think we can provide the kind of oversight and due diligence for this proposal with the mortgage giants. We can provide that oversight but at the same time move forward with housing legislation.

The fact is, for a lot of Americans, this is not some remote, theoretical question. Every day in America—every weekday, because the courthouses are not open on the weekends—every weekday, by the latest estimates, 8,400 to 8,500 enter the nightmare of foreclosure. We can debate a lot of theoretical issues, but unless we focus on that central reality for families in America, we are going to miss the boat. So all of those families every day—8,500 families every day—are entering the nightmare of foreclosure.

I know the Presiding Officer, Senator BROWN, Senator SCHUMER, and I, the three of us, a long time ago, way back in the spring of 2007—more than a year ago—put on the table the Borrowers Protection Act, which was a way to deal with this problem early, to say to mortgage originators and mortgage brokers: You are not being regulated. You are causing a good bit of this problem, if not most of the problem. We are going to regulate your conduct so that if you have a mortgage transaction and you are a broker and you are part of that and there is a homeowner, a family sitting in front of you, we are going to make sure you escrow for taxes and insurance, for example. It is not a radical idea, but they were not doing it. We are going to provide more scrutiny of the kind of activity that you have as a mortgage broker. We are going to make sure if a mortgage broker wants to make money and wants to bring families into a transaction that they have more disclosure; that they tell that family sitting in front of them more information about the mortgage documents, about the interest rate, and what this family is signing up for.

That legislation has been in front of the Senate for far too long now. That kind of bipartisan approach to this crisis is what we need more of.

I have worked with Senator MARTINEZ on the other side of the aisle on appraiser independence. We have too many appraisers in these high-end mortgages that were in some cases committing fraud and in other cases not providing enough information. We have to make sure when someone does an appraisal, they are truly independent.

What our legislation called for was having two appraisals to force appraisers to be more independent. Senator SPECTER and I have worked together in Pennsylvania to promote a great idea in the city of Philadelphia. Sometimes all the great ideas aren't in Washington, as we well know.

A judge in Philadelphia, Judge Darnell Jones, a distinguished jurist came up on his own, working with people in the city, and then supported by Mayor Nutter of Philadelphia with funding, with a program that says: We may not be able to legally force people in the marketplace to do certain things, if you have a contract between a lender and a borrower, but we can at least say that before a foreclosure moves forward, you have to have some mediation, some discussion, some meeting between the lender and the borrower. The borrower has to do something. They can't just hope for the best. They have to be able to commit themselves to paying back the mortgage, and the lender has to give as well.

These kinds of ideas in the city of Philadelphia and across the country should inform what we do here. So Senator SPECTER and I have worked to promote foreclosure mitigation. The Presiding Officer knows foreclosure counseling is not just a good thing to do; it is not just a couple of hundred million dollars that we have been able to put into legislation and become part of our law—and we need more money—but the Presiding Officer knows how important that money is to get dollars into the hands of people and entities across the country, most of them nonprofit organizations that understand not just how to work with the borrower, to work with the family when they are signing those complicated documents that mean they have to enter into an agreement where they have to pay money back over a long period of time. It is very complicated. Even if you are sophisticated in finance matters, it is pretty complicated.

This foreclosure counseling money will give dollars to entities across the country to work with families, gain the families' trust, and then work with the borrowers when they are entering into transactions. We have to do more with foreclosure counseling.

So I think on a whole series of fronts, there is bipartisan work being done in the Senate. There are good ideas on the table from communities across the country and from people in Washington. We have to continue to work together in a bipartisan way. The worst thing we could do is stop the train from moving down the track on getting housing legislation passed because we are having a debate about how much scrutiny or oversight or review there is to a Fannie Mae and Freddie Mac proposal, the kind of review we should apply to do it. We can do both at the same time.

Once in a while the Congress can walk and chew gum at the same time. This is one of those instances where, with the families out there who are suffering under the weight of this housing problem, this subprime problem that has been hanging over the country and affecting international markets and international transactions right now, it is one of those instances where we have to do everything we can to push this forward.

If you are standing in the way of getting housing legislation passed and you are using the figleaf or the argument that somehow we have to apply more scrutiny to Fannie and Freddie, I don't think you are being straight with the American people. We can do both at the same time. We can serve the interests of taxpayers on this proposal and

apply all the scrutiny and due diligence we should, but we also have to get something done on housing because the mortgage companies are going to do fine no matter what.

Fannie and Freddie will do just fine, thank you very much. But if we don't get housing legislation passed, the people who will suffer, as they have already suffered, are families, borrowers, real people out there in places such as Ohio and Pennsylvania and across the country.

So I will yield the floor but just reiterate that I urge people on both sides of the aisle to continue to work together, but we cannot leave here this summer without dealing with major housing legislation, which is already in front of us and which is already bipartisan. We can't leave here without doing that.

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

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

Mr. DURBIN. Mr. President, how much time remains in morning business?

The PRESIDING OFFICER. There is 15 minutes 15 seconds.

LIHEAP

Mr. DURBIN. Mr. President, I recently received a letter from a senior citizen named Harriet, from Bartlett, IL, just outside of Chicago. She told the story that last January, when the average high temperature was about 28 degrees, she was sitting at home in a sweater, bundled up in a blanket, with the thermostat set at 62 degrees. She had cut back on her purchases of vital prescriptions for her stroke medication because she didn't have enough money to pay for her drugs and also heat her home.

Unfortunately, Harriet is not alone. Even though we are in the midst of summer with the heat outside, we have to be very sensitive to the fact that, in a few months, many people across America will face freezing temperatures, and Harriet is one of those people. Seniors living on fixed incomes, working families with limited incomes, and disabled individuals will face recordbreaking energy costs. In the New England area of our country, they anticipate that heating oil costs will double this winter over last winter. I saw that headline when I visited Maine a few weeks ago.

I know this isn't just a problem in the upper Midwest. It affects many parts of the Nation. So when you have this choice between paying utility bills and getting the prescriptions you need to stay alive, you understand how, in desperation, many seniors turn to us in Washington and ask for help.

These are choices no American should ever be faced with.

In 1981, Congress enacted a program called the LIHEAP program, Low-Income Home Energy Assistance Program. Today, it helps almost 6 million people across our Nation—low-income families and seniors—to pay their home energy costs—air-conditioning in the summer and heating in the winter. For more than 400,000 people in my State, this means air-conditioning during the sweltering 100-degree-plus days, on the worst days.

This year, funding isn't enough. A majority of the Americans who are eligible for LIHEAP don't receive any assistance because this program is not adequately funded. For those who do receive it, the average grant pays as little as 18 percent of the cost of that utility bill. Energy costs are going up, and the program's purchasing power continues to drop. Utilities are raising power prices by as much as a third—sometimes doubling—with the sharpest jump since 1970. In addition, tens of thousands of Americans have had their electricity and natural gas services cut off. Millions more are facing the danger of losing their service.

Unless we significantly increase LIHEAP, two things will happen: Fewer Americans will receive the assistance they need to keep their homes warm in the winter and cool in summer; second, those who receive assistance will receive less as energy prices soar. I have joined with 40 of my Senate colleagues, cosponsoring the Warm in Winter, Cool in Summer Act, introduced by BERNIE SANDERS of Vermont. He has been our leader on this issue. I commend him for that. The bill is endorsed by AARP, the National Conference of State Legislatures, the Alliance for Rural America, the American Corn Growers, and a lot of others. It nearly doubles funding for LIHEAP, from $2.5 billion to $5 billion. The extra money is needed desperately.

This morning, as I understand it, the majority leader, Senator REID of Nevada, on behalf of the Democrats, came to the floor and asked unanimous consent that we bring the LIHEAP bill out for consideration. As you will notice, we are not bustling with activity and business on the Senate floor. Senator REID said let's move to this bill. Unfortunately, Senator CORNYN of Texas objected. He blocked a unanimous consent request to pass this critically needed funding for LIHEAP.

Senator CORNYN argues that we ought to be talking about lower gasoline prices. I don't argue with that. But why are we pitting one against the other? The people who are going to face desperate circumstances in their homes are going to need help, whether it is air-conditioning now or heating in the winter. We should do both. We ought to pass this LIHEAP bill on a bipartisan basis, and we ought to also address the energy issues around the cost of gasoline.

I don't know why the Republicans blocked this effort to bring the LIHEAP bill to the floor. We could have done it today and passed it today and brought some piece of mind to people across America, such as Harriet, who sent me this letter. We also know we are faced with a debate on what to do about gasoline prices.

Yesterday, Senator REID came to the floor and brought a bill I am cosponsoring on the issue of speculation. Some of the business experts in our country tell us the price of gasoline today and jet fuel and heating oil and the cost of a barrel of oil has a lot to do with people who are speculators—folks who are guessing where the prices are going to go, which tends to lead the market and even push the market in the direction of higher prices. Now, you might expect that theory coming from an economics professor or maybe someone on the left of the political spectrum, but that theory comes from a lot of business people, including folks who are running our airlines today. The CEOs of airlines are struggling to survive. They tell us they think speculation accounts for up to 30 to 40 percent of the cost of gasoline and jet fuel today.

There is no rational explanation of what happened in terms of energy pricing. It is understandable if the price of oil goes up 10 percent because of some instability in the Middle East—a war or blocking of the Strait of Hormuz or an interruption of pipelines. That would be understandable. You could say: All right, that is something that would affect supply and demand. But we are in the situation where the price of oil can go up 10 or 20 percent, or more, for no reason at all—no reason at all. Sometimes the only thing they can pinpoint is that some analyst on Wall Street made an announcement at a press conference that he thought the price of a barrel of oil might go up to $200. Lo and behold, it goes up $10 the next day. You think to yourself, something is dreadfully wrong.

This isn't a question of supply and demand. Something else is at work. So we brought a bill to the floor—or we will, maybe as soon as today—that addresses speculation. The bill says the agency responsible for overseeing the trading in energy speculation, energy futures, will need more people. The number of trades has gone up 10 times what it was a few years ago, and they don't have the people to keep an eye on it. So there will be 100 more employees in the Commodity Futures Trading Commission and more computer technology.

We also talk about bringing all these energy speculation markets under one basic disclosure requirement, so we know what is going on. The fact is, when I asked the Acting Chairman of the CFTC, Walter Lukken, how big this market was in the speculation of oil prices, he said he could not tell me; he didn't know. The biggest part of this market is happening outside the public eye and outside any Government supervision or regulation.

So this bill that we will bring to the floor will to try to bring some reason to this market of speculation. Speculation is all right if it is based on market fundamentals, but if it is a matter of manipulation, it goes too far. So we want this bill to come to the floor. We would like it to be a bipartisan bill. The Republicans said they support it. Let's hope we can do that.

The LIHEAP bill ought to be something we can agree to on a bipartisan basis, along with doing something about speculation to bring down energy prices and gasoline prices. Shouldn't both parties agree on that? We can do that as well. There is an issue we are debating. You cannot turn the television on recently without seeing President Bush talking about let's drill here or there and open areas for drilling.

The suggestion of the administration is our oil companies have nowhere to turn to drill for oil, and that is why gasoline prices are so high. It turns out that is not true.

Take a look at this map. Look at the areas in red on this map. This is the Gulf of Mexico, Texas, Louisiana, Mississippi, and Alabama. These areas in red are federally owned and controlled areas under lease to oil companies, where they are not drilling. In the blue area, they are drilling. In the red area, they are not drilling. Look at this literal sea of opportunity for oil, where the oil companies are not drilling. In fact, 68 million acres of land controlled by our Government has been leased to the oil and gas companies. They believed there is something there. What are they doing with it? It turns out they are only drilling on about a fourth of those acres.

So the argument that we need to dramatically increase the acreage for opportunities to drill flies in the face of reality. Why aren't the oil companies drilling on the land they are currently leasing?

Today, the House of Representatives is considering a bill called ''use it or lose it,'' saying to the oil companies: If you are not going to drill on it, you are going to lose your lease. We will offer it to another oil company that might drill on it. So for the President and many people in his party to stand and say there is nowhere to turn to drill, look at this—all this red area in the Gulf of Mexico. But that isn't it alone. There is also a great deal of land in the United States, onshore, with the same story, Federal land that is leased for the purpose of exploration to oil companies. All the red areas are unused today. That is 34.5 million acres onshore, on land, in America, which is leased by oil companies that they are not exploring at all.

The Republicans argue—or at least suggest—they know there is some great plot of land somewhere that has lots of oil and gas, and we are restraining and restricting the oil and gas companies from exploring and producing there. I don't know where that might be. The only one they have pointed to with any specificity is the Arctic National Wildlife Refuge in Alaska. That is 1.5 million acres. We know anything you go after in that pristine area, which has been protected for 15 years, will take 10 or 12 years to put into production and will have an impact of pennies on the price of a barrel of oil. So I am afraid this argument falls on its face.

There are opportunities to drill right now—plenty of them—68 million acres' worth—and the oil companies, though they are leasing the land, are standing idly by and not doing it. When you ask why not, they say they have not had a chance to explore these or map these. In other words, there is the possibility oil and gas might be there, there is speculation there, but if they don't know whether there is oil and gas on the lands they are already leasing, how can they argue there is some other area they have never looked at that might have more oil and gas? It doesn't follow. It is a pretty weak argument.

I think most Americans would agree we cannot drill our way out of this situation. America has 3 percent of the known oil reserves in the world. Each year, we consume 25 percent of the oil produced in the world. We cannot drill our way into lower gas prices. We want to have responsible exploration and production; both parties support that. We believe these 68 million acres offer that opportunity and the oil companies have paid for that chance there and they should exercise it. But we need to do more. We need to explore renewable, sustainable sources of energy in America.

In my State, wind turbines all over downstate Illinois are generating electricity without creating pollution or adding to global warming.

In addition, solar panels are being installed and research is going on at Federal labs so we can use solar power in a way that the next generation will be able to derive electricity and fuel our economy with sources that are not going to create environmental havoc in the years to come.

We need to look at biomass. We have to look at so many other things. Biofuels—we are exploring ethanol now that is based on corn. We are now going to move into a new generation of ethanol that will use cornstalks and corncobs, literally, to make the same ethanol so that the kernel of corn can go into food and not be diverted to ethanol. All of this is on the horizon, and we should push it forward.

We need battery technology. The cars and trucks we are driving today, sadly, do not meet the requirements and demand of the energy crisis we face. I am saddened that General Motors announced cutbacks in employment in the factories across America. It is a great company which is now on hard times. But I have to say in all honesty, they were forewarned. They were making these big heavy SUVs and trucks when the rest of the world was waking up to the reality that people wanted fuel efficiency. I hope they catch up. I want them to catch up. I want America to be in the lead again when it comes to cars and trucks.

We need to push forward on battery technology so you can plug in the car when you get home at night and get up in the morning and drive 40 miles without ever using a drop of gasoline, so the electricity that is going to fire up your car is being stored in a battery that is being collected from the Sun during the day. Does it sound like a wild idea?

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

Mr. DURBIN. I close by saying that there are many opportunities for us in the area of energy. I hope the Republicans will join us and do two things: Let us agree to move forward, let us approve LIHEAP so we can get peace of mind to families concerned about heating and air conditioning bill. Let us also move forward on speculation. We should offer our alternative, Republicans should offer theirs, and then each offer an energy bill, give us their best ideas on the Republican side and the best ideas on the Democratic side. Let's vote on them. Maybe we can merge some of them. That would be a constructive debate America would like to see.

I yield the floor.

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

The junior Senator from Arizona is recognized.

ENERGY

Mr. KYL. Mr. President, let me say on the point my friend from Illinois made, while there may well be room for dealing with speculation as part of the overall approach to our energy crisis today, it is clear that speculation cannot be the only or even a major piece of it. Without new production, we are destined to continue to rely on foreign sources for our oil and very high oil prices.

We will be interested in getting into the debates about the relative merits of different approaches to speculation. But let me talk about a little different angle to this than has been discussed so far, and that is not only the fact that people, when they go to the gas pump, find themselves paying very high prices for oil, which hurts their family budgets and, in many cases, businesses that have to rely on fuel, but also that it is a national security problem for the United States because of our undue reliance on these other countries.

The point I want to make today is this: A lot of these countries have the ability to actually increase the price because of the instability they can create around the world. I think of the Iranians, for example. Everyone knows that we get a great deal of our oil from the Persian Gulf region, that the Strait of Hormuz is the very narrow area

through which about 40 percent of all the oil has to go. Forty percent of the world's oil tankers have to exit the Strait of Hormuz as they are picking up their oil from the Emirates, Saudi Arabia, Iraq, Iran, and so forth. That creates an opportunity for mischief, and the Iranians have been very good at exploiting that. Whenever they rattle their saber, whenever they engage in a naval exercise in that area, or when, recently, they shoot off missiles to show everybody they can be tough guys and throw their weight around in the world, that gives the markets a lot of jitters, and we saw what happened: The price of oil shoots up.

Ironically, countries that are no friends of the United States would create great mischief if they could have an additional reason for this belligerent behavior. It drives up the cost of oil, which is where they make all their money. So they literally have the ability to help dictate the price of the commodity that sustains their economy.

Iran is not the only country. Russia actually produces more than Saudi Arabia. The United States is third. But Russia, as the world's largest oil producer—about 9.84 million barrels per day—has produced about a fourth of the non-OPEC crude oil since 2007. At today's prices, that would be about $1.4 billion per day—think about that—and over $500 billion for the year; almost $1.5 billion a day into Russia's Treasury.

As a result, Russia has been able to do some things that are not in the interests of the United States. They are rearming their military with oil dollars. That is how they are able to afford all of the new things they are doing in terms of their nuclear program, their missile program, and all of the other things they are doing that are antithetical to United States national security interests.

Moreover, they have shown no reluctance to use their oil and natural gas production as a weapon as well. When countries next to them or even far away that rely on Russian natural gas or oil do something the Russians do not like, they simply cut off the supply. And they have done this numerous times. It has much of Europe, which relies on Russian natural gas, very jittery because if you make the Russian bear mad, he cuts off your source of natural gas and, in some cases, oil. This creates a very unstable and very difficult situation for these countries, and also has the effect of driving up the price of oil and natural gas.

Because both of these products are fungible; that is to say, they can be produced all around the world and everybody around the world buys them, there is a world market for them. So even though the jitters are in the Persian Gulf or in Europe, for example, the price is reflected all around the world, and the United States ends up having to pay more at the gas pump because these countries can affect the price of the commodity they rely on to fund their government.

Recently, it happened to be that Russia shut off oil to the Czech Republic. They have shut off oil or natural gas to other countries in Eastern Europe, especially when they did not agree with the Russian position on something. They have shut off natural gas supplies during the dead of winter to countries in Eastern Europe that wanted to join NATO. Russia says: We don't like that so we will shut you off.

The Czech Republic decided it wanted to help the United States and itself to be protected against missiles. So they are helping to establish a missile defense base in the Czech Republic. Russia doesn't like it, so half of what is sent from Russia to the Czech Republic is cut off.

This is the problem of relying on other countries, not to mention a country such as Venezuela. The United States gets a good deal of its oil from Venezuela. We all know the head of Venezuela, Hugo Chavez, has done everything he can to undermine United States influence in Central and South America and does everything he can to get in the face of the United States. If he wants to affect the price of oil, all he has to do is rattle his saber as well.

In each of these cases, we have a situation where the price of the product and the availability of the product is dependent upon positions over which we not only have no control but countries that have interests very inimical to ours, and the end result is it costs more for people in the United States for a very necessary product, namely, the oil and natural gas product we use to fuel our economy. This is one of the reasons why I say it is a national security issue as well as affecting the price at the pump.

It is one of the reasons why the United States has to begin to rely less on the oil produced in foreign countries and more on oil we can produce right here in the United States. It is not well known, but the United States is the third largest producer of oil in the world, after Russia and Saudi Arabia. We have huge reserves here of which we are not taking advantage. This is one of the reasons why Republicans are insisting that any legislation that comes to the floor dealing with this energy crisis include taking advantage of the resources we have. Let's free up these resources. We have them. They can be obtained in a very environmentally sensitive way, and they can help not only to reduce the cost of gas in the United States or natural gas but also to reduce the ability of other countries around the world to influence behavior in a bad way, such as shutting off the oil or natural gas for customers of theirs or driving up the cost of oil for everybody else.

I got to thinking about this in terms of the taming of the West. One of the reasons the United States became such a great country so rapidly was that we bought land with the Louisiana Purchase. We explored the West. We took advantage of natural resources that were in this country, and we quickly became a very strong power economically. We had natural gas, we had oil, we had minerals—copper and gold and all of the rest. We took advantage of the resources that we had to become a wealthy and powerful country.

One hundred years ago, we didn't mine in a very environmentally safe way, but no one can deny that the way we produce our wealth today is with great environmental sensitivity. Everyone agrees with that. It is not any longer hurting the environment. All of this production can be done, for example, offshore or in the deep waters of the gulf in a very environmentally sensitive way. We are hoping the same thing can be done with oil shale.

So when our friends say we need to be able to deal with the commodity markets here and that is going to make a big difference, the answer is, there is a lot of dispute as to whether it will make any difference at all. But we do know something that will make a difference but it will not make a difference just in the long run, it will make an immediate difference. The decision to explore and produce right here in the United States where we know we have the resources, where we are not dependent on other people, where they cannot drive up the price because they can rattle their sabers in the Strait of Hormuz or cutting off oil and natural gas supplies as Russia has done, we can stop all of that by simply producing more in the United States where we know we have it and we can produce it safely and in an environmentally sound way.

It is like the settlement of the West, as I said, in taking advantage of our natural resources. We have always been a can-do nation. We have always said we can take care of ourselves. We don't want to be dependent on others. What we have learned today is that for depending on others, we pay a very high price, and I don't mean just a high price at the gas pump but a high price in terms of our national security as well. That is the reason we are insisting on removing some of these moratoria, strictly illegal moratoria. It is a moratorium from being able to explore for energy off our coasts or in the deep waters in the gulf or on Federal lands.

There is a big up side to the Federal Government in terms of revenue royalties, as well as to States as a result of this action. So instead of paying money to foreign countries, we can be gaining some of that wealth right here in the United States.

Bear in mind that other countries are the recipients of the payments for oil around the world, not oil companies as is the case primarily in the West. We send more than $1 billion a day, not to some oil company abroad but to foreign governments. They control the oil in Russia, in Iran, in Iraq, and so on. Let's get off of sending our money to foreign governments that are working against our interests and that can affect the price of the commodity simply

by their bad actions and rely more on the resources we have in the United States, that we know we can extract in an environmentally sensitive way, that can reduce the price immediately. That is the last point I wanted to make.

Martin Feldstein had an interesting piece in the Wall Street Journal about 2 weeks ago in which he made the point that there will be an immediate downward effect on oil prices if we simply announce that we are going to go after these resources in the United States. As a result, I urge my colleagues, when the opportunity arises and we debate this issue over the next week or so, that we support increased production in the United States for the benefit of American citizens.

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

The Senator from North Dakota is recognized.

Mr. DORGAN. Mr. President, I ask unanimous consent to speak in morning business for 20 minutes.

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

Mr. DORGAN. Mr. President, this is a very important subject. My colleague from Arizona speaks of the issue of energy. The price of gasoline is skyrocketing. The price of oil has doubled in a year. It has an impact on everything and everybody in this country. It is important as we discuss this issue, however, that we not create false choices.

It is a false choice for anybody to suggest that, because we do one thing, we cannot do another. It is a false choice to suggest that because we take the first needed step, we are ignoring subsequent steps. We ought to do a lot of things here.

I mentioned yesterday that we had a witness come to a hearing and describe this situation. If you have someone being hauled into a hospital emergency room who is grossly obese and also suffering a heart attack, do you think some doctor who meets the gurney at the emergency room is going to look at this grossly obese person suffering a heart attack and say: All right, let's start working on a diet. We have to work on this obesity. No, of course not. He will say: Let's take emergency action to deal with the heart attack.

Now, my point is this: We have very serious energy problems. One part of it is a gross amount of excess speculation in the commodity market that has driven up—actually doubled—the price of crude oil in the past year, for which there is no justification in the supply and demand of the commodity. It seems to me, at least as a first step, we ought to address this excess speculation.

My colleagues then say you have to drill. I don't disagree with that. In 2006, I was one of four Senators who cosponsored the legislation that resulted in the law that opened lease 181 for oil and natural gas production. This is 8.3 million acres in a portion of the eastern Gulf of Mexico that is now open for drilling. Senators BINGAMAN, DOMENICI, TALENT, and I were the people who first introduced that bill. It is now law. So that is fine.

But if the only answer is to drill then I would ask those who say that, how many airlines do you think will be serving this country if we wait for 5 or 7 years until somebody gets all the permits, undertakes the testing, builds a drilling rig up in an area and pumps new oil out of the ground? How many airlines will be serving this country? I tell you, a number of them have already gone bankrupt. Several are out of business, and others will follow quickly. How many small-mom-and-pop trucking firms that can't afford to pay for the diesel in their saddle tanks are going to be out of business in the next 5 or 7 years before this notion of drilling, which is going to produce the additional supply they are talking about, will be effective? How many fewer farmers are going to be around? How many people will be around trying to figure out: How on Earth do I afford to fill my gas tank in my car in order to get to work next week because I don't have the money for the gas?

My point is, we need to do a lot of things. Yes, we need to produce more, and we need much greater conservation. By far, the most effective achievement of additional oil production is to save a barrel of oil. We are such prodigious wasters of oil and energy in this country. It is unbelievable. There is so much to be gained by conservation and energy efficiency. In everything we use from our lights, better doors and windows, insulation, virtually every appliance, hot water heaters, refrigerators, and stoves, conservation and energy efficiency are a very significant part of this issue.

So, too, is a renewable energy future. We need game-changing approaches. I want to go from here to 10 years from now in a game-changing way that says: I don't want us 10 years from today to be so dependent on Saudi oil. My colleagues, all they talk about is drilling. I am for drilling. But if that is all you are for, that is a yesterday forever strategy. Good for you. But every 10 or 20 years you are going to have exactly the same debate—drill more. You are not going to change this country's energy future at all.

So my proposition is this: How about working together on steps, a step at a time, doing a lot of things and doing them right. How about the first step? We just had testimony this morning in the Energy Committee from someone that cited a recent report from the CFTC which indicated that more than 73 percent of those trading in the commodity futures market have nothing at all to do with hedging a physical commodity. That is not what they are interested in. They are speculators. He called them investors, but they are speculators. In fact, he said speculators. He said I actually called them investors.

But if 73 percent of that market for the oil futures is now devoid of people who are actually trying to hedge a physical product between consumers and producers, then that market is broken. That market has gone far afield of what it was created to do.

The market was created in 1936. When it was created, Franklin Delano Roosevelt warned about excess speculation when he signed the bill. And the bill itself had a provision dealing with excess speculation because of concern that speculators could take over a market and ruin the market.

The proposition is this: What has happened in the last 14 months that has allowed that market to price oil to double in price? What has happened with respect to the fundamentals of oil supply and demand that would justify that? The answer is: Nothing. Nothing. It has been pure, relentless, excess speculation moving massive quantities of money into this marketplace speculating on crude oil futures.

I have mentioned many times the description of Will Rogers about speculation because it is not new to America. It happens. When it happens and markets are broken, we have a responsibility to take some action. Will Rogers described it as someone buying things they will never get from people who never had it. You can add, in this day and age, with money they don't possess.

So what we had is unbelievable excess speculation in the marketplace. There are some who scoff and say that is not happening. One of my colleagues this morning said what is happening is supply and demand. Well, I ask my colleagues to come to the floor and describe to me the events that have occurred in the last 14 months or so that would justify doubling the price of gasoline or oil. They will not come to the floor because they can't. The knowledge of the significant change in supply and demand in the last 14 months does not exist.

This is not about supply-and-demand fundamentals. Go back 2 or 3 years and ask yourself: What do we know about the desire of the Chinese or Indians to drive more cars? What do we know about all those factors that might, in the longer term, increase demand for gasoline or diesel? Did we not know them a year ago? Is that new knowledge? Not at all.

The fact is, nobody is going to come to this Chamber and tell us there is something that has happened to supply and demand that justifies the doubling of the price of gasoline and oil because it does not exist. This doubling existed because, in my judgment, of excessive, reckless speculation in the futures markets for oil. We have a responsibility to do something about it.

Now, the legislation that we introduced yesterday is the Stop Excessive Energy Speculation Act of 2008. Let me say that again: Stop Excessive Energy Speculation Act of 2008. I worked with Senator REID and others on the legislation. It is not brought here, as my colleague from Arizona just suggested, to

do this and nothing else. That is a false choice, and it is being presented on the floor of the Senate every chance they get. If we do this, it means we don't want to do anything else. I say let's do this and everything else.

Now, I am not suggesting, as some perhaps would, that we drill in the Grand Canyon or drill in the Everglades. There are certain areas where we ought not drill. We have a substantial amount of area that is available for drilling. And when they say: Well, we are not drilling. Why don't you go north of Kidder, ND, and take a look at a rig right now. We have about 70 to 80 of them in North Dakota, and they are drilling right now in something called the Bakken shale.

Some may not understand, but in the last 2 months, the U.S. Geological Survey put out an assessment that said the Bakken region has the largest assessment of recoverable oil ever recorded in the lower 48 States. This is 3.6 billion barrels to 4.3 billion technically recoverable barrels, and they are pulling oil out of that formation. There are drilling rigs all over western North Dakota and eastern Montana.

So when someone suggests we are not drilling, that's nonsense. Get a car and drive around a little. I will show you where the rigs are. We are drilling onshore and offshore. We have, in fact, opened lease 181, a portion of the Gulf of Mexico that was not previously opened until 2006. We don't see a lot of activity there at the moment, but we did that because there are substantial oil and gas reserves there.

I will make one additional point. There are a half million barrels that can be potentially produced off the coast of Cuba. Spain, Canada, India, and others are interested. But U.S.-based companies are not able to get involved in leasing off the coast of Cuba because we have an embargo against Cuba, among other things. President Bush doesn't want us to be involved in this region.

So it is not a case where those who come to the floor suggesting that we drill, drill, drill, would want us to drill everywhere. In fact, the legislation they brought to the floor of the Senate that touts drilling conveniently left out a substantial portion of the eastern Gulf of Mexico because a Member on their side doesn't support that. So they left that out of their proposal. Oh well. I guess one doesn't have to be consistent to come to the floor to make presentations.

The issue is this: Let's do something together because this country's economy is being damaged. American families are being injured, and farmers, truckers, and airlines are getting killed with these prices. Let's do something together to address it.

What would make sense? What is the first step, or at least a sensible first step? Does it make sense to say let's do something that will provide some relief in 7 years? That will be great to tell Aunt Millie: I know you won't be able to pay your fuel bill this winter, but 7 years from now, just wait, we will have another field in production someplace.

What about taking first steps first? What about stopping excessive energy speculation with the bill we introduced yesterday? Now, how does the bill do that? It requires the Commodity Futures Trading Commission, which has been a regulatory agency that I have had fairly strong words about recently, to actually stand up, put on striped shirts, blow the whistles and be the referees for this marketplace. They have been an abysmal failure, in my judgment. They have an acting chairman, who says: What, me worry? The only thing going on here is the market demands and the fundamentals are working. It is just supply and demand.

In fact, the Commodity Futures Trading Commission has been issuing over the years what are called ''no action letters.'' Boy, that is a fitting tribute to this agency—no action letters—that have said, essentially: We are not interested in seeing what is going on. In fact, we will be willfully blind to what is going on, and here is a letter that demonstrates we are interested in that position.

So what we say in the bill is: Look, there is a regulatory agency here, and we believe it ought to function and we require it to function in a certain way. No. 1, we say it ought to distinguish between groups of traders. There are those who are hedging their risk, the consumers and producers of a physical product, because that is the purpose for which this market was established and all others. All the others are speculators.

And this bill would impose substantial position limits on what are the nonlegitimate hedge trading transactions. Again, very specific. Within 30 days, we would require the regulator to impose very specific and strong position limits on all non-legitimate hedge trading. What that does is to take some of the air out of this balloon and put some downward pressure on oil and gas prices.

Now, I have shown this chart many times, but it is worth going over some of the things we have heard here in the Congress, and it is worth it because of those who come to the floor to say: What speculation? There is no speculation.

I had Fidel Gheit, an interesting guy, testify in front of our committee before, and I have talked to him by phone, and here is what he says:

> There is no shortage of oil. I'm convinced oil prices shouldn't be a dime above $55 a barrel.

And he said, talking of the futures market:

> I call it the world's largest gambling hall. It is open 24/7. Unfortunately, it's totally unregulated. It's like a highway with no cops and no speed limits and everybody going 120 miles an hour.

Energy Secretary Bodman, who is one of these people who says there is nothing going on with respect to these marketplaces and this speculation, says:

> There is no evidence that we can find that speculators are driving futures prices for oil.

He says he can't find the evidence. Well, let me find evidence that indicates the opposite. Here are at least two examples. First, the House Subcommittee on Oversight and Investigations released a report showing that speculators in the oil futures market went from 37 percent to 71 percent. It seems to me that is some pretty substantial evidence. Second, testimony this morning before the Energy Committee revealed that speculators represented 73 percent of the market—almost identical.

So I would say to the Secretary: If you can't find the evidence, I can. If you have the right evidence, maybe you could search for the right solution.

Our Energy Information Administration—the EIA—doesn't do anything with respect to policy. We spend $100 million for this agency, and it is supposed to simply provide the best information available. Here is the information they have provided: In May 2007, they said here is where we think the price of oil will be—right across here, about a straight line. In July 2007, they said: Here is where the price of oil will be. In September 2007 and in November 2007, they said here is what we think. Now, in March 2008, here is where we think it will be.

Well, guess what. These lines were so far off, I mean it is almost laughable. Here is where the price of oil went. Why is that? I assume these folks were taking a look at supply and demand and the normal relationship that determines a price, and they didn't understand that what has happened is that this market is perverted and broken as a result of excess speculation. The price went just like a Roman candle.

There is no way to describe this as anything that is rational. We are not off not by a mile, but by a country mile.

I had a hearing on this subject. Of course they couldn't answer the question of why they were off so far.

The senior vice president of ExxonMobil:

> The price of oil should be about $50 to $55 per barrel.

The same with the president of Marathon Oil, same answer.

My sense is that we ought to do everything, but we have folks coming to the floor of the Senate to say: You can't do anything unless you do drilling first.

We are doing drilling right now, but we will not allow you to do anything unless you do something that is going to affect something 5 or 7 years from now.

It doesn't make much sense to me. It seems to me, if this is an opportunity to move forward, you address the hurdles that are in front of you. The first hurdle, it seems to me, is to set this market straight. I believe the market we have with respect to the futures

market is broken. There is reason to debate that. I respect those who disagree, but I think the evidence is not on their side.

What I think we should do is decide we have a very serious problem, and we should address it three steps. The first step would be to tackle this speculation issue. We introduced that legislation last Tuesday. That legislation brings everything under the control of the Commodity Futures Trading Commission so they can see all of it, including the over-the-counter trades on foreign exchanges. It requires strong position limits. The fact is, it requires that a distinction be developed between legitimate hedgers and just pure speculators. We should do that. So that is step No. 1.

Step No. 2, it seems to me we should develop a broader position with the six or eight things we need to do as a country in a much more aggressive way that increases additional production, conservation, and energy efficiency measures because all of these opportunities in the future.

For step three, we ought to do something that is game changing because we come here every 10 years or so, every 20 years, and the drillers come in and say: The only way to solve our energy problem is to drill. As I said, that is a yesterday forever policy. That is fine if you are comfortable coming back to the same debate and putting our country in the same position. But the game-changing approach, in my judgment, is to say there are a lot of ways for us to develop renewable sources of energy, a lot of ways for us to develop renewable sources of energy in a way that really changes our energy future significantly.

Those are the three things I think we ought to do and do them in that order and fairly close order, and I believe we ought to do it understanding that this is an emergency.

If all we do is just to deny that this market is broken and deny that there is excess speculation, then we will just be talking past each other. If that is all we do, I wonder how many airlines will be left in this country 5 or 7 years from now, if that is the time period in which maybe you get some additional drilling up and get some additional production? How many trucking firms are going to be operating out there? How many mom-and-pop firms go belly-up in the next 6 months or year or 2 years? How will the folks who are trying to fill their tanks and figure out how they are going to pay gas prices go to work? How will they fill that tank to get to work next week or next month or next year?

I think there is an urgency. One of the things to respond to with respect to that urgency is the first challenge in front of us. That urgency is to set straight the excess speculation in this marketplace. We can do that. There is nothing Republican or Democratic about that. It is just to look at this with a level head and say: Here is a problem, let's address it. The underlying law that created the futures market was created in 1936. It has a provision dealing with excess speculation.

I will make one final point. The regulatory authority here has been an abysmal failure, but that is not just in this case. We face a lot of challenges today. We face challenges with respect to banking. We face challenges with respect to the subprime scandal and a whole range of other things, and you can trace it right back to the root that so many people felt regulation was a four-letter word. They decided we want to have regulators who decided not to regulate. That is certainly the case with this market. It is the case with other issues as well.

I think we have a Congress that has the responsibility and opportunity to set it straight.

I yield the floor.

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

The senior Senator from New Hampshire is recognized.

Mr. GREGG. Mr. President, I believe Senator STEVENS is going to speak, but I ask unanimous consent that he be recognized on the completion of my statement.

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

Mr. GREGG. Mr. President, obviously the issue of energy is at the center of everybody's concern.

Does the Senator from Alaska wish to go forward?

Mr. STEVENS. Yes.

Mr. GREGG. Mr. President, I ask to reserve my time and ask that I be recognized at the completion of the presentation by the Senator from Alaska.

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

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

The senior Senator from Alaska is recognized.

Mr. STEVENS. Mr. President, I am here once again because the price of oil remains at a historic high. It has come down slightly today, and I hope that will continue. As a matter of fact, I hope people listen to what we are saying so it will come down because I do think this drop has something to do with the fact that everybody is talking about speculation.

There is no question that my people, Alaskans, are paying more for fuel oil and gasoline and petroleum products than anyone in the country despite the fact that we produce almost a million barrels of oil a day. We don't have any gasoline refineries. We have refineries for jet fuel because we have such an enormous traffic, through our State, of commercial cargo planes. Of course, during the summertime we have enormous tourist traffic to our State by the airlines.

It is a great problem for us right now because we have less than a million people spread out over an area that is more than twice the size of Texas. We are absolutely fuel-intensive in terms of our lifestyle because 70 percent of our cities can be reached only by air year round. We really have to deal with the problems that are presented by this energy crisis.

I applaud the President lifting the offshore drilling ban. I do think it sent a signal to the country that it is a very serious thing. After all, his father placed that in effect, and it has been there, and it really is something that has to be dealt with.

The difficulty is that even with the ban lifted and even with full approval of the Congress, we are going to the Outer Continental Shelf now to determine how much we can produce. We know we can produce a great amount, but how much we can produce from the Outer Continental Shelf? Two-thirds of the Outer Continental Shelf is off our State, and there is only one oil well there now. There are hundreds of thousands of wells in the other one-third, but because of the constant opposition of those who oppose exploration and development in our State, we are stymied.

Take for instance the leases on the Chukchi Sea, which is the area off the northwest coast of Alaska, some 70 miles off the coast. The oil industry has obtained leases there to explore for and develop that area for its oil and gas potential. That has been, now, tied up for over a year by a series of lawsuits. One of them is claiming that oil and gas exploration would harm the polar bear. I want the Senate to know that just a week ago, the ice at that area was 17 feet deep. The ice is not disappearing the way people say it is, particularly in the period of time when the polar bears are there. But beyond that, the difficulty is there is a whole series of things that—these people who are against exploration and development in my State have caused wildlife to be listed as endangered or at least threatened, and they are using those findings in order to delay the development of new facilities to bring us the new production we need, the new production the Government needs.

It reminds me of the time I spent here on the floor—almost 4 years—in the seventies when the first group litigated again and again to delay the oil pipeline. Finally, we reached the stress point where we had to ask the Senate to do something it had never done before and hasn't done since, and that is to close the courts of the United States to this constant delay in building that pipeline. We finally brought that amendment to the floor. It was debated at length for 4 days, and it ended up with a tie vote—the only tie vote at

the time of the then Nixon administration. Vice President Agnew broke the tie. It was 49 to 49.

Think of what that means. At that time, there was a paradigm that the Senate would not filibuster anything that involved national security. The availability of oil to meet our needs is a matter of national security, but we faced a filibuster ever since then, in terms of trying to develop the Arctic.

One of the things we ought to look to today, though, is the letter that has been sent by almost all the airlines in the United States. AirTran, Alaska Airlines, American Airlines, Continental, Delta, Hawaiian, JetBlue, Midwest Airlines, Southwest, United, and U.S. Airways, all joined in sending a letter to the holders of their frequent flier programs dealing with the problem of the skyrocketing oil and fuel prices and what they are doing to destroy the capability to provide air transportation to the United States.

I read before and let me read again this one paragraph. I think it is absolutely something everyone should understand. I am quoting now from this letter signed by all the presidents and heads of these companies.

Mr. President, I ask again to have it printed in the RECORD following my remarks.

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

(See exhibit 1.)

Mr. STEVENS. The letter says:

> Twenty years ago, 21 percent of oil contracts were purchased by speculators who trade oil on paper with no intention of ever taking delivery. Today, oil speculators purchase 66 percent of all oil future contracts, and that reflects just the transactions that are known. Speculators buy up a large amount of oil and then sell it to each other again and again. A barrel of oil may trade 20-plus times before it is delivered and used; the price goes up with each trade and consumers pick up the final tab. Some market experts estimate that the current prices reflect as much as $30 to $60 per barrel in unnecessary speculative costs.

If those pieces of paper that represent future delivery of oil are purchased by people who are just speculating and that purchaser ends up, after selling the paper, acquiring it again, to me, that is absolute proof of a criminal conspiracy in this country.

I think this speculation has to stop. We have to start talking more about it, and we have to do something about it. What I would do is make sure it is a criminal matter if someone acquires the same piece of paper dealing with futures in oil and has no ability to use the oil. I really do not think there is any reason—I can understand a company might buy ahead for 2 or 3 years in oil and buy futures and hedge against the price, that, in fact, it might go up, but people who buy those pieces of paper solely to manipulate the price—and that is what happens when someone not involved, these institutional investors, buys a piece of paper to buy oil in the future and then sells it to another institutional investor and then another one. If that piece of paper ends up in the same hands the second time, to me, that is a criminal conspiracy, and it is time we looked at that and understood it. This letter sets it forth.

Believe me, any Member of the Senate who ignores this letter ignores the fact that every single frequent flier person in the country has it in their hands. I don't know about the rest of you, but I am getting thousands of letters from people who are sending me this letter and saying: What are you going to do about it? I say what we have to do about it is send a signal to these speculators to take notice that Congress is serious about speculators.

I know there is a difference of opinion out here on the floor of the Senate, there is no question about it, but in the last 5 years, investments in commodity index funds jumped from $13 billion to $260 billion. That means institutional investors have gone from owning $13 billion worth of oil futures to $260 billion in oil futures.

Now, someone tell me that is not a conspiracy.

Let me put up this chart. This chart represents the so-called NYMEX oil futures. The red on the chart represents the price of oil; the gold represents the volume of trading. The volume of trading has gone up, but the price has gone up more than twice as much as the volume.

There is only one thing that can drive up a spike like that. That is speculation, it is not demand. Someone told me not to try to understand supply and demand in the oil business. I think I know something about oil demand in the oil business, because we tried to meet that demand in terms of our State. We had a better chance of satisfying the demand of the United States than any State. But to have this situation go along I think is wrong, to go forward I think is wrong.

I have personally talked to one of the economists. I must say he does not share my feelings that we ought to make this a crime immediately, because, it is my understanding, he does not believe we have seen evidence of criminal conduct yet.

But I say it is criminal conduct if someone owns one of those pieces of paper twice. There is no reason to sell a future in oil and then turn around and buy it later at a higher price. They are actually being acquired and turned over more than 20 times before the oil is delivered. That ought to be something the Justice Department and the CFTC should have notified us on before it took the time of all of these presidents of these companies to send this letter to their customers so they can send it on to us. These people have told their customers to contact us. Well, this is one time I hope all of us listen to what they are saying. Because there is no question that we have to find some way to restrict this trading to those who need oil in the future, those who legitimately hedge to try and save their customers money, not to cost them more money but to save money. A true hedge would save money for the customers of the particular person who acquired the futures.

I think the legislation Senator FEINSTEIN and I introduced some time ago represents an important step toward breaking this bubble. The position limits we would place on institutional investors would be very minimal and would make them stay away from market manipulation.

If we can see these investments shift away from the energy commodities and back to the stock markets the way we have in the last few days, I think the stock market would recover.

I thank my friend from New Hampshire for letting me use part of his time. But I say, we cannot stop at mandating transparency. We have to do something to put these people in fear before they will stop this action of driving this price up.

EXHIBIT 1

> An Open letter to All Airline Customers:
>
> Our country is facing a possible sharp economic downturn because of skyrocketing oil and fuel prices, but by pulling together, we can all do something to help now.
>
> For airlines, ultra-expensive fuel means thousands of lost jobs and severe reductions in air service to both large and small communities. To the broader economy, oil prices mean slower activity and widespread economic pain. This pain can be alleviated, and that is why we are taking the extraordinary step of writing this joint letter to our customers. Since high oil prices are partly a response to normal market forces, the nation needs to focus on increased energy supplies and conservation. However, there is another side to this story because normal market forces are being dangerously amplified by poorly regulated market speculation.
>
> Twenty years ago, 21 percent of oil contracts were purchased by speculators who trade oil on paper with no intention of ever taking delivery. Today, oil speculators purchase 66 percent of all oil futures contracts, and that reflects just the transactions that are known. Speculators buy up large amounts of oil and then sell it to each other again and again. A barrel of oil may trade 20-plus times before it is delivered and used; the price goes up with each trade and consumers pick up the final tab. Some market experts estimate that current prices reflect as much as $30 to $60 per barrel in unnecessary speculative costs.
>
> Over seventy years ago, Congress established regulations to control excessive, largely unchecked market speculation and manipulation. However, over the past two decades, these regulatory limits have been weakened or removed. We believe that restoring and enforcing these limits, along with several other modest measures, will provide more disclosure, transparency and sound market oversight. Together, these reforms will help cool the over-heated oil market and permit the economy to prosper.
>
> The nation needs to pull together to reform the oil markets and solve this growing problem.
>
> We need your help. Get more information and contact Congress by visiting www.StopOilSpeculationNow.com.
>
> Robert Fornaro, Chairman, President and CEO, AirTran Airways; Bill Ayer, Chairman, President and CEO, Alaska Airlines, Inc.; Gerard J. Arpey, Chairman, President and CEO, American

Airlines, Inc.; Lawrence W. Kellner, Chairman and CEO, Continental Airlines, Inc.; Richard Anderson, CEO, Delta Air Lines, Inc.; Mark B. Dunkerley, President and CEO, Hawaiian Airlines, Inc.; Dave Barger, CEO, JetBlue Airways Corporation; Timothy E. Hoeksema, Chairman, President and CEO, Midwest Airlines; Douglas M. Steenland, President and CEO, Northwest Airlines, Inc.; Gary Kelly, Chairman and CEO, Southwest Airlines Co.; Glenn F. Tilton, Chairman, President and CEO, United Airlines, Inc.; Douglas Parker, Chairman and CEO, US Airways Group, Inc.

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

Mr. GREGG. Mr. President, it is my understanding that I have 10 minutes to speak as in morning business?

The PRESIDING OFFICER. The Senator is correct.

Mr. GREGG. Mr. President, I rise to participate in this discussion on energy. I agree with the Senator from Alaska, and I agree, in part, with the Senator from North Dakota, that there has to be an addressing of the issue of speculation.

I think any deal that takes shape on this floor will help if we do that. In addressing the issue of speculation, there are a lot of different factors, however. One of them is that we make sure to maintain control over these commodity markets, and we not create an atmosphere where these commodity markets move offshore and therefore we lose any regulatory control on our part.

But, in addition, I do not think we can repeal the laws of common sense. The essence of the law of common sense is that you have India and China moving toward fairly developed nations and creating massive increases in the demand for oil. There are 2.5 billion people in those two countries. We have 300 million people in our country. We still use the majority of the world's oil. But the simple fact is that demand for oil has radically increased, and we are not going to be able to reduce our energy costs in this country unless we produce more American resources, and also conserve more. That is the simple fact. It is a function of supply and demand. And part of producing more means that we have got to look at those places where we have sources of energy. Two of the key places we have sources of energy are offshore and also oil shale. Both of those resources and, in fact, in the case of oil shale, those resources, the reserves of oil there, exceed the reserves of Saudi Arabia by a factor of two or three. In both of those instances we can recover energy by exploring and drilling in a manner that is environmentally safe. We have proved that beyond any question relative to offshore drilling, when you see that Hurricane Katrina came right up the gulf coast and destroyed one of our great cities but at the same time there was essentially no oil leak or no gas leak from any of the production facilities in the Gulf of Mexico.

We have proven we can produce this energy in a safe and environmentally sound way, and we need to produce it. If you want to see the price of energy drop in this country, you have got to show the world community that we as a nation are willing to step forward and produce and conserve more energy. The way you produce more energy is by drilling, drilling offshore and using the underground resources of oil shale which exceed the reserves of Saudi Arabia. So if we want to address the cost of energy, we should do it, and we should do it now. We should not be waiting.

That is why I congratulate the President for lifting the moratorium. The Senate should lift the moratorium that was put in place by the Senate, by the Congress, on both oil shale and offshore drilling.

(The remarks of Mr. GREGG pertaining to the introduction of S. 3279 are printed in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Ms. KLOBUCHAR. I ask unanimous consent that the order for the quorum call be rescinded.

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

EXECUTIVE SESSION

NOMINATIONS OF PAUL G. GARDEPHE TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF NEW YORK AND KIYO A. MATSUMOTO TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF NEW YORK

Ms. KLOBUCHAR. Mr. President, I ask unanimous consent that the Senate now proceed to executive session to consider the following nominations: Calendar Nos. 687 and 688, and that the Senate proceed to vote on confirmation of the nominations; that upon confirmation of the nominations, the motions to reconsider be laid upon the table, en bloc, the President be immediately notified of the Senate's action, with no further motions in order, and the Senate then resume legislative session; and that any statements relating to the nominations be printed in the RECORD; and that after this consent is granted, Senator SPECTER of Pennsylvania be recognized for 1 hour.

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

Under the previous order, the Senate will go into executive session and proceed to the consideration, en bloc, of Executive Calendar Nos. 687 and 688, which the clerk will report.

The assistant legislative clerk read the nominations of Paul G. Gardephe, of New York, to be United States District Judge for the Southern District of New York; and Kiyo A. Matsumoto, of New York, to be United States District Judge for the Eastern District of New York.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nominations of Paul G. Gardephe, of New York, to be U.S. District Judge for the Southern District of New York, and Kiyo A. Matsumoto, of New York, to be U.S. District Judge for the Eastern District of New York?

The nominations were confirmed.

Mr. LEAHY. Mr. President, today we continue to make progress by having confirmed two more nominations for lifetime appointments to the Federal bench: Paul Gardephe for the Southern District of New York and Kiyo Matsumoto for the Eastern District of New York.

These nominees each have the support of the New York Senators, who worked with the White House to identify a slate of consensus nominees. I thank Senators SCHUMER and CLINTON for their consideration of these nominees. I also thank Senator SCHUMER for chairing the hearing on their nominations.

It is ironic that again this week the Senate Republicans have made another attempt to make a partisan, election-year issue out of the confirmation of judicial nominations. This is the one area where the numbers have actually improved during the Bush Presidency while the life of hardworking Americans has only gotten more difficult. Inflation is now on the rise, jobs are being lost, gas prices have skyrocketed, food prices have soared, health care is unaffordable and what Republicans come to the floor to pick a partisan fight about today is the pace of judicial confirmations.

Americans have seen the unemployment rate rise to 5.5 percent and trillions of dollars in budget surplus have turned into trillions of dollars of debt. This week General Motors announced layoffs. The annual budget deficit is in the hundreds of millions of dollars, the dollar has lost half its value and the costs of the Iraq war and interest on the national debt amount to $1.5 billion a day. And today Republicans spent their time on the Senate floor—after the Democratic leadership of the Senate had pushed through two more judicial confirmations to lifetime appointments—to complain about the pace of judicial confirmations.

When President Bush took office, the price of gas was $1.42 a gallon. Today it is at an all-time high of over $4.10 a gallon. The Nation's trade deficit widened 8 percent in April alone due to the surging gas prices, and is now at its highest level in 13 months. The housing crisis and mortgage crisis threaten the economy. The Chairman of the Federal Reserve gave sobering testimony this week to the Senate and the House. The stock market lost 2,000 points in the first 6 months of the year and went

under 11,000. But Republicans want to talk about judicial confirmations, an issue that they hope will charge up rightwing voters.

Struggling Americans—no not whiners, but hardworking Americans trying to do the best they can for their families—are more concerned about critical issues they face in their lives each day. They are concerned about affording to heat their homes this winter. They are concerned about gas prices that have skyrocketed so high they do not know how they will afford to drive to work. They are concerned about the steepest decline in home values in two decades. More and more Americans are affected by rising unemployment, with job losses for the first 6 consecutive months of this year tallying over 438,000. Americans are worried about soaring health care costs, rising health insurance costs, the rising costs of education and rising food prices. The partisan, election-year rhetoric over judicial nominations, at a time when judicial vacancies have been significantly reduced, is a reflection of misplaced priorities.

Our progress today in confirming two more nominations for lifetime appointments shows that when the President works with home state Senators to identify consensus, well-qualified nominees, we can make progress, even this late in an election year.

Paul Gardephe has been a partner and chair of the Litigation Department at the New York law firm of Patterson, Belknap, Webb & Tyler LLP since 2003. Previously, Mr. Gardephe worked in the private sector and also held several positions with the Department of Justice, including special counsel for the Office of the Inspector General.

Kiyo Ann Matsumoto is a U.S. magistrate judge in the Eastern District of New York. Prior to her appointment to the bench in 2004, Judge Matsumoto served as an assistant U.S. attorney for the Eastern District of New York and also worked in private practice. Judge Matsumoto is only the fourth Asian-American judge appointed by this President in nearly 8 years. Her mother and father spent time in an internment camp during World War II, one of the dark days in American history when we allowed fear and prejudice to undermine our commitment to liberty and justice. Now Judge Matsumoto is poised to be confirmed to a lifetime appointment to the Federal bench, charged with protecting the rights of all Americans.

I congratulate the nominees and their families on their confirmation today. The Federal judiciary is the one arm of our Government that should never be political or politicized, regardless of who sits in the White House. I will continue in this Congress, and with a new President in the next Congress, to work with Senators from both sides of the aisle to ensure that the Federal judiciary remains independent, and able to provide justice to all Americans, without fear or favor.

Even while we hear a steady stream of grumbling from Republicans, responding to partisan pressure from special interest groups, the Senate continues to make progress in reducing judicial vacancies to lows not seen in decades. We have gone quite a ways to make up for the abuses the Republicans committed during the Clinton years. Since the years in which Republicans pocket-filibustered more than 60 of President Clinton's moderate and qualified judicial nominees, and judicial vacancies topped 100, we have cut vacancies by more than half and reduced circuit court vacancies by almost three-fourths from a high point of 32, to just nine throughout the entire country and throughout all 13 Federal circuits.

The contrast is stark between the Democratic majority that cut vacancies dramatically during the Bush Presidency and the Republican majority that doubled them during the Clinton Presidency. The 100 nominations we confirmed in only 17 months in 2001 and 2002, while working with a most uncooperative White House, reduced the vacancies by 45 percent by the end of 2002. Consider this snapshot: On July 15, 2000, when a Republican Senate majority was considering the judicial nominees of a Democratic President in Presidential election year, there were 61 judicial vacancies. Twenty were circuit court vacancies On July 15 of this year, before today's two confirmations, there were 42 total vacancies throughout the country, and for the first time in decades, circuit court vacancies were in single digits, at just 9. For the first time since Republicans began their obstruction of President Clinton's judicial nominees in 1996, circuit vacancies had been reduced to single digits.

With 40 additional confirmations last year, and another 16 so far this year, the Senate under Democratic leadership has already confirmed more judges than in the entire last Congress. In 2 full years with a Republican chairman and a Republican Senate majority working to confirm the judicial nominees of a Republican President, 54 nominations were confirmed. After the two confirmations today, we will have already reached 56 judicial confirmations for this Congress. Two additional nominations remain pending on the Senate's Executive Calendar. With a little cooperation from Republican Senators, who objected earlier today to the majority leader's proposal to consider two judges today with a 1 hour time agreement, those two judicial nominations could also be confirmed. Then we will not only have exceeded the total of the last Congress but equaled under Democratic leadership the total number of nominees confirmed in 4½ years of Republican control of the Senate. Truth be told, President Bush's judicial nominees have been confirmed faster by the Democratic majority than by the previous Republican majority of the Senate. To date, the Democratic majority has confirmed 156 of President Bush's judicial nominations in the 3 years that I have chaired the Judiciary Committee. Judicial vacancies have fallen from 9.9 percent at the start of the Bush administration to just 4.7 percent today.

The colloquies on the Senate floor today included misinformation about judicial emergency vacancies. Many of these resulted from the Republican slowdown during the Clinton years. In fact nearly half of the judicial nominees the Senate has confirmed while I have served as the chairman of the Judiciary Committee have filled vacancies classified by the Administrative Office of the Courts as judicial emergency vacancies. Eighteen of the 27 circuit court nominees confirmed while I have chaired the committee filled judicial emergencies, including 9 of the 10 circuit court nominees confirmed this Congress. This is another aspect of the problem created by Republicans that we have worked hard to improve. When President Bush took office there were 28 judicial emergency vacancies. Those have been reduced by more than half.

Republicans playing to the far right wing of their political base ignore this progress. They also ignore the crisis they had created by not considering circuit nominees in 1996, 1997 and 1998. They ignore the fact that they refused to confirm a single circuit nominee during the entire 1996 session. They ignore the fact that they returned 17 circuit court nominees without action to the White House in 2000. They ignore the public criticism of Chief Justice Rehnquist to their actions during those years. They ignore the fact that they were responsible for more than doubling circuit court vacancies during their pocket filibusters of Clinton nominees or that we have reduced those circuit court vacancies by almost three quarters.

In fact, as the Presidential elections in 2000 drew closer, and when the judicial vacancy rate stood at 7.2 percent, then-Judiciary Committee Chairman ORRIN HATCH declared that ''There is and has been no judicial vacancy crisis,'' and that 7.2 percent was a ''rather low percentage of vacancies that shows the judiciary is not suffering from an overwhelming number of vacancies.'' As a result of their inaction, the vacancy rate continued to rise, reaching 10 percent when the Democrats took over the Senate majority in 2001.

Democrats have reversed course. We have cut circuit court vacancies by nearly three-quarters, from a high of 32 to only 9. With the confirmation of two nominees today, the vacancy rate will be just 4.7 percent.

I have yet to hear praise from a single Republican for our work in lowering vacancies. I also have yet to hear in the Republican talking points any explanation for their actions during the 1996 congressional session, when the Republican Senate majority refused to allow the Senate to confirm even one circuit court judge.

Republicans' childish antics this year include boycotting business meetings of the Judiciary Committee, cutting hearings short or objecting to them being held and cutting short business meetings of the committee. Today we were scheduled to consider a number of bipartisan measures. Several are important items on which Republicans had already delayed consideration since June. They include the bipartisan bill to reauthorize the Juvenile Justice and Delinquency Prevention Act, a bipartisan OPEN FOIA bill and the bipartisan William Wilberforce Trafficking Victims Protection Reauthorization Act. In addition, we had before us the Fairness in Nursing Home Arbitration Act, the Fugitive Information Networked Database Act, the Methamphetamine Production Prevention Act and the National Guard and Reservists Debt Relief Act.

I had hoped that today we would be able to report these measures. A few words about one of them—the legislation to reauthorize the William Wilberforce Trafficking Victims Protection Act. This bill would strengthen our efforts to stop the abhorrent practice of human trafficking around the world. Our bill enhances protections for victims of these terrible crimes. Human trafficking is a modern-day form of slavery, involving victims who are forced, defrauded or coerced into sexual or labor exploitation. These practices continue to victimize hundreds of thousands around the word, mostly women and children, and we must do all that we can to be more effective in confronting this continuing problem. I thank Senator BIDEN for his leadership. Unfortunately, Republican partisan antics have gotten in the way of progress on this front and delayed the Judiciary Committee and the Senate from acting on this measure.

Rather than meet and work on the human trafficking bill and the others, a number of the Republican Senators who serve on the Judiciary Committee came to the Senate floor while Republicans objected to the committee meeting. That is too bad.

They previously boycotted business meetings for the month of February when we were trying to report judicial nominations. That only slowed our progress. Then, when we tried to expedite consideration of two circuit court nominations in May, they objected. Those judicial nominations were finally confirmed late in June.

As my friend, the senior Senator from Pennsylvania may recall, while chairman of the committee, I helped him move forward with the judicial nominations of Nora Barry Fischer, and Thomas Hardiman to the Third Circuit, and with Legrome Davis, Michael Baylson, Cynthia Rufe, Christopher Conner, John Jones III, David Cercone, Timothy Savage, Terrence McVerry, Arthur Schwab, James Gardner to the Federal district courts in Pennsylvania despite the way President Clinton's Pennsylvania nominees were treated. I also had the committee proceed to the Third Circuit nomination of D. Brooks Smith, a nomination which I did not support. As ranking member, I worked with Chairman HATCH and Chairman SPECTER in connection with the confirmations of Michael Fisher and Franklin van Antwerpen to the Third Circuit, as well as the nominations of Thomas Hardiman, Gene Pratter, Lawrence Stengel, Paul Diamond, Juan Sanchez, and Thomas Golden to Federal district court in Pennsylvania. With the exception of two nominees from Pennsylvania currently pending before the Judiciary Committee that do not have the support of their home State Senators, every judicial nominee for a Pennsylvania vacancy nominated by President Bush has been confirmed by the Senate. That is 23 nominations in all, including four to the Third Circuit.

As my good friend from Iowa may recall, I expedited confirmation of John Jarvey and Michael Mellow to the Eighth Circuit, and James Gritzner and Linda Reade to the Federal district court in Iowa. As we discussed at a recent committee business meeting, thanks to all our work, there is no Federal judicial vacancy in Iowa, not one.

I did not hear the Senator from Arizona recall my cooperation over the years in the confirmation of a number of Federal judges in Arizona. The Senate confirmed David Campbell, Neil Vincent Wake, Frederick Martone, Cindy Jorgenson, and David Bury. Among the last judges confirmed in 2000 was the Senator from Arizona's close friend James Teilborg. I accommodated Senator KYL as recently as last month in connection with the most recent Federal judge appointed in Arizona, Judge Murray Snow. That filled the only vacancy on the Federal bench in Arizona. So like Iowa, given our action, there is no Federal judicial vacancy in Arizona, not one.

As for my friend from Alabama, he is another member I have gone out of my way to assist over the years. In particular, I remember the confirmation of Kristi Dubose. There were also the confirmations of Karon Boudre, Callie Granade and Mark Fuller while I chaired the committee. The Senate has also confirmed William Steele, L. Scott Coogler, R. David Proctor, Virginia Hopkins and W. Keith Watkins, all of whom I supported. Having helped confirm 10 Federal judges in Alabama since 2001, I wondered why he did not note that Alabama is another State that, thanks to our efforts, has no judicial vacancy, not one.

I look forward to a time when Senators from the other side of the aisle return to work with us on the important legislative business of the Judiciary Committee. It would be refreshing if they recognized the progress we have made on filling judicial vacancies. We have not pocket-filibustered 60 of President Bush's judicial nominees, as they did to President Clinton. We have not engaged in tit for tat. But, as even Senator SPECTER acknowledged this morning, nothing we do will satisfy Republican Senators.

Mr. COBURN. Mr. President, today I join my colleagues in calling for up-or-down votes for the President's judicial nominees. I supported the decision not to attend the Judiciary Committee's Executive Business Meeting this morning because the committee does not appear to be serious about its responsibility to process nominees. Today's agenda contained no nominees, and no hearings have been scheduled for the many qualified individuals who await them. One of our highest constitutional responsibilities in the Senate is the consideration of judicial nominees. If the Judiciary Committee agenda does not include nominees, there is little point in attending its meetings. I hope the chairman will take note of Republicans' absence and schedule nominees for both hearings and markup without further delay.

Now I would like to take a minute to respond to a comment made by the majority leader this morning. He said, ''I can't ever remember going home and somebody . . . saying, 'Could you guys do some more judges? We need to take care of this judges problem.' ''

For the record, I would like to say that I have not had the same experience with my constituents in Oklahoma. In fact, I frequently hear from them regarding their interest in judicial nominations. Here are just a few examples:

Lou Baber, from Oklahoma City, writes: ''I am incensed by the U.S. Senate's lack of action on the federal judicial nominees President Bush has proposed for seats on district and appeals courts. . . . I hope you will take action in the coming weeks on an issue that has already seriously damaged the Senate's reputation.''

Samantha Jones, from Claremore, writes: ''Please . . . vote for . . . judicial nominees in the confirmation process. They deserve fair treatment . . . we need good judges.''

Peggy Low, of Yukon, writes: ''Will you please press the other senators to give the judicial nominees an up-or-down vote, pronto? That is their job and [it is] so overdue.''

Barbara Tipton, of Chandler, writes: ''Please push to have the judicial nominees come to the full Senate for a vote.''

John and Pam Rawlins, of Ponca City, write: ''I want to applaud and thank Senator Coburn for bold[ly] standing up for the many judicial nominees that are blocked in the Senate. KEEP IT UP! That is what you are elected to do. We in Oklahoma understand this and [are] 1000 percent behind you.''

As I said, there are just a few of the many letters I have received from home about this issue. I will ask that they be printed in the RECORD.

As demonstrated by the statements I just read, my constituents understand what some in this body do not: The

issue is not about getting more judges, it is about confirming quality judges who will uphold the Constitution. Isn't this our clear constitutional responsibility?

Part of the reason I decided to run for the Senate was my desire to see judicial nominees receive an up-or-down vote and my desire to restore a restrained judiciary, bound by our Constitution, laws and treaties. Too often fundamental liberties and important decisions are taken away from the American people by judicial fiat. The Constitution gives the American people, through their elected officials, the right of self-determination by allowing legislative bodies closest to the people decide the important issues of the day.

You don't have to look far to find examples of judges overriding the people's will—one recent example affected my home state of Oklahoma. Last month, in a 5–4 decision, the Supreme Court held that the death penalty is an unconstitutional punishment for the rape of a child. The majority assumed a ''national consensus'' that the death penalty for child rape was unconstitutional and then substituted its own independent judgment for that of the people and the law, declaring it inconsistent with ''evolving standards of decency.'' Yet Oklahoma, along with five other States, had laws permitting the death penalty for such offenses. Congress had even adopted the penalty, a fact somehow overlooked by the Court. One decision by five unelected judges struck those laws down.

Americans are right to be outraged by this kind of judicial activism. Oklahomans chose to protect their children by allowing the death penalty for anyone convicted twice of rape, sodomy or lewd molestation involving children under 14. Now, because a handful of judges halfway across the country declared the state's decision to be inconsistent with so-called ''evolving standards of decency,'' their sound judgment has been overruled.

Given this example and many others like it, it is clear that Americans are concerned about the Senate's treatment of judicial nominees. If further evidence is needed to prove the point, a recent Rasmussen poll shed light on the issue. It found that, by a 69 percent to 20 percent margin, voters believe that judges should interpret the law as it is written. Sixty-one percent say they trust voters more than judges or elected officials to decide important decisions facing the country.

The obstruction that has occurred in the 110th Congress is unacceptable. It is time to break this stalemate and confirm more of the President's highly qualified nominees.

I ask unanimous consent that the letters to which I referred be printed in the RECORD.

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

I am incensed by the U.S. Senate's lack of action on the federal judicial nominees President Bush has proposed for seats on district and appeals courts. For this reason, I am urging you to use your influence to urge the Judiciary Committee and the Majority Leader to prioritize this important issue.

Many of the nominees for these important positions are well-qualified and have already gone through the Senate's confirmation process before. There is no reason not to consider their candidacy for a federal judgeship. As a member of the Center for Moral Clarity, a national Christian grassroots organization, I hope you will take action in the coming weeks on an issue that has already seriously damaged the Senate's reputation.

Thank you for considering my opinion.

LOU BABER,
Oklahoma City, OK.

Please make a vote for the judicial nominees in the confirmation process. They deserve fair treatment in this. We need good judges.

SAMANTHA JONES,
Claremore, OK.

DEAR DR. COBURN, will you please press the other senators to give the judicial nominees an up or down vote pronto? That is their job and so overdue. Thank you for all your good work on behalf of the unborn and for our country.

Sincerely,

PEGGY LOW,
Yukon, OK.

Please push to have the judicial nominees to come to the full Senate for a vote. Thank you.

BARBARA TIPTON,
Chandler, OK.

I want to applaud and thank Senator Coburn for boldly standing up for the many judicial nominees that are blocked in the senate. KEEP IT UP! That is what you are elected to do. We in Oklahoma that understand this are 1000 percent behind you.

Go with our blessings!

JOHN and PAM RAWLINS,
Ponca City, OK.

Mrs. CLINTON. Mr. President, I am pleased that the Senate today confirmed the nomination of two New Yorkers to the Federal bench.

Kiyo Matsumoto had served as a magistrate judge in the Eastern District of New York since 2004. Prior to her appointment, Judge Matsumoto served in the U.S. Attorney's Office for the Eastern District of New York for more than two decades and held the position of deputy chief of the civil division in that office. Judge Matsumoto has taught as an adjunct law professor at the New York University School of Law as well as worked as a legal research and writing instructor at the Brooklyn Law School. Judge Matsumoto has also served as a member of the Federal Court Committee of the City of New York Bar. Now that she has been confirmed, Judge Matsumoto becomes only the eighth active Asian-Pacific American Senate-confirmed judge on the Federal bench out of approximately 850 judges nationwide.

Paul Gardephe was most recently a partner and chair of the Litigation Department at the New York law firm of Patterson, Belknap, Webb & Tyler LLP. Previously, Mr. Gardephe was a special counsel for the U.S. Department of Justice Inspector General's Office. He has also worked for the law department of Time Inc., where he held the positions of vice president, litigation deputy general counsel, and Associate General Counsel. Prior to this work, Mr. Gardephe served in the U.S. Attorney's Office for the Southern District of New York for nearly 10 years. For the past 15 years, Mr. Gardephe has taught trial advocacy at New York Law School as an adjunct professor.

The careers of both nominees have been marked by a record of achievement and a commitment to public service. I am certain that each of these individuals will be a credit to the Federal judiciary and will continue to exhibit the qualities that have defined their entire careers: devotion to justice and respect for the rule of law. I am proud to have supported each of their nominations, and I commend Senator SCHUMER and the members of the Judiciary Committee on their diligence in ensuring that our Federal courts are served by men and women of such distinction.

The PRESIDING OFFICER. Under the previous order, the President will be immediately notified of the Senate's action.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will resume legislative session.

The Senator from Pennsylvania is recognized for up to 1 hour.

CONFIRMATION PROCESS

Mr. SPECTER. Mr. President, I ask unanimous consent that the résumés of the two nominees who have been confirmed be printed in the RECORD. The résumés show these two individuals to be well qualified.

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

PAUL GARDEPHE

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF NEW YORK

Birth: 1957, Fitchburg, Massachusetts.

Legal Residence: New York.

Education: B.A. and M.A., magna cum laude, University of Pennsylvania, 1979; J.D., Columbia Law School, 1982—Articles Editor, Columbia Journal of Law and Social Problems.

Employment:

Law Clerk, Honorable Albert J. Engel, United States Circuit Judge for the Sixth Circuit, 1982–1983.

Litigation Associate, Patterson Belknap Webb & Tyler LLP, 1983–1987.

Assistant United States Attorney, United States Attorney's Office, Southern District of New York, 1987–1996—Assistant United States Attorney, 1987–1992; Chief, Appeals Unit, Criminal Division, 1992–1995; Senior Litigation Counsel, 1995–1996.

Consultant (Special Counsel), Inspector General's Office, United States Department of Justice, 1996–2000, 2001–2003.

Time Inc. Law Department, 1996–2003—Associate General Counsel, 1996–1998; Deputy

General Counsel, Litigation, 1998–2000; Vice-President, Deputy General Counsel, 2000–2003.

Partner, Patterson Belknap Webb & Tyler LLP, 2003–Present—Chair, Litigation Department.

Selected Activities: Member, American Bar Association; Member, Federal Bar Council; Member, New York State Bar Association; Member, Disciplinary Committee, New York State Supreme Court, 1st Department; Former Member, Rules Committee, U.S. Court of Appeals for the 2nd Circuit.

ABA Rating: Unanimous ''Well Qualified.''

KIYO A. MATSUMOTO

UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF NEW YORK

Birth: August 29, 1955; Raleigh, North Carolina.

Legal Residence: New York.

Education: B.A., with high honors, University of California at Berkeley, 1976; J.D., Georgetown University Law Center, 1981—Legal Research and Writing Fellow, 1980–1981. No degree, New York University, School of Continuing and Professional Studies, 1989.

Primary Employment: Associate, MacDonald, Hoague & Bayless, 1981–1983; Assistant United States Attorney, United States Attorney's Office, Eastern District of New York, 1983–2004; Magistrate Judge, United States District Court for the Eastern District of New York, 2004–Present.

Selected Activities:

Adjunct Professor of Law, New York University School of Law, 1998–2004; Legal Research and Writing Instructor, Brooklyn Law School, 1985–1986; Vice Chair, New York City Mayor's Committee on City Marshals, 2003–2004; Outstanding Public Service Award Recipient, New York County Lawyers' Association, 2004; Federal Bar Council, 1995–Present—Member, Board of Trustees, 2000–Present—Vice Chair, approx. 2004–2007; Member, Committee on the Second Circuit Courts, 1995–Present.

New York Bar Association, 1994–Present; Member, United States Department of Justice, Civil Chiefs' Working Group, 2001–2003; Member, Asian American Bar Association of New York, 1990–Present; Member, Asian American Legal Defense and Education Fund, 1990–2005.

ABA Rating: Unanimous ''well qualified.''

Mr. SPECTER. Mr. President, let me emphasize to my colleagues on the Republican side who have requested time to speak that we do have an hour. I will speak for only a few minutes. We have the distinguished Senator from Iowa who is available to speak next. We are open to have others come to take part of the time.

Today, the other Republican members of the Judiciary Committee chose not to attend an Executive Business Meeting because there were no judges on the agenda. We have seen that there is tremendous partisanship, acrimony, and bitterness about the facts regarding the whole confirmation process in this Chamber at the present time. We find a situation where President Bush's confirmation numbers are far behind President Clinton's in the comparable period. President Clinton, in the last 2 years of his Presidency, had 15 circuit judges confirmed, 57 district judges confirmed, contrasted with 10 circuit judges for President Bush and 44 district court judges. We have found, regrettably, that this pattern has been evolving over the past couple decades. We have seen in the last 2 years of President Reagan's administration, when the Senate was controlled by the Democrats, the confirmation process was slowed. Similarly, in the last 2 years of President George H.W. Bush, the Democrats controlled the Senate, and the process was slowed. Then, for 6 years during President Clinton's administration, the last 6, the Senate was controlled by Republicans and the matter was exacerbated. There were determinations to not confirm President Clinton's judges. I spoke out at that time and voted to confirm President Clinton's qualified judges and disagreed with my caucus because I thought we ought not to be partisan and impede the confirmation of judges due to the importance and public interest of having the courts handle litigation in a timely way. But the situation was ratcheted up, first by Democrats, and then by Republicans.

Then we saw this Chamber badly divided in 2005, with filibusters by the Democrats and threats by Republicans to put into effect the nuclear or constitutional option to change the rules on filibusters. So the matter has gone from bad to worse. It is hard to see how it can get much worse, but it seems to be getting worse. It is my hope we will find a way to break this cycle.

What we find is the minority party, whichever party that is, has been turned into recidivists. We have a cycle of recidivism blocking the confirmation of judges. Nobody knows for sure what is going to happen in the Presidential election this year or what is going to happen in the Senatorial elections, but it may be that there will be a Democratic President. It may be that the Democrats will control the Senate. I would not like to see the rapidly deteriorating situation which we now have now turn into a situation where there will be filibusters by the Republicans in the 111th Congress. For a long time the Democrats filibustered Fifth Circuit nominees, claiming Clinton's nominees were filibustered years back. Now we have a good many Fourth Circuit nominees who are not receiving hearings or votes. I am afraid we are going to have the same situation exacerbated with Republicans taking a position similar to the Democrats current position. It is my hope we will yet be able to do something about it.

Earlier today, Senator REID came to the floor and mentioned me by name. I gave Senator REID notice that I would be on the floor at 12:15 today, when I had some time allotted. I believe it is a good practice, not only a good practice, not only a preferable practice, but it ought to be the practice to let a Senator know if you are going to talk about him on the floor so he can come and reply, if he chooses to do so. But, Senator REID was commenting about the excessive amount of time Republicans wanted, an hour and a half. We had an hour equally divided a few weeks ago, and that left Republicans with a half an hour. Senator WARNER had a judge on the list and didn't have any time to speak. Senator BOND came to the floor, and there was no time for him on Republican time. I understood later—I found out this morning—that he got some time from Senator LEAHY.

But, all any Senator has to do is call. If Senator REID doesn't like the time request and wants it at an hour, he can call me. I realize he has a responsibility to administer this Chamber, and I am prepared to cooperate with him. But, it is my hope we will yet move ahead.

We have a large number of individuals who have been waiting a very long time in the confirmation process. Tomorrow marks the 750th day that Peter Keisler has waited for Committee action. Steve Matthews in the Fourth Circuit has been waiting 315 days for a hearing, and Judge Robert Conrad in the Fourth Circuit from North Carolina has been waiting for a year today.

One further comment before yielding to Senator GRASSLEY. There has been a lot of talk about the so-called Thurmond rule. The contention has been made that there is a rule, articulated by Senator Thurmond, which dictating that there are no judicial confirmations late in the final year of a Presidency, not after the summer. Allegedly, the concept was discussed at the Republican National Convention, where Senator Thurmond reportedly made a comment, although no quotation is directly attributable to Senator Thurmond, that they ought to wait until after the election to see who was elected before there were confirmations of other judges. But the facts are that no such practice was ever implemented. The facts are exactly to the contrary. It is true that on September 10, 1980, Senator Thurmond blocked 13 pending judicial nominations, but he gave his reasons why. He said: ''Our investigation has not been entirely completed on some of them.'' A week later, on September 17, Senator Thurmond withdrew the objections, and all 10 were confirmed on September 29. Then, the most conclusive evidence that there is no Thurmond rule was pertains to the situation with now-Supreme Court Justice Breyer. Justice Breyer was nominated by President Carter on November 13, 1980, after President-elect Reagan had been elected. So there was a vacancy that, had the Senate not confirmed him, would have awaited the next President. The nomination was acted upon very promptly, with the receipt by the Senate on November 13 and a hearing on November 17, even faster than the 1-week rule, which was waived. Breyer was reported out by committee on December 1 and confirmed by the full Senate on December 9. So how can you have a Thurmond rule if a circuit vacancy on the First Circuit is confirmed, even after a new President has been elected?

The evidence shows there are many confirmations late in the Presidential

term. I cite only a few. There was an additional circuit nominee confirmed in September of 1980. After September 1, 1984, 5 circuit court and 12 district court judges were confirmed. After September 1, 1988, five circuit court and nine district judges were confirmed. After September 1, 1992, three circuit court and nine district court judges were confirmed.

We have found, understandably, that arguments are made, depending upon what suits the purpose of the particular advocate. But, it is worth noting that Senator LEAHY said on May 4, 2000:

> There is a myth that judges are not traditionally confirmed in Presidential election years. That is not true. Similarly, Senator REID said, on March 7 of 2000:
>
> It is a myth that judges are not traditionally confirmed in Presidential election years. It is simply not true.

So, in the year 2000, when the Democrats sought to confirm President Clinton's nominees, reference was made to the fact that the Senate regularly confirms judicial nominations late in the term—the substance of the so-called Thurmond rule.

We ought to try to move, I suggest, away from positions where we articulate a view when it suits our purpose and then articulate a different view later. We ought to try to come to a point in this body where we understand reciprocity and understand that the rules ought to apply both ways. There is no Thurmond rule for Democrats when Republicans are in control and there is a Democratic President, and there is no Thurmond rule when the situation is reversed.

We have a similar situation, which is tearing at the heart of Senate procedures, where in modern times both Republican and Democratic leaders have adopted a process of taking procedural steps to prevent amendments from being offered. That practice has been engaged in by Senator Mitchell for the Democrats, Senator Lott and Senator Frist for the Republicans, and now, more by Senator REID for the Democrats.

Bills come to the floor, and the traditional right of a Senator to offer amendments is foreclosed by this procedural device, and the response is a filibuster. Senator REID then points to Senator MCCONNELL, saying that the filibuster is blocking Senate action. Senator MCCONNELL points to Senator REID saying that the filibuster is only in response to filling the tree.

These are just a couple of examples where positions are taken. And, it is understandable that they are taken to promote whatever objective Senators want at any particular time. But, I suggest the interests of the public and the procedures of the Senate would be much better served if we accepted principles and applied them to Democrats when it benefits Democrats and applied them to Republicans when it benefits Republicans. It is my hope, to repeat—which I do not like to do—that we are going to have to find a way out of this impasse, and we are going to find a way to restore some comity and to confirm judges in places where there are judicial emergencies and the public is suffering so that we do not repeat this cycle of recidivism and set the stage for the next Congress and the Congress after that to continue this nefarious practice which is harmful to the public.

Mr. President, I yield to my distinguished colleague.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Mr. President, I would like to ask if the Senator would yield?

Mr. SPECTER. I do yield.

Mr. GRASSLEY. Mr. President, I say to the Senator, he talked about judicial emergencies. I think it would be good if the public knew what a judicial emergency is and why it is so important that we emphasize getting those positions filled ahead of others and why there should be no excuse for holding them up, if you have any respect for the work of the judicial branch of Government.

Mr. SPECTER. I thank the distinguished Senator from Iowa for the question.

A judicial emergency has been defined by the Administrative Office of the Courts according to the backlog of cases and depending on the circumstances, as to how long litigants have had to wait. What it means in real world terms is, if somebody is injured, for example, in an automobile collision—a diversity case—and is out of work and has big medical expenses, that person's case does not come to trial and he does not get a decision as to what has happened. Or it may be a matter involving jobs in a community where there is an antitrust case, and it is delayed, both in the trial court and on appeal. But, every one of these judicial emergencies—and I put them in the RECORD before, but I ask unanimous consent to have them printed again at the conclusion of our discussion here—means that people are waiting to have their controversies decided, and they are undergoing very difficult circumstances being out of work, no salary, medical expenses, illustratively, while they wait for their case to come up.

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

(See exhibit 2.)

Mr. GRASSLEY. Mr. President, if the Senator will yield further—and I only remember two names, but I think these two names would permit me to ask a question that I think is legitimate and that the public ought to take into consideration as to the holding up of those nominations—I remember the Senator mentioned a Peter Keisler, who has been waiting for 750 days, and Robert Conrad, who also has been waiting for a long period of time, 365 days. Now, obviously, if these nominations are not being processed, there must be people who think these individuals are incompetent and should not be nominated. So what are the accusations of incompetency for these individuals not being approved?

Mr. SPECTER. Mr. President, responding to the question, there are no allegations of incompetency. Quite to the contrary. Nobody is saying that.

Mr. GRASSLEY. Well, if they are competent, shouldn't they be approved?

Mr. SPECTER. Yes, they should be. The reason they have not been approved is that there is an interest in holding open these vacancies in the event there is a President of the other party to fill them with the Democrats. Nobody is making any bones about that, I say to Senator GRASSLEY. That is the obvious and admitted reason.

Mr. GRASSLEY. So I draw the conclusion, I say to the Senator from Pennsylvania, that the people blocking these nominations really are not concerned at all about the efficient operation of the judicial branch of Government. But we should get our job done and confirm these nominees because that is what it takes for the judicial branch to get their work done. The judiciary needs to have the personnel to get their job done.

Mr. SPECTER. Mr. President, I respond by saying to the Senator from Iowa that is a very harsh accusation, very harsh accusation he has just made. But, since he has made it, I will say that it is true.

Mr. GRASSLEY. Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Mr. President, I see the distinguished ranking member of the Judiciary Committee is here and has been so experienced in these matters and been through the wars and battles over nominations for some time. And we have had a good bit of that, but we have also, in the end, had a pretty decent understanding of the responsibilities the committee has to honor the President's nominations and give them an up-or-down vote and not just shut down the process.

I guess my question would be, I say to Senator SPECTER, Senator LEAHY's statement at the Judiciary June 12 executive business meeting—he announced he was invoking the so-called Thurmond Rule, and he said: "We are now way past the time of a Thurmond rule named after Senator Thurmond when he was in the minority, and I'm trying to respect that. We are still putting judges through. But I must note this point; further judges will be moved only by a consent of the two leaders of the Senate and the two leaders of this committee," which, of course, says fundamentally that unless Senator LEAHY and Senator REID approve of a nominee, from this point on, it is not moving forward.

I know you conducted an open hearing and discussion of that. I ask the Senator basically how he feels about the definition of the "Thurmond Rule" and what it really means and whether

we are doing something that is unprecedented here.

Mr. SPECTER. Mr. President, I thank the Senator from Alabama for the question. There was a Republican forum on Monday of this week to examine the Thurmond Rule. I had notified Chairman LEAHY of it and had written to him about it, and I ask unanimous consent to have that letter printed in the RECORD.

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

U.S. SENATE,
COMMITTEE ON THE JUDICIARY,
Washington, DC, July 8, 2008.

Hon. PATRICK J. LEAHY,
Chairman, Senate Committee on the Judiciary, Washington, DC.

DEAR PAT: Following up on our telephone conversation late yesterday afternoon in which I advised that I would raise no technical objection to the Thursday hearing, I am amplifying my comments about the forum which the Senate Republican Conference has scheduled for next Monday, July 14th, at 2:00 P.M. in SR–385.

That Republican forum, one in a series, will deal with the issue of the so-called Thurmond Rule. As I mentioned to you on the phone yesterday, it seems to me that is one which could benefit from participation by Democratic members of the Judiciary Committee if there is any interest on your part in doing so.

Obviously, there is a fuller development of any issue when there are pros and cons; and, not unexpectedly, the Republican view is there is no rule, Thurmond or otherwise, to preclude confirmation of judges this year.

Distinguished experts have been invited as follows: Professor John McGinnis, Northwestern Law School; Mr. Roscoe Howard, former U.S. Attorney, District of Columbia; David Bohm, Assistant Executive Director of the North Carolina Bar Association; Mr. Steve Rutkus, Congressional Research Service.

If there is any interest on your side of the aisle or if you would like to add an additional witness (witnesses), we would be pleased to try to accommodate.

My best.

Sincerely,

ARLEN SPECTER.

Mr. SPECTER. During the course of that forum, to answer the question directly from the Senator from Alabama, we had an expert from the Congressional Research Service—the nonpartisan body—come in to trace the origins of the so-called Thurmond rule. He stated that it arose back in the Republican Convention in 1980, when Senator Thurmond raised the possibility of holding up confirmations until after the election, but it was never done.

The facts are that there were 10 district court judges confirmed in September of 1980, and now-Justice Breyer was nominated to the First Circuit by President Carter after the election, on November 13, and was confirmed in December 1980. Another circuit judge was confirmed after September of 1980.

I put in the RECORD earlier a litany of district and circuit judges confirmed after September in the last year of a Presidential term. I also put into the RECORD statements which had been made by Senator REID and Senator LEAHY that there was no practice, no rule of not confirming judges at the last part of a President's term, say after Labor Day.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. KYL. Mr. President, I wonder if my colleague would yield for a question.

I would like to ask our distinguished ranking member of the committee, aren't there several well-qualified judicial nominees currently pending in the Judiciary Committee who have been denied fair up-and-down votes? For example, Mr. Peter Keisler, the former Acting Attorney General, has been rated unanimously ''well qualified'' by the American Bar Association and has earned bipartisan praise from attorneys, professors, and even editorial pages. I know the Washington Post and the L.A. Times have praised his nomination, calling him a ''moderate conservative'' and a ''highly qualified nominee'' who ''certainly warrants confirmation.'' Notwithstanding those outstanding qualifications, tomorrow, I believe, will mark 750 days that Mr. Keisler has been waiting for a committee vote.

Mr. SPECTER. Mr. President, responding to the question, the Senator from Arizona is correct. Peter Keisler has been praised in all quarters for his capabilities. He served as Assistant Attorney General and as Acting Attorney General. He has drawn editorial praise and is extremely well qualified, both academically and professionally, and is simply being held up because at one time in the past there was a Republican concern about the need for additional judges on the Circuit Court for the District of Columbia. And, that issue has since been satisfied.

Mr. KYL. Mr. President, might I inquire of my colleague further on that precise point?

With regard to the filling of the circuit court for the District of Columbia, we had testimony by Mr. Roscoe Howard, very recently in the Senate Republican caucus forum on judicial confirmations—this was just last Monday—that the numbers the majority relies on for that argument that the Senator identified are outdated. He noted that the Judicial Conference recently issued statistics indicating that in recent years the DC Circuit Court's docket has increased and that it has been processing appeals more slowly because of additional workload, and this has corresponded with an increase in the median wait time between the notice of appeal and disposition of a case, which, in fact, he notes is the longest since 1995.

Mr. SPECTER. Mr. President, the Senator from Arizona is correct. The current statistics show a need for another judge there, and there is no reason to withhold the confirmation of Peter Keisler, except to keep a vacancy open with the hope of having the new President of the other party fill it.

Mr. KYL. Mr. President, just one more point.

I also note, when I heard Mr. Howard's testimony demonstrating further the need to fill this seat, he noted that Judge Raymond Randolph of the DC Circuit recently announced he would be taking senior status on November 1 of this year, which means the seat to which Mr. Keisler is nominated is actually the 10th seat on that circuit. Is that not correct?

Mr. SPECTER. The Senator from Arizona is correct again.

Mr. KYL. Mr. President, again I say to Senator SPECTER, just to confirm my understanding here, in addition to Judge Randolph, Judge David Sentelle currently is eligible for senior status. Next year, Judge David Tatel and Judge Judith Ann Rogers will be eligible for senior status. Judge Karen Henderson and Judge Douglas Ginsburg will be eligible in 2009 and 2011, respectively. Am I correct on that?

Mr. SPECTER. Mr. President, the Senator from Arizona is correct, yes.

EXHIBIT 2

CURRENT JUDICIAL EMERGENCIES WITH NOMINEES

Nominee	ABA	Date vacant	Nomination date	Senate action	Pending
William E. Smith (1st Circuit)	Substantial Majority Well Qualified/Minority Qualified	12/31/06	12/06/07	No Action	224 days
Shalom Stone (3rd Circuit)	Substantial Majority Qualified/Minority Well Qualified	1/31/06	7/17/07	No Action	365 days
Gene Pratter (3rd Circuit)	Unanimous Well Qualified	10/23/06	11/15/07	No Action	245 days
Robert Conrad Jr. (4th Circuit)	Unanimous Well Qualified	7/31/94	7/17/07	No Action	365 days
Rod Rosenstein (4th Circuit)	Unanimous Well Qualified	8/31/00	11/15/07	No Action	245 days
Thomas Farr (E.D. N.C.)	Unanimous Well Qualified	12/31/05	12/07/06	No Action	588 days
James Edward Rogan (C.D. C.A.)	Substantial Majority Well Qualified/Minority Qualified	5/22/06	1/9/07	No Action	555 days
David R. Dugas (M.D. L.A.)	Unanimous Well Qualified	1/15/07	1/15/07	No Action	549 days

Mr. KYL. Mr. President, it seems to me, given these facts, it is even more imperative that Peter Keisler be at least voted on, and I would argue confirmed, to the DC Circuit, and it seems to me no other reasons than purely political motivations seem to be blocking his confirmation.

Mr. GRASSLEY. Mr. President, I ask Senator KYL, aren't there a lot of other well-qualified nominees being blocked as well?

Mr. KYL. Mr. President, the answer to my colleague from Iowa is yes. Mr. Steve Matthews of South Carolina and

Judge Robert Conrad of North Carolina, for example, are both impressive nominees who are exactly the kind of judges the severely understaffed Fourth Circuit Court of Appeals needs.

Mr. GRASSLEY. How close are they to being confirmed?

Mr. KYL. That is a very good question. Judge Conrad has been waiting for a hearing for 365 days. Today is the 1-year anniversary of his nomination, even though he was unanimously rated ''well qualified'' by the American Bar Association, and Mr. Matthews has been waiting for a hearing for 315 days.

Mr. GRASSLEY. I ask Senator KYL, didn't Chairman LEAHY and the other Democratic members of the Judiciary Committee say that a unanimous ''well qualified'' rating by the American Bar Association is somewhat of a ''gold standard'' by which all nominees should be judged?

Mr. KYL. Yes. I guess I would say that was then, this is now. But in addition to the ABA rating, I note that Judge Conrad in particular meets the other three criteria that Chairman LEAHY has stated are his standards for quick confirmation.

Mr. GRASSLEY. Of course. Isn't he nominated to fill a seat deemed ''a judicial emergency'' by the nonpartisan Administrative Office of the Courts?

Mr. KYL. The answer is yes. Chairman LEAHY has said—and I think all of us would agree—that judicial emergencies should be addressed quickly. In fact, in a press release in January of last year, he stated:

> There are several outstanding judicial emergencies. . . . I hope to expeditiously address some of these emergency vacancies in the Judiciary Committee.

Mr. GRASSLEY. Yes. We have always had an understanding around here that if both Senators of the home State supported a nominee, they would move forward. Doesn't Judge Conrad satisfy this third prong of the ''Leahy standard'' for confirming judges since he has the strong support of both his home State Senators?

Mr. KYL. Yes. Both Judge Matthews and Judge Conrad have the support of their home State Senators. In fact, on October 2 of last year, Senators BURR and DOLE sent a letter to Senator LEAHY asking for a hearing for Judge Conrad, and they spoke on his behalf at a press conference on June 19 that featured numerous friends and colleagues of Judge Conrad's who had traveled all the way up from North Carolina to DC to offer their support for his nomination. On April 15, 2008, Senators BURR, DOLE, GRAHAM, and DEMINT sent a letter to Senator LEAHY asking for a hearing for Judge Conrad and for Mr. Matthews.

Mr. GRASSLEY. I believe it is also true, that Judge Conrad meets the fourth and final prong of Chairman LEAHY's standard because he previously received bipartisan approval by the Judiciary Committee and the Senate when he was confirmed by a noncontroversial voice vote to be a U.S. Attorney in North Carolina and when he was confirmed by voice vote to the District Court for the Western District of North Carolina. It seems to me that these bipartisan voice votes indicate that Judge Conrad is a noncontroversial consensus nominee.

Mr. KYL. I absolutely agree with that assessment. Those are the considerations that underscore my great regret that no nominees were on the agenda for the executive business meeting of the Judiciary Committee this morning.

Mr. SESSIONS. Mr. President, to my colleague from Iowa, I asked earlier of Senator SPECTER regarding his statement that Chairman LEAHY was saying he was going to enforce a Thurmond rule and that nobody would be moved henceforth—no nominee—unless both he and the ranking member and the majority leader and the Republican leader each approved. So I ask Senator GRASSLEY how he feels about that statement.

Mr. GRASSLEY. Well, I have had a chance to review that, and I can say that as you know, in May of 2000, during President Clinton's last year in office, Senator LEAHY, referring to the Thurmond rule, said:

> There is a myth that judges are not traditionally confirmed in presidential election years. That is not true. Recall that 64 judges were confirmed in 1980, 44 in 1984, 42 in 1988 when a Democratic majority in the Senate confirmed Reagan nominees and, as I have noted, 66 in 1992 when a Democratic majority in the Senate confirmed 66 Bush nominees.

That is the end of the Leahy quote in regard to the Thurmond rule.

Mr. SESSIONS. I think the Senator is correct. He has been a long-time senior member of the Judiciary Committee who is active in that entire process. In fact, Senator REID, now the majority leader, made a similar statement in March of 2000 and those statements are more accurate descriptions of the history of the Thurmond rule over the past 25 years.

Isn't it also true that the majority asserts the purported Thurmond rule originated in the summer of 1980 when Senator Thurmond was the ranking member of the Judiciary Committee?

Mr. GRASSLEY. Well, the answer is yes, of course. Let me explain that Senate Democrats allege that Republicans, then in the minority and anticipating a change in power in the 1980 election, stalled the approval of President Carter's judicial nominees. The Majority points to a discussion at an executive business meeting which took place on September 10, 1980, when Ranking Member Thurmond asked Chairman KENNEDY to hold over 13 nominees for 1 week because their background investigations were not complete. However, this allegation is not accurate.

Mr. SESSIONS. Well, is it not true, Senator GRASSLEY, based on your experience, that it is standard procedure to hold nominees over until their background checks have been completed?

Mr. GRASSLEY. Yes, it is. In fact, a 1-week holdover in the Judiciary Committee is any Senator's prerogative—in fact, prerogatives I have used a few times myself—and over the last 2 years, the Majority has held over virtually all of President Bush's nominees for 1 week before a committee vote. Do you recall whether the Senate later confirmed any of these nominees who were held over?

Mr. SESSIONS. Well, I think that is, in fact, true. The Senate confirmed 10 of the 13 nominees, and Senator Thurmond stated at an executive business meeting that the committee did not report favorably on the other three because: ''The minority had some questions of substance that would have to be discussed.''

The committee did not hold another executive business meeting that year, so the other three nominees were not considered again.

Mr. GRASSLEY. I think it is pretty clear then, Senator SESSIONS, referring to the accusations made about Senator Thurmond, it doesn't sound to me as though Senator Thurmond was blocking nominees in anticipation of an upcoming election.

Mr. SESSIONS. No, it doesn't. In fact, the record shows that on September 29, 1980, in a floor statement, Senator DeConcini, a Democratic member of the committee, commended Senator Thurmond for:

> demonstrating leadership on the Committee on the Judiciary, a willingness to take case-by-case appointments, obviously from a different administration than he might prefer, but willing to proceed with the advancement of these appointments, because the need of the judiciary does come before party preference.

Mr. GRASSLEY. Let me also point to a nonpartisan source. Didn't Mr. Steve Rutkus from the Congressional Research Service testify at the Senate Republican Conference's forum on the judicial nomination process on Monday that the facts do not support a Thurmond rule? Would that be correct? Is that the way you understand it?

Mr. SESSIONS. That is what he said. In addition, between June 1 and September 1 of 1980, President Carter's last year in office, didn't the Senate confirm four circuit court nominees and 15 district court nominees?

Mr. GRASSLEY. Yes. The record shows the Senate did. That is entirely true.

Mr. SESSIONS. In fact, wasn't one of those circuit nominees ACLU general counsel—the American Civil Liberties Union general counsel, Ruth Bader Ginsburg, who was later confirmed to the DC Circuit on June 18, 1980?

Mr. GRASSLEY. Yes. It doesn't sound to me like the conservative Senator from South Carolina was using any power he had on the Judiciary Committee to hold up a person who has turned out to be very much a judicial activist. I would say even more remarkable, in regard to your statement, after September 1, 1980, the Senate confirmed 11 district court nominees and 2

additional circuit court nominees, including Stephen Reinhardt, who has gone on to earn a reputation as one of the Nation's most liberal jurists. The other post-September circuit court confirmation was that of Stephen Breyer, who at that time was Senator KENNEDY's chief counsel on the Judiciary Committee.

Mr. SESSIONS. Well, Senator GRASSLEY, I know, is aware of that, but wasn't Mr. Breyer nominated by President Carter on November 13, 1980, after President Carter had lost the election to President Ronald Reagan? And didn't the Senate Democrats, who had just lost control of the Senate, hold a swift confirmation vote on Breyer during that lame duck session on December 9, 1980?

Mr. GRASSLEY. That is right. In fact, the Senate confirmed a total of 10 circuit court nominees and 53 district court nominees during 1980, President Carter's last year in office. And 1980 was not an aberration. As Senator LEAHY noted in 2000, the pattern continued in subsequent election years. Also in 2000, the year Senator LEAHY called the Thurmond rule a ''myth'' when he was complaining about the pace of judicial confirmations, the Senate confirmed 8 circuit court nominees and 31 district court nominees.

Mr. SESSIONS. I thank my colleague from Iowa. He has been a stalwart, capable member of this committee for many years. He is known for plain speaking and honest talk. I think that is what we have had here. It is a shame we are looking at an unprecedented circumstance. I note we are put in a position where I think it is difficult to respond, other than to go to the American people, because what Senator LEAHY has done is state that the Thurmond rule is something that it is not and indicate that further judges will be moved only by consent of the two leaders of the Senate and the two leaders of the committee.

He made that statement very recently. So it looks as though we are at a point where the normal procedures of moving judges have been abrogated and that it is unlikely additional nominees will be confirmed.

I have a few more comments, but my senior colleague Senator GRASSLEY is here, and I am glad to yield the floor.

Mr. GRASSLEY. No. Go ahead.

Mr. SESSIONS. I thank the Senator. I wish to talk a little bit about Robert Conrad. I was a U.S. Attorney, Federal prosecutor for 12 years, and an assistant U.S. attorney for 2½ years. It was a great job, a wonderful opportunity to serve the public.

I remember not too long after I came here, President Clinton was embroiled in quite a number of scandals and allegations were made. Janet Reno was then the Attorney General of the United States, and she decided to appoint a counsel to conduct an investigation of allegations against President Clinton, as I recall. I don't remember what the substance of the complaints were at that time. There were a lot of them on different things. She looked all over the United States of America to pick a top prosecutor, somebody who had credibility, and judgment she could trust to undertake this difficult thing that the entire Nation was watching, and do you know who she selected? She selected Mr. Conrad of North Carolina. He was then an assistant U.S. attorney and he undertook this challenge.

He investigated at some length, and all I recall about it was that he did not choose to indict anyone. I remember he testified before our committee and he was such a straight shooter. He was so mature in his responses to the questions. He was a relatively young person, but an experienced attorney in the Department of Justice. He did a good job. He was asked a lot of tough questions because people were concerned about those issues. He handled them well. So I have a vivid memory of that. Janet Reno said her respect for him continued to grow throughout his service in that capacity, in that most difficult challenge that she asked him to undertake. Later, he was confirmed to be a Federal judge in North Carolina and has served there and has moved up.

Now he is the chief presiding district judge in the State of North Carolina. President Bush, of a different party than Janet Reno, chose him and nominated him to be a judge on the Court of Appeals, one step below the U.S. Supreme Court, an important and prestigious position, and that went forward. Now, 365 days have gone by and he has not even had a hearing.

Let me interject and say those of us on the conservative side have felt many times that the American Bar Association tends to favor liberal judges, but I value its opinion.

I always have. I think it is an important opinion because they talk to lawyers throughout the community and judges throughout the community. There are about 15 members on this committee. Then the judges come together and review all of the reports and interviews from the most prominent lawyers in the community, fellow judges, and State judges. They say: What kind of person is he? Does he have good judgment? Has he handled his docket well? Is he a man of integrity and ability? Does he understand complex rules of law?

Those are the kinds of things they talk about. They do an evaluation. Most nominees are not rated ''well qualified,'' and usually there is a good bit of dispute within the communities about what kinds of recommendations should occur. That committee met and discussed it, and they unanimously rated him ''well qualified,'' which is the highest rating the American Bar Association can give to a nominee for judicial office. He served ably as an assistant U.S. attorney. He handled one of the most important cases in the entire Nation as an assistant U.S. attorney. The Democratic Attorney General looked over the entire United States and reached out and picked him to handle a case involving the President of the United States of America, and she had nothing but high compliments for his performance. The ABA has evaluated him. He was confirmed previously as a district judge, became the presiding district judge for that area, and has now been nominated to be a Federal circuit judge. He has been denied even a hearing, even though he got a unanimous ''well qualified.''

A lot of people think this is just politics. But I hope the American people understand that it is not just politics. This Nation has as its bedrock foundation for our prosperity and our liberty a belief in the rule of law. It is something we inherited even before we became a nation. Those of us on this side believe a Federal judge should not be an activist. A Federal judge should not be attempting to carry out some personal agenda. A Federal judge should be a neutral umpire to decide cases in a neutral and fair way. The policy decisions should be made by the State legislatures or the Federal Congress or the President of the United States.

I feel as though we need to understand that there is a clear difference between the kind of judges our Democratic colleagues tend to favor for the bench and those President Bush has been nominating. They think Judge Conrad is not activist enough. They think he won't promote their agenda, which they are not oftentimes able to win with at the ballot box. His nomination has been blocked. I don't appreciate that. He is a fabulous nominee who is highly respected by Democratic Members. We had a wonderful hearing where a whole roomful of people came from North Carolina to testify on his behalf, to plead with the Senate to give this man an up-or-down vote. No, they invoke the Thurmond rule—and that is not an accurate invocation of the Thurmond rule—as an excuse to block him.

There are already four vacancies on the Fourth Circuit, including from Virginia, down to the Carolinas. He is one of them.

I think the man deserves an up-or-down vote. He deserves to be confirmed. We will not have better nominees than Judge Conrad. He has proven himself on the bench and as a Federal prosecutor, both times in Federal court, where he will now be called upon to serve.

I have to tell you, I will add one more thing on why I think he is special. Judge Conrad was a point guard on the Clemson University basketball team in the Atlantic Coast Conference. You have to make decisions in that job. He was an outstanding academic All-American. I think the man is fabulous, and he ought to be confirmed. I am upset that he has not been.

I say the same for Mr. Matthews, also nominated to fill one of those four vacancies on the Fourth Circuit, and Mr. Keisler, who was rated unanimously

''well qualified'' for the DC Circuit. They have been waiting hundreds of days, and it is not right. They ought to be confirmed.

I thank the chair and yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming is recognized.

Mr. ENZI. Mr. President, I rise to discuss an issue that is important to my constituency—the confirmation of qualified judicial nominees. I thank the Senator from Alabama for his explanation of what is happening in his area. I want to speak a little bit on what is happening in my area.

I have heard the majority leader say that when he hears from constituents, it is about energy, housing, and other issues; but he never hears about judges. I can tell you my experience is different. Yes, constituents talk about energy and health care and housing and about the economy, but they also bring up the need to confirm qualified judicial nominees.

I am specifically before the Senate to ask my colleagues to consider confirming a qualified candidate for my home State of Wyoming. The nominee is Richard Honaker. Despite the fact that he was rated unanimously ''well qualified'' by the American Bar Association, and despite the fact that he has strong bipartisan support in Wyoming, he has been pending before the Senate Judiciary Committee for 486 days. That is just the committee. He isn't even to the floor yet—486 days in committee. It seems as though they could at least do an up-or-down vote and get that decided instead of just keeping him in limbo.

Why has Mr. Honaker's nomination been pending so long? He meets all of the tests that have been laid out for qualified judicial nominees. As I mentioned, the ABA has given Mr. Honaker its highest rating of unanimously ''well qualified.'' He has the support of both home State Senators. My colleague will be speaking to this shortly as well. In fact, he not only has the support of myself and Senator BARRASSO, his name was submitted to the White House for consideration by my friend, the late Senator Craig Thomas. Senator Thomas submitted Mr. Honaker's name after it was recommended to him by a panel Wyoming lawyers who evaluated about fifty individuals who were interested in serving on the Federal bench. Richard was the unquestionable choice of those attorneys. This wasn't the unquestionable choice of Senator Thomas; it was the unquestionable choice of a panel of attorneys who chose him from a whole range of people who were interested.

My recollection is that this is the first time that a Republican Senator has ever nominated a trial lawyer for a judgeship from Wyoming.

Mr. Honaker doesn't only have the support of Republicans, his nomination is supported by former Wyoming Democratic Governor Mike Sullivan, who also worked as the Ambassador to Ireland for President Bill Clinton. He is an attorney operating in Wyoming. Mr. Honaker is supported by Robert Schuster, another attorney, a former committeeman of the Democratic National Committee, who was a Democratic nominee for the House of Representatives. He has the support of Lee Reese, the President of the International Association of Fire Fighters Local 1499.

With all that in mind, you would think Mr. Honaker would be confirmed quickly. But, no, his nomination has been pending before the Judiciary Committee for more than a year because of an action he took more than 20 years ago as a Democratic State legislator. Acting as a State legislator on behalf of his constituents who are generally pro-life, Mr. Honaker drafted a bill called the Human Life Protection Act. The bill failed in committee and didn't move forward.

Mr. Honaker has had no involvement in the abortion issue for more than 20 years. Yet that is being used as a litmus test. Some liberal groups are claiming he is an extremist and saying he would come to the bench to overturn Roe v. Wade. They obviously don't know him because, if they did, they would understand that Mr. Honaker knows the difference between acting as a legislator and acting as a jurist. He knows there is a difference. He gave sworn testimony before the Senate Judiciary Committee on February 12, 2008, saying that he would uphold the precedent of Roe v. Wade.

Yet even with that information, he is being blocked from a vote in the Judiciary Committee. It is even more ironic that he is being held up because of legislation he introduced because the pro-choice legislators who blocked the bill he sponsored in the Wyoming Legislature support his nomination to the Federal bench.

We are in a dangerous place when it comes to confirmation of Federal judges in the Senate. With Mr. Honaker's nomination, my colleagues are saying that we do have a litmus test for judges: If you have ever been involved in the abortion issue, you cannot be confirmed as a judge, regardless of how you were involved, and regardless of your qualifications. I know this is the case with Mr. Honaker's nomination because, if my colleagues looked at the other legislation he sponsored in the Wyoming State Legislature, they would see that much of it is more favorable to their policies than the policies of the Republicans.

Mr. Honaker is well qualified to be a Federal judge, as evidenced by the strong support he has from a diverse group of people in Wyoming. He deserves to be confirmed. I hope my colleagues will look beyond one bill he introduced as a legislator 20 years ago and give his nomination the consideration it deserves.

I yield the floor.

The PRESIDING OFFICER. The junior Senator from Wyoming is recognized.

Mr. BARRASSO. Mr. President, I am here today to ask the Judiciary Committee to hold a simple vote—hold a vote on the nomination of Richard Honaker, to be a U.S. District Judge for the District of Wyoming.

Mr. Honaker was recommended to President Bush by Senators Thomas and ENZI on January 10, 2007.

The recommendation occurred following an extensive vetting process in Wyoming by a committee that was formed by Senator Thomas. This committee consisted of a diverse group of attorneys from across the State. They reviewed and they vetted all of the applicants.

Nearly four dozen attorneys from around the State of Wyoming expressed an interest in this position. Mr. Honaker was selected from a very competitive and highly qualified pool of Wyoming attorneys. President Bush agreed with the recommendation, and he sent Mr. Honaker's name and nomination to the Senate March 19, 2007—over a year ago.

Senators Thomas and ENZI and I all notified the committee over time that the home State Senators support this nomination.

Well, the nomination languished in the Senate Judiciary Committee until February 12 of this year. That is when a nomination hearing was finally held. Four nominees were considered that day. Mr. Honaker was the only nominee at the hearing that received the ''gold star'' seal of approval by the American Bar Association, and that is a unanimous ''well qualified'' rating.

The American Bar Association interviewed more than 50 Wyoming attorneys and judges to come to the conclusion that Mr. Honaker is well qualified to serve on the bench.

Despite this unanimous support of the home State Senators and the American Bar Association, Mr. Honaker continues to be denied a vote in the Judiciary Committee.

To put Mr. Honaker's situation into context, two of the other nominees who appeared at that February 12 hearing received a committee vote and were approved by the Senate back in April.

Mr. Honaker is an outstanding attorney. He is widely regarded by his peers. It is evidenced by the fact that he is the first attorney in the history of Wyoming, in our 118 years of statehood, to serve Wyoming both as president of the Wyoming State Bar Association and the Wyoming Trial Lawyers Association. He has earned the respect of the legal community.

As I mentioned, the Standing Committee on the Federal Judiciary of the American Bar Association unanimously—unanimously—voted that Mr. Honaker is well qualified. His 30-plus years of legal work is exemplary. There is no question at all that he is ready to fill the seat for which he has been nominated.

I know Mr. Honaker. I respect him as an individual. I admire his legal abilities and his passion and his love of the

law. That respect is shared by many of Wyoming's finest legal minds. Words I have heard from members of the Wyoming bar to describe Mr. Honaker: bright, fair, civil, ethical, passionate about his clients, and devoted to the law. He expects the same of others that he requires of himself: be well prepared, observe the rules of courtroom procedure and decorum, treat every person in the courtroom—whether lawyer, litigant, witness, or juror—treat every person in the courtroom with the greatest measure of courtesy and respect.

There is no more qualified person to serve on the Federal bench in the District of Wyoming than Richard Honaker. You don't have to take my word for it. Ask the attorneys of Wyoming or of the American Bar Association. This outstanding nominee deserves the courtesy of a vote in the committee and consideration by the full Senate. That courtesy is long overdue.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. WYDEN. Mr. President, I ask unanimous consent to speak as in morning business for up to 15 minutes.

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

HEALTH CARE

Mr. WYDEN. Mr. President, this morning there was some remarkable testimony given by Dr. Peter Orszag, the head of the Congressional Budget Office, which, in my view, is going to set the bar for how this Congress contains skyrocketing health care costs. Dr. Orszag has zeroed in on the question of health care costs, as my friend from Colorado knows, saying that escalating health care costs are essentially the premier determiner of this country's fiscal condition. So when Dr. Orszag, in effect, lays out what it is going to take for America and the Congress to contain medical costs, it seems to me that is a real wake-up call for this body and for the country.

What Dr. Orszag did is to spell out the extent of the inefficiencies in American health care. We are going to spend this year about $2.3 trillion on medical care. Dr. Orszag has said that the system is now so riddled with inefficiency that perhaps $700 billion of that $2.3 trillion is going to be spent on care and services that is of relatively little value as it does not contribute toward improved health outcomes.

Given this enormous economic challenge for our country—and, in effect, economic insecurity to a great extent is determined by rising health costs and rising gasoline prices—I wanted to get to the bottom of what the Congressional Budget Office thinks is going to be necessary to contain medical costs. So what I asked Dr. Orszag, specifically, was about his sense of what it will take to bend the health cost curve downward. Dr. Orszag said, in response to my questions, that it is going to take two things:

First, it is going to be essential to demonstrate to our people very directly how much these inefficiencies cost them, for example, in their reduced take-home pay at work. Second, Dr. Orszag made it very clear that to contain cost and to wring out these inefficiencies, it is going to be necessary for the Congress to pass health reform legislation so that in a more efficient, more fair health care system our people will have a new financial incentive to select health care carefully.

The reason I say Dr. Orszag set the bar today for containing health costs is because it is clear there are a lot of ideas for how to go about this task. I know the Senator from Colorado is very interested in health information technology, for example—virtually all Senators are—and all those new approaches are going to be very important. But I asked Dr. Orszag was it the only way that you could contain costs, to take those two steps—one to make sure people see directly what they lose if we continue a system with all these inefficiencies; and, second, what happens if there are no new financial incentives—and Dr. Orszag said very specifically that to contain medical costs you need to take those two steps: demonstrate to people what they are losing and give them new incentives to hold down costs.

Now, I have been honored to be able to join with 16 Members of this body, 8 Democrats and 8 Republicans, around legislation that is built on the two principles that Dr. Orszag affirmed today are going to be essential to contain health care costs. We make sure everybody understands what the implications are for propping up all these inefficiencies in their wages, because for the first few years under our legislation we would stipulate that workers are entitled to the cash value of what their employer is now spending on health care. So with that requirement, we address what Dr. Orszag has said is essential—to demonstrate to workers what they lose out on with the status quo.

The second thing we do in our legislation, which tracks Dr. Orszag's plan to contain costs, is we make sure that in a new system—where insurers have to take all comers, where people are part of a large group so that they have bargaining power, where there are lower administrative costs because you use the tax system to sign up people, and there is uniform billing—we also give a cash reward to individuals for making more careful purchases of their health care.

For example: Under our legislation, if their employer has spent $15,000 on their particular health care, and the individual worker either chooses an employer's package or, say, another package, and the package they chose would cost $14,200, that individual worker has $800 in their pocket to go on a great fishing trip in Oregon or Colorado, where we have some of the best recreation in the country.

So in our legislation, by way of giving a reward to workers, a cash reward for a careful selection of their health care, we do what Dr. Orszag has recommended as the second approach for containing medical costs.

I made clear this morning—and I especially appreciate Chairman BAUCUS's leadership because these hearings are a follow-up to our Finance Committee summit—and Chairman BAUCUS has made it clear we are going to work in a bipartisan way. He and Senator GRASSLEY, in my view, are sort of the example of how to work in a bipartisan fashion. I said this morning I think there are probably other approaches that ought to be examined in this whole discussion, but what we do know from this morning is that Dr. Orszag has said you have to have those two essentials to contain costs—workers understanding what they lose out of the current system and new financial incentives for making careful purchases.

That is why it seems to me that what Dr. Orszag did today was to set the bar; to, in effect, lay out a vision of what it is going to take to hold down medical costs. It seems to me, when we look at the double whammy our people are facing today—the combination of skyrocketing medical bills and getting clobbered at the gasoline pump—we see that those are the two areas where you need to take action.

Under the leadership of the Majority Leader, Senator REID, we are going to go after those gas price hikes before the Congress breaks for the recess. I am pleased to be part of our caucus's efforts to work on this and pleased that we are reaching out across the aisle so, hopefully, there will be bipartisan support for our efforts to hold down gasoline price hikes. But I think we need to start laying out, as Dr. Orszag did today, the strategy for holding down medical costs.

I have been very fortunate to be able to work with Senator BENNETT, the Senator from Utah, as part of a group of 16 Senators—8 Democrats and 8 Republicans—in what is the first bipartisan effort in the history of the Senate. This is the first time where there has been a significant coalition, a bipartisan coalition, working for universal coverage. Today, what Dr. Orszag did was to affirm the guts of what we have been advocating for. He affirmed it specifically, that this was a way to achieve the cost containment in our health care system that is so essential. There may be other ways, but this is one way to do it. We now have an opportunity over the next few months, as

we get ready for a new President, to work together, Democrats and Republicans, to address this critical question.

I will close with one last comment. On the floor last night were Senator LANDRIEU and Senator CRAPO. I am very honored to have both of them as cosponsors of the Healthy Americans Act. We were talking about older workers. Today one of the worst spots to be in is if you are 57 or 58 years old and you are laid off from your job, because if you are laid off at 57 or 58, you go off into the broken individual health insurance market. You better not have any illnesses. It is going to be hard to get coverage. It is going to be very hard to afford it because you are going to be out on your own rather than in a group. And finally, you are not going to get the tax break, if you are all on your own, that you would get if you were with an employer health plan.

The Healthy Americans Act addresses each of those three concerns and, boy, those are not abstract questions for anybody in Colorado or Oregon or Idaho. Ask the GM retirees who got clobbered a few days go. If you are 57 or 58 and you are 8 years away from Medicare, you have a lot to worry about.

Our bipartisan coalition is working, I think, effectively and in the bipartisan fashion it is going to take to address those concerns as well.

I hope colleagues will reflect on what Dr. Orszag said this morning with respect to cost containment. We will have a lot more discussion in the days ahead about the concerns of older workers, as we started last night with Senator LANDRIEU and Senator CRAPO. We are especially thrilled that the distinguished Senator from Colorado is a member of the Finance Committee and I know we will have a chance to work together on those issues as well.

ORDER FOR RECESS

Mr. WYDEN. Mr. President, before I yield the floor, on behalf of the majority leader I ask unanimous consent the Senate stand in recess from 2:30 to 3:45 today.

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

Mr. WYDEN. Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Idaho is recognized.

Mr. CRAIG. Mr. President, I ask unanimous consent to speak as in morning business for up to 15 minutes.

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

ENERGY

Mr. CRAIG. Mr. President, I came to the floor on June 19 to address my colleagues and the Senate about energy prices, as many of us have, because there is no question that the Senator from Colorado and I, when we go home on the weekends, hear as the No. 1 concern on the part of Coloradans or Idahoans their energy bill—the price of gas at the pump.

We are big western States. We travel long distances. When you roll into a gas station with your Ford F–150 and you start filling it up and you drive away, because it has dual tanks on it, having paid over $100 to fill it, you have a problem. You have a problem because you had bought that vehicle to facilitate your ranch or your farm or your job and you had anticipated that the most you would probably ever pay was $25 or $30 to fill up. That is what you budgeted. That is what you understood the economic impact of that vehicle, necessary to your job or your business, would be on your job or your business. But in less than a year, that changed.

That is the working man or woman's side of it. What about the soccer mom who travels around all over the community every day, dropping off her kids and going to the store and picking up goods and services and coming home and all of a sudden having an energy bill in the family budget that she and her husband had never anticipated would be there. We all know their salaries or their jobs are not going to compensate them because they are going to spend $500, $600, $1,000 or $2,000 more this year on their energy bill. That is only at pump, let alone at the meter that monitors the electricity at their home that is going to be going up; and the natural gas that is going to go through and into their heating systems and their stoves. That is going to be going up. There is no way for them, other than taking money from something else in their life, to offset that impact.

Those people such as myself who spend a good deal of time, and have for 28 years, on the issue of energy, were very fearful that a day such as today would come, a day of reckoning, a day when our country that, almost 20 years ago, decided it would no longer be a producer but because of environmental policy and political attitude, we began to change. We decided we would try to offset production with conservation and, in large part, we said to the energy-producing segment of our economy it could no longer drill in America, go elsewhere.

I will never forget meeting with the President of Amoco in Los Angeles about 15 years ago. He opined to me that the day would come when his company would have to leave this country because it could no longer produce in this country—and that is what happened. And doggone it, that is the truth. You can document it. You can see it happening. It happened. We put millions of acres off limits for one reason or another but largely because of an attitude in this country that somehow we were going to muck it up a little bit environmentally and we ought to leave it alone and it ought to be pure and it ought to be pristine. And, oh, by the way, energy is cheap. It was inexpensive at the time and we could buy it from somebody else. So basically we set the rest of the world to producing and we became increased consumers and increased buyers of foreign oil.

During that last 20-year period, something else began to happen. The oil we were consuming was no longer owned by companies we had interests in, it was owned by nations. It was owned by nations that were sometimes friendly to us, sometimes not so friendly to us, but nations that began to recognize they could gain the wealth of America by selling it oil because America no longer wanted to produce. We grew from about 35 percent dependent upon oil when I came to Congress in 1980, to, today, nearly 70 percent dependent. And those nations have us right by the gas nozzle today. They can do what they want. They are reaping our wealth at unprecedented rates—$1.2 billion a day—and they are turning around and buying back our companies and buying back our real estate with our money. But it is now under their ownership.

The greatest wealth transfer in the world is taking place as we speak, as America drains itself dry for the need of energy, and a Congress unwilling to act responsibly and having failed to act responsibly for the last 20 years. It is a dilemma unparalleled in American history.

When I came to the floor on June 19, I said there is an old country western song that says ''a little less talk and a lot more action.'' That was June 19. Now we are into mid-July. Oil prices went up nearly $15 more a barrel during that period of time and gas went from about $3.90 on average to $4.11 on the pump nationwide. Guess what. We still got a lot more talk but very little action.

Why is America angry today at their politician? Because their politician is fearful of action.

I once voted to lock up ANWR. I once voted to put off limits drilling out on the Outer Continental Shelf. It was for all my environmental friends. How do I change? How do I shift the political gears to meet the American people today who are saying simply go where the oil is, explore and develop and bring it on line. We need it desperately. It is draining our pocketbooks dry.

That is the domestic economics side. What about the national security side, when we are 70 percent dependent on foreign oil? So it is a national domestic economic issue and it is a U.S. national security issue. Guess what, folks. A lot more talk and hardly any action. So when the President stepped up a month ago and said why don't you in Congress lift the ban on Outer Continental Shelf oil drilling, I turned around and called the White House and said: Why don't you, Mr. President? You did it by Executive order a couple of years ago for the politics of Florida. Why don't you act?

He did act. He acted last week, in a responsible fashion, to lift the Executive order that limited the exploration

and development in the Outer Continental Shelf. Guess what happened. Between the combination of a realization that Americans were consuming less in the summer of 2008 versus the summer of 2007—down by nearly 15 percent because they simply can't afford the oil and the gas anymore—coupled with the President saying to the marketplace, there is a potential for development and more production, the oil price began to slide. In the last few days it has dropped from $147 to $134. If it continues to do that, we might see gas prices at the pump slip 15 cents or 20 cents. But I doubt that it will unless this Congress acts.

The majority leader, the Democratic leader, came to the floor yesterday with a bill, 3268. What is it about? He says it is about speculation. What is speculation today? Is speculation the futures market that anticipates that gas may be going up so you hedge your investment against the future so you can offset the expense of new energy? Is that speculation or is that wise investment? I don't know. But I do know this, that in the legislation the Democratic leader has put up, there is not one drop of new oil in it; not one gallon of new gas in it; not one oil rig worth of new production in it.

We listened to two experts today who came to the Senate to talk about energy. They said there is no easy way out. You have to have some production, but you need conservation.

OK, look at the speculation side. Create greater transparency. Do all of those things. But it is truly a supply-and-demand market today and we are supplying less and demanding more. In this country in the last 10 years, our demand curve went up dramatically as everybody rolled out in their F–150 Ford pickups—and I don't mean to be picking on Ford Motor Company or their big SUVs—and they were getting 12 or 15 or 16 miles to the gallon and it was $2 and aren't we having fun, until it hit $4. Now they are mad and frustrated and angry and fearful of their future—and they have a right to be.

Many of us believed this day would come; we just didn't know what day on the calendar it would occur. Because the old principle of supply and demand in the marketplace, you can't divert. It happens. When you are supplying less and demanding more, it happens.

Here is a simple formula. Take every oil field in the world today that is producing, that has those big rigs on it pumping the oil—it depletes, meaning it uses up the oil in the strata that is underneath, at a rate of 4 percent to 5 percent a year. So the ability to have a field to continue to produce at the level it is begins to decline.

On top of that, the world is demanding about 1.5 percent more oil every year than it did the year before. Why? We are growing, we are buying big cars, our economy grows—but something else has happened. There is a new economy across the Pacific known as China. All of a sudden, they became consumers of oil. They begin to buy in the world marketplace.

Then there is another country further on across Asia known as India. They are consuming more and they are buying out of the same pools we are buying out of. All of a sudden the perfect marketplace storm occurred. We began to consume a great deal more than we were willing to produce. In this country we were consuming a great deal more than we were willing to produce, so the marketplace looked at it and said: Oh, we have a problem here. All of a sudden those who look at markets began to try to protect their future by buying into the future through the system—with no indication from us that we were going to do what was not politically correct, from the standpoint of our politics back home, but what was politically right for the American consumer; and that is, to get us back into the business of production.

So I am telling the majority leader, you can bring a speculation bill to the floor, but this is a Senator who will not support it and will not vote for it if it does not have production in it. We cannot talk our way out of this one, we cannot manipulate our way out of this problem. We have to produce our way out of this problem, and we have to conserve our way out of this problem.

Is it not interesting that when the world market began to discover that Americans had tightened their belts because they could no longer afford the gas at the pump and the consumption rate from last summer to this summer is down 15 to 20 percent and you have a world leader, this President, our President, stand and say: America, I am taking the limits off, in the ability of my office as President, through an Executive order, I am taking the limits off the Outer Continental Shelf, where we know there could be oil.

Some of us have said we ought to do the same thing here. Next week there will be plenty of amendments, if the majority leader allows true legislative dynamics on this floor, a bill to come up and a bill to be amended because we will add production to his lots-more-talk and little-to-no-action bill.

We will add production. If we do, and if it makes it to the President and if he signs it, I will bet you the price of oil in the world markets will begin to decline a little. Now, while that is all happening, in the next months and years, we have a lot of other work to do as a country. We have to bring on the hybrids, we have to bring on the electric cars, we have to learn to conserve in other ways.

Last year, I broke stride with the auto industry. I said: Mandatory 4 percent increase in CAFE fleet average standards. I had not done that in 28 years of my politics here. The auto companies came to me and said: Gee, why are you leaving us now?

I said: I have not changed in 28 years and neither have you.

I changed. I partnered with a Democrat, BYRON DORGAN. We set a mandatory 4-percent CAFE standard for fleet averages of automobiles in this country. It became law. When it is fully implemented, over a period of time, it is akin to bringing on an oilfield that produces 1.5 million barrels of oil a day because that is the amount that is saved.

So as a Senator who has always been a supporter of production, I also recognize there is a lot that can be saved through conservation. There is a lot that can be saved through new technology. I believe the generation ahead of us, this next 10 years in the economy, is going to be the decade of energy.

I think Americans are going to invest more and understand more about their energy and do more about their use of energy than they ever have in the decades before. Why? Because it is going to cost more. If it is going to cost more, there is probably more profit to be involved. If there is more profit to be involved, there is going to be more investment in it. But Congress, get out of the way. Quit being politically correct. Demand standards. Demand quality environmental procedure. But get out of the way, politicians. Let America produce once again. When we do, our economy will strengthen, the American families will fear less, our national security will be more assured, and we will not let the Venezuelas or the Nigerias or the Saudi Arabias or the Irans jerk us around by the gas nozzle the way they are doing now because, once again, as a great nation, we begin to stand on our own two feet.

We have arrived at that break point in the world of energy. It is time we act, responsibly, directly, and that we deal with a lot more action and a lot less talk because our Nation became a nonproducing nation today because of politics and public policy, not because the oil was no longer there.

Shame on us. Shame on the American politics of the last 10 years that denied production in this country. The American consumer, listen up: Call your Senator or call your Congressman right now and say: Pass a bill that allows us to drill.

It is quite simple. Pass a bill that allows us to drill. The futures market will decline and gas at the pump will begin to drop and the American economy will begin to stabilize. It is going to take some time, but you have to act first. So, Mr. Leader, you can bring a talking bill to the floor but allow us to make it an action bill. Allow us to make it a production bill. Americans, call your Senators and say: Allow us to drill.

It is that simple. That is how we change the world of American politics today, that for the last 20 years has denied the right of the American marketplace to produce the energy necessary to stay independent, free, and reasonable in price.

I yield the floor and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Ms. KLOBUCHAR. I ask unanimous consent that the order for the quorum call be rescinded.

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

Ms. KLOBUCHAR. Mr. President, I have been coming to the Senate floor to address the price of oil for several months now. It continues to astound me that every time I speak, the prices continue to go up.

The average price of a gallon of regular gas hit $3.95 in Minnesota and $4.11 cents nationwide. The price of diesel fuel is at $4.76 per gallon. The price of crude oil recently hit an unbelievable $145 per barrel.

There seems to be no relief in sight. Prices have gone up more than $1 per gallon over the last 6 months. Everyone knows that demand has not gone up 25 percent over the last 6 months, but the prices have gone up $1 per gallon over the last 6 months.

This increase is astonishing. Even more astonishing is the fact that the administration has continued to do nothing about the speculation issue, continues to do nothing to push the CFTC to use the tools it has and to push for more tools to do something about the excessive speculation that is going on in this market.

We cannot continue to do business as usual. I have heard from people in Minnesota who have canceled their trips up to their cabins because they simply cannot afford to fill their car with gas anymore. They have canceled their summer vacations. These are not glamorous summer vacations, these are little cabins up on the lakes of Minnesota.

I have heard from farmers who are having a hard time making ends meet, even in spite of the high commodity prices, because the cost of their input, diesel fuel for farm equipment and fertilizer made from natural gas, has spiraled out of control.

I have heard from the CEO of Northwest Airlines, based in Minnesota, about how the speculation in the oil markets has so greatly contributed to their cost and made it very difficult for them to continue business as usual with prices going up, grounding flights, not having as many flights leaving, leading to more delays in the summer, because if a passenger misses it, and we had a hearing on this in the Commerce Committee—there are not as many backup flights because there are not as many flights.

So the list goes on. The high price of energy has inflated the price of everything from groceries, to transportation, to home heating. It has impacted every sector of the economy, from manufacturing to forestry, to farms and small businesses.

Middle-class families are already struggling, as you know, with the high cost of health care and college education. We know we need to do things about that, but we keep getting blocked. We are very hopeful, with the new President, that we are going to be able to get things done for the middle class.

But for now, we have people in my State who simply cannot afford the price of gas when you couple it with everything else that has been going on in their lives. We know the statistics. We know what has been happening, where average families in the last 8 years, their wages have gone down about $1,000 a year, but their expenses have gone up about $4,000; so that is a net loss of $5,000 a year to them.

Many of the people in my State, and I know you know this, Mr. Presiding Officer, in Colorado, many of the people in my State are in rural areas. They do not have access to public transportation. They do not have a choice in how much they drive. They have to get to work. They have to get to the grocery store. They have to get to the doctor. Any pay increase they have gotten in the last year, if they have gotten one, has been eaten up by the cost of gas.

More often than not, I will tell you, there has not been a pay increase. But yet, as recently as February of this year, the President seemed taken aback when someone asked him about $4-a-gallon gas. He said:

> You are predicting $4-a-gallon gasoline? That is interesting. I had not heard that.

The fact is this administration has failed to provide Americans with a meaningful energy policy that would provide relief from high gas and energy prices. They saw this coming. They saw it was going on in the international markets but they failed to act. This country needs a bold energy policy for the future, a policy that will stabilize prices and give consumers more alternatives and reduce our dependence on foreign oil and provide us with the next generation of homegrown biofuels.

In short, I believe we have to invest in the people, the farmers and the workers, from my perspective, of the Midwest, not the oil cartels of the Mideast. The same could be said of any area of this country. This country spends $600,000 every minute on imported oil. That money leaves the pockets of American drivers, going overseas, and contributing to our enormous trade deficit. It amounts to a tax on the families and businesses of this country, and it undermines our national security.

Why does it affect our national security? That is because America has roughly 3 percent of the world's proven crude oil reserves, but we are responsible for about 25 percent of the world's oil consumption. Now, we know we cannot continue on this path without becoming more and more vulnerable to other parts of the world, some of which are politically unstable, some of which we do not want to do business with.

But there is another way. If you look at what is going on in Brazil, they have achieved energy security with a combination of biofuels. Now, they have sugarcane, so it is easier. But we have all kinds of things. We have all kinds of things: Switchgrass, prairie grass, that has not even been developed, other parts of the corn. We know we cannot do it all with corn. We are talking about algae, we are talking about biofuels. We are talking about residue from logging. There are all kinds of possibilities.

But Brazil was able to do it with a combination of sugarcane and domestic production and a government policy that drove them to energy independence. We need to put together a forward-looking energy policy with the same sense of urgency we had 40 years ago when we put a man on the Moon.

In the long term, this is going to mean strategic investment, putting these standards in place so people will push to buy the hybrid cars, electric cars, new solar technologies, cellulosic ethanol, other forms of energy for biomass.

We need to have better fuel efficiency standards for our cars and trucks. I am proud the Senate, on a bipartisan basis, for the first time since I was in junior high school, increased the gas mileage standards on cars by 10 miles a gallon. But there is so much more we can do.

We need a renewable electricity standard, we need to look at other sources, as I said, solar, we need to do more with nuclear, we need to do more to increase responsibly our domestic production. We need to have functioning refineries.

These are long-term solutions. I believe very strongly they are important, and we need to get them done.

But there is also something we can do in the short term about high gas prices that will bring immediate relief; that is, to address the role market speculation is playing in driving up energy prices. The administration likes to tell us these high gas prices are just a simple case of supply and demand; more people are driving, so the price of gas goes up. We know that is not true in our country. Fewer people are driving. There have been some increases internationally, but when the expert, Mr. Yergin, testified before our committee, he said there has been sort of a leveling off in terms of demand for world oil. Whatever it is, we know that even if there has been an increase in demand, it hasn't been 25 percent, such as we have seen with the dollar-a-gallon increase in only the last 6 months. The answer that it is just supply and demand doesn't hold true any longer.

Listen to the oil executives on this matter. On October 30, 2007, the CEO of Marathon Oil said:

> $100 oil isn't justified by the physical demand in the market.

On April 11 of this year, the CEO of Royal Dutch Shell said:

> The [oil] fundamentals are no problem. They are the same as they were when oil was selling for $60 a barrel.

On April 1, a senior vice president of ExxonMobil testified before the House:

> The price of oil should be about $50–55 per barrel.

If oil should be roughly $50 to $60 a barrel given market fundamentals, as we heard from the oil executives, why is it trading so high? Why is it trading at over $100 a barrel? If supply and demand, which should be the market forces which determine price, don't explain the high price of gas, what does? According to the experts, there is a frenzy of unregulated market speculation in the oil futures market that is driving prices up to record highs.

I would like to share a quote from an energy market analyst with Oppenheimer and Co. who was recently named by Bloomberg as the top-ranked energy analyst in the country:

> I'm absolutely convinced that oil prices shouldn't be a dime above $55 a barrel . . . Oil speculators include the largest financial institutions in the world. I call it the world's largest gambling hall . . . It's open 24/7 . . . It's totally unregulated . . . This is like a highway with no cops and no speed limit, and everybody's going 120 miles per hour.

Why are these trades in a commodity as vital as oil unregulated? You have to go back in time, to the middle of the night in 2000. A provision was inserted into the Commodities Futures Modernization Act that exempted electronic energy trades from Federal regulation. In the absence of oversight, what was once a small niche market became a booming industry, attracting rampant speculation from hedge funds and investment banks, the largest financial institutions in the world. Oil and natural gas prices became volatile. The provision came to be known as the Enron loophole because it made possible the many abuses that triggered the Western energy crisis and led, in part, to the collapse of Enron and cost the economy $35 billion and 600,000 jobs.

I am pleased to say that we succeeded in partly closing the Enron loophole in the farm bill. Those provisions will provide new protections in the natural gas market. They will put a new regulatory structure on ICE, the electronic exchange in Atlanta, where large traders try to game natural gas futures on an unregulated electronic exchange. But we need to do more. That is why I am proud to be a cosponsor of the Stop Excessive Energy Speculation Act of 2008. It was introduced by our leader, HARRY REID, and my colleagues, Senators DURBIN, SCHUMER, DORGAN, MURRAY, and others.

This bill has a number of provisions that will fight the kind of excessive speculation that drives up energy prices for hard-working American families.

This bill will close the so-called London loophole. It will stop traders from routing transactions through offshore markets in order to get around limits on speculation put in place by U.S. regulators. Specifically, the Intercontinental Exchange, or ICE, in London allows trading in American oil futures, gasoline and home heating oil, with far less stringent reporting requirements than what we have at home. This has driven a lot of energy trading offshore and out of the reach of our regulators. This bill will make those foreign trades in American oil and gasoline futures subject to the same reporting requirements as trades made at home, so we can stop a glut of overseas trades from driving up our energy prices.

The bill would also require the CFTC to review letters of no action it has issued to the ICE electronic exchange in Atlanta and the Dubai electronic exchange which operates in cooperation with NYMEX in New York. With those no-action letters, the CFTC gave these exchanges permission to operate in this country and trade in American energy futures with no oversight from U.S. regulators. I don't think I can tell the people of my State, in Duluth or Rochester, that they should rest easy because the Dubai Financial Services Authority is looking out for them. They know that is not true. We need to let speculators know that if they want to trade in American energy futures, they are going to be subject to American regulation.

We had the head of the CFTC testify before a joint meeting of the Agriculture and Appropriations Committees. I still can't quite believe the meeting. He was happy that we will give him more people to work in his agency since they have had an enormous decrease at the same time we have seen an enormous increase in rampant speculation. But I tried to push him. I said: When I was a prosecutor, I would want every potential way of trying to get evidence, trying to prosecute a case or get a sentence or a bill if it made sense and we could use it in going after a crook. It wouldn't mean we always used them. Some of them we maybe used once a year. With some of them, we have a hammer over someone's head. Some of them we used all the time. But you want to have those tools. He didn't seem that interested. That was the moment I thought: We are going to do everything we can to prop up this agency and get it moving, but we have to have people in charge who really want to do the job.

That is why I am so concerned about this administration. You haven't seen the same thing in the financial services area, where you have Secretary Paulson and Ben Bernanke working hard on this crisis, along with people in Congress on an equal footing, trying to get things done, communicating with us. I just didn't get that same feeling when we had that testimony before our committee.

What else will this bill do? This bill will also convene an international working group of financial market regulators to develop uniform reporting and regulatory standards in the major trading centers of the world to put an end to this problem of speculators shopping around the world for the weakest regulations.

The bill will require the CFTC to impose position limits on speculators who trade in energy futures but don't actually produce energy or receive physical delivery of energy commodities. So if you are an investor who buys and sells oil futures but you don't plan to even take delivery of actual barrels of oil, this bill will limit how much you can buy and sell so that you won't be distorting prices for your own personal gain. We know that has been going on. A lot of these people took the money, the funds, out of the subprime mortgage market and then started playing around in the oil market even though they are not truly involved.

Lastly, this bill is going to give the Commodity Futures Trading Commission the funding authority to hire at least 100 full-time employees so that the Commission can strengthen its regulations and improve its enforcement over the energy derivative markets. As a former prosecutor, I can tell you that good laws are not enough. You also need strong enforcement. You need the cops on the beat so that you can follow the money. When we follow the money in this $4-a-gallon gas, when we follow the money, we know where it is going to lead. We know it is going to lead—at least a piece of it—to market manipulation and speculation.

In conclusion, the cost of energy is hurting Americans from all walks of life and businesses in every sector of the economy. I don't think there is one silver bullet that will solve our energy crisis. It is more like a silver buckshot. We need a bold energy policy to carry the Nation forward. It needs to include both short-term and long-term solutions.

In the short term, we need to pass this bill and place stronger limits on market speculation. That will make a difference in the short term.

In the long term, we need to develop our energy resources at home. We need to improve refining capacity. We need to improve our domestic production. This is for the long term, so when speculators, even legitimate ones, are looking at America and thinking how much the price of oil is, they need to know we actually have a long-term plan. That, ultimately, is what will bring down the price, when they know we are ready to compete with big oil, that we have a plan, using increased efficiency of cars and trucks, that we have a plan which means looking at biofuels and truly having a competitive force. Maybe it is not E85; maybe it is E10, E20, so we have a blend of fuel. We have to invest in the research to get us those vehicles and get us that energy. We have to make a national commitment to generate electricity from renewable sources, just as my State of Minnesota does. I know there is groundbreaking work occurring in Colorado.

Finally, we have to embrace conservation. This is no longer Jimmy Carter going on TV in a sweater and looking glum. The people of this country see this not only as an environmental issue, they see it as an economic issue. They want to save a few

bucks, whether it means putting in the right kind of lightbulbs or meters on their washers and dryers so they can figure out when to run them, whether it is more fuel-efficient cars. They want to do something differently. They are ready in my State to embrace conservation as a way to save money for their families.

The time is now for Congress to take strong steps toward creating a bold energy policy. American families are depending on us.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mrs. MCCASKILL: I ask unanimous consent that the order for the quorum call be rescinded.

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

RECESS

Mrs. MCCASKILL. Mr. President, pursuant to previous order, I ask unanimous consent that the Senate stand in recess.

The PRESIDING OFFICER. The Senate will stand in recess until 3:45 p.m.

Thereupon, at 2:28 p.m., the Senate recessed until 3:46 p.m. and reassembled when called to order by the Presiding Officer (Mr. NELSON of Florida).

The PRESIDING OFFICER. The Senator from Rhode Island.

ORDER OF PROCEDURE

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the Republicans control the time until 4 p.m., the Democrats control the next 30 minutes, the Republicans control the following 30 minutes, and the Senate continue to alternate control of 30 minute blocks of time thereafter.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. WHITEHOUSE. Now, Mr. President, I understand Senator DOMENICI wishes also to say a few words. As far as I am concerned——

Mr. DOMENICI. Mr. President, I was hoping our leader would be here because he wanted some of this 15 minutes and I was thinking I could get in on part of it and I would not be here all afternoon. I do not have a long speech.

I say to the Senator, I understand he might.

Mr. WHITEHOUSE. Yes. Mr. President, I intend to use the first Democratic block of 30 minutes.

Mr. DOMENICI. Right.

Mr. WHITEHOUSE. But if Senator DOMENICI wishes to speak in the first Republican 15 minutes, and if he goes over for a certain amount of time, I am perfectly happy to yield to him. He is a very distinguished Senator.

Mr. DOMENICI. Mr. President, I say to the Senator, thank you so much. I am going to proceed on our time and see what happens with our leader. If he arrives, I will, obviously, yield to him. I will sit down and quickly get out of the way.

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

ENERGY

Mr. DOMENICI. Mr. President, it is nice to be here with you in the chair, since we are discussing issues that are very important, of which you have been a part for a while around here.

First of all, I wish to talk for a minute about the good news. The good news is that crude oil prices have gone down $16 a barrel in 3 days. That is a bigger drop in the prices of crude oil in history in terms of actual dollars. One of those 3 days it was an $8 drop. I do not know what this bodes for the future, but today it looks good, it sounds good, and it ought to make us feel good.

What we ought to do is something positive that will have a chance of showing the world; that is, the world that is buying and selling oil and buying and trading oil futures on the market, that there is going to be more oil coming on because the United States has awakened; we have decided that after 27 years of being asleep. We have all this property called the continental offshore, which is owned by the people of our country, and for 27 years we kept all but small portions of it under lock and key. We had decided it was not worth opening that to drilling, even in modern days, when we have the cleanest and best way to go into deep waters and drill for oil. With oil spills being at a minimum, we kept it locked up.

The year before last, we passed a bill that started the process of opening parts of this great valuable offshore owned by our people. Yes, the President of the United States waited around for us to act and finally decided he would lift the Executive ban, the Presidential moratorium that was on 85 percent of the offshore that has been locked up.

Make no bones about it, now, when people say we have already let a lot of that land out to bid, 85 percent of the offshore—85 percent of the offshore—was under lock and key by moratorium until the President lifted the Executive ban. We now have imposed, on that same 85 percent, millions and millions of acres of offshore property.

Now we have the situation where, come the first day of October, the Congress will have to act to put on another 1-year moratorium; the moratorium of Congress is 1 year at a time. We will have to act to put it on or there will be no moratorium, and it will be open for leases pursuant to the law of the land.

This morning, I attended a workshop held by the Energy Committee to discuss the price of oil. We had two leading experts, and we were very fortunate, except that I would say we have heard about enough from experts, and we have talked enough about the problem. We ought to do something within the next couple weeks.

But at this workshop was Dan Yergin, chairman of Cambridge Energy Research Associates, publisher of a very popular book on oil. He was accompanied by Roger Diwan of PFC Energy. Their message to us this morning, with many Senators asking questions, coming in and out of the room, was the same as I have been hearing from leading economists for the last several weeks. What did they say? Supply and demand problems are the reason why gas prices are so high, why crude oil prices are so high.

The majority leader stopped by our workshop this morning to talk about the bill he has introduced today on speculation. He said that while he understood that speculation was not the only problem, he thought it was a big part of it and we should start there. Well, obviously, he controls how we start, so perhaps we will start with speculation. I, for one, think speculation is not nearly the problem of supply and demand, it is not nearly the problem of opening more property we own for drilling. I think that is the real problem: to put more of that out to the oil operators of the country and get started on some real new production.

I am puzzled by the decision our leader has made about going first with speculation, antispeculation statutes. I am not against looking at that, but if there is something we can do to increase transparency, that is fine. But why would we start by addressing problems when the experts tell us they are not the real problem?

What do the experts say? I will share with you a few comments of what they say.

David Yergin, a great expert, a very fluent man:

> The rise in oil prices can be explained by basic economic factors, such as limited growth in supplies in recent years, a weakening dollar, a global surge in energy demand, and a string of production disruptions in countries such as Nigeria.

Federal Reserve Chairman Ben Bernanke:

> There is speculation, but speculation, under most circumstances, is a positive thing. It provides liquidity and allows people to hedge their risks. And it provides price discovery. It can help allocate oil availability over time, depending on the pattern of future prices and so on.

Warren Buffett, chairman of Berkshire Hathaway:

> It's not speculation, it's supply and demand. We don't have excess capacity in the world anymore, and that's what you're seeing in oil prices.

So why would we start with speculation, instead of supply and demand? Eighty-five percent of the continental U.S. lands offshore are being locked up by Congress; that is, we have a prohibition. The most conservative estimates of how much oil is in the Atlantic and Pacific offshore is 14 billion barrels. Now, I actually think that is totally wrong. I think we have many times that, perhaps as much as three times

that. We have not done a current evaluation, so we are doing some enlightened guessing. Yet we are coming up with 14 billion barrels that is out there that we might be able to drill for and bring on board.

Let me assure everyone that is no pittance. That is a lot. For some perspective, that is more oil than the United States has imported from the Persian Gulf in 15 years and more oil than we have gotten from the Gulf of Mexico in 50 years.

We have a plan to allow States to tap into those resources. The American people support that plan overwhelmingly. Why shouldn't we start there?

From 1998 to 2002, global demand rose by 4 million barrels per day. Since 2002, it has risen by 8 million barrels per day.

In China, the number of cars on the road double every 5 years. The economy there is growing by 10 percent annually. Yet, through problems in places such as Nigeria, we have lost global supplies.

It should be no surprise that prices have gone up. It is clear what this Senate needs to do about it: increase American production now.

I close by saying, the time has come to act on supply and demand. That means, as the American people are saying it: Start drilling on our property to produce oil and gas for our people instead of getting more and more from others overseas and actually sending all our wealth overseas, putting us in a ruinous situation, where we are growing poorer and poorer by the day.

With that, I wonder if the distinguished Senator from Virginia would like to speak.

The PRESIDING OFFICER. The Senator from Virginia is recognized.

Mr. WARNER. Mr. President, I have a long history of supporting opening the OCS to drilling. Aside from being a longtime supporter of opening the Arctic National Wildlife Refuge, I have also engaged in attempts to open the Pacific, Atlantic, and Gulf Coasts to drilling.

While we were successful in opening a portion of the gulf, the Pacific and Atlantic coasts remain off limits.

Instead of focusing my effort on all the off-limit portions of the OCS, I have concentrated over the last year on opening the coast of Virginia, for exploration of natural gas only. I think the history on this effort demonstrates a momentum shift in the minds of my colleagues.

In June 2007, I offered an amendment to the Energy Policy Act of 2007 that would allow for the exploration of natural gas in Virginia only. Extraction of natural gas could only occur if the Governor and State legislature approve such a move.

That vote lost by a vote of 44 nays and 43 yeas.

Of those 44 nays, there are two Senators who are now cosponsors of the Gas Price Reduction Act, a bill that includes a drilling title.

With the nonvoting Members, I think we could win this vote today, on an up-or-down vote.

This fact is significant because it represents a shift in momentum and the way my colleagues are now thinking of rectifying this energy crisis in which our Nation finds itself.

Mr. President, I commend my distinguished colleague, whom I have been these 30 years sharing this floor with from time to time.

Mr. DOMENICI. That is right.

Mr. WARNER. We have collaborated on so many things together.

Mr. DOMENICI. That is right.

Mr. WARNER. But now, as both of us are looking forward to quietly stepping down, I say to the Senator, you are carrying as full a weight as you ever did, and you are the man of the hour among our peer group to work on this energy question because of the depth and background you have on this subject.

Mr. DOMENICI. Thank you, sir.

Mr. WARNER. So I commend you on your efforts with respect to drilling. But I wonder if you would bear with me a minute. Several years ago, I started on this, trying to drill offshore. Do you remember that?

Mr. DOMENICI. Yes, sir, I do.

Mr. WARNER. You always said to me, well, there will come a time.

Mr. DOMENICI. Yes, sir.

Mr. WARNER. But I kept putting in bill after bill, and Senator ALEXANDER joined me on one. And now—

Mr. DOMENICI. The time is here.

Mr. WARNER. The President has joined, and the time is here.

Mr. President, I ask unanimous consent to have printed in the RECORD a list of the votes that were actually cast on my amendment at one time, where I lost by—it was actually 44 to 43—1 vote.

Mr. DOMENICI. Yes.

Mr. WARNER. Or I would have received a majority vote at that time, notwithstanding the 60 votes required for passage, and we might be a little further down the road if that had happened.

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

U.S. SENATE ROLL CALL VOTES 110TH CONGRESS—1ST SESSION

(As compiled through Senate LIS by the Senate Bill Clerk under the direction of the Secretary of the Senate)

VOTE SUMMARY

Question: On the Amendment (Warner Amdt. No. 1566, As Modified).

Vote Number: 212

Vote Date: June 14, 2007, 05:30 PM.

Required for Majority: 3/5.

Vote Result: Amendment Rejected.

Amendment Number: S. Amdt. 1566 to S. Amdt. 1502 to H.R. 6 (CLEAN Energy Act of 2007).

Statement of Purpose: To authorize the State of Virginia to petition for authorization to conduct natural gas exploration and drilling activities in the coastal zone of the State.

Vote Counts: Yeas—43; Nays—44; Not Voting—12.

ALPHABETICAL BY SENATOR NAME

Akaka (D-HI), Nay
Alexander (R-TN), Yea
Allard (R-CO), Yea
Baucus (D-MT), Nay
Bayh (D-IN), Nay
Bennett (R-UT), Yea
Biden (D-DE), Nay
Bingaman (D-NM), Nay
Bond (R-MO), Yea
Boxer (D-CA), Nay
Brown (D-OH), Nay
Brownback (R-KS), Yea
Bunning (R-KY), Yea
Burr (R-NC), Yea
Byrd (D-WV), Nay
Cantwell (D-WA), Nay
Cardin (D-MD), Nay
Carper (D-DE), Yea
Casey (D-PA), Nay
Chambliss (R-GA), Yea
Clinton (D-NY), Not Voting
Coburn (R-OK), Not Voting
Cochran (R-MS), Yea
Coleman (R-MN), Not Voting
Collins (R-ME), Nay
Conrad (D-ND), Nay
Corker (R-TN), Yea
Cornyn (R-TX), Yea
Craig (R-ID), Yea
Crapo (R-ID), Yea
DeMint (R-SC), Yea
Dodd (D-CT), Not Voting
Dole (R-NC), Nay
Domenici (R-NM), Yea
Dorgan (D-ND), Nay
Durbin (D-IL), Nay
Ensign (R-NV), Not Voting
Enzi (R-WY), Yea
Feingold (D-WI), Nay
Feinstein (D-CA), Not Voting
Graham (R-SC), Yea
Grassley (R-IA), Yea
Gregg (R-NH), Yea
Hagel (R-NE), Yea
Harkin (D-IA), Nay
Hatch (R-UT), Yea
Hutchison (R-TX), Yea
Inhofe (R-OK), Yea
Inouye (D-HI), Nay
Isakson (R-GA), Yea
Johnson (D-SD), Not Voting
Kennedy (D-MA), Nay
Kerry (D-MA), Nay
Klobuchar (D-MN), Nay
Kohl (D-WI), Nay
Kyl (R-AZ), Yea
Landrieu (D-LA), Yea
Lautenberg (D-NJ), Nay
Leahy (D-VT), Nay
Levin (D-MI), Not Voting
Lieberman (ID-CT), Nay
Lincoln (D-AR), Yea
Lott (R-MS), Yea
Lugar (R-IN), Yea
Martinez (R-FL), Nay
McCain (R-AZ), Not Voting
McCaskill (D-MO), Nay
McConnell (R-KY), Yea
Menendez (D-NJ), Nay
Mikulski (D-MD), Nay
Murkowski (R-AK), Yea
Murray (D-WA), Nay
Nelson (D-FL), Nay
Nelson (D-NE), Yea
Obama (D-IL), Not Voting
Pryor (D-AR), Yea
Reed (D-RI), Nay
Reid (D-NV), Nay
Roberts (R-KS), Not Voting
Rockefeller (D-WV), Nay
Salazar (D-CO), Nay
Sanders (I-VT), Nay
Schumer (D-NY), Nay
Sesions (R-AL), Not Voting
Shelby (R-AL), Yea
Smith (R-OR), Nay
Snowe (R-ME), Nay
Specter (R-PA), Yea
Stabenow (D-MI), Nay
Stevens (R-AK), Yea
Sununu (R-NH), Yea
Tester (D-MT), Nay
Thune (R-SD), Yea
Vitter (R-LA), Yea
Voinovich (R-OH), Yea
Warner (R-VA), Yea
Webb (D-VA), Yea
Whitehouse (D-RI), Nay
Wyden (D-OR), Nay

GROUPED BY VOTE POSITION

YEAS—43

Alexander (R-TN)
Allared (R-CO)
Bennett (R-UT)
Bond (R-MO)
Brownback (R-KS)
Bunning (R-KY)
Burr (R-NC)
Carper (D-DE)
Chambliss (R-GA)
Cochran (R-MS)
Corker (R-TN)
Cornyn (R-TX)
Craig (R-ID)
Crapo (R-ID)
DeMint (R-SC)
Domenici (R-NM)
Enzi (R-WY)
Graham (R-SC)
Grassley (R-IA)
Gregg (R-NH)
Hagel (R-NE)
Hatch (R-UT)
Hutchison (R-TX)
Inhofe (R-OK)
Isakson (R-GA)
Kyl (R-AZ)
Landrieu (D-LA)
Lincoln (D-AR)
Lott (R-MS)
Lugar (R-IN)
McConnell (R-KY)
Murkowski (R-AK)
Nelson (D-NE)
Pryor (D-AR)
Shelby (R-AL)
Specter (R-PA)
Stevens (R-AK)
Sununu (R-NH)
Thune (R-SD)
Vitter (R-LA)
Voinovich (R-OH)
Warner (R-VA)
Webb (D-VA)

NAYS—44

Akaka (D-HI)
Baucus (D-MT)
Bayh (D-IN)
Biden (D-DE)
Bingaman (D-NM)
Boxer (D-CA)
Brown (D-OH)
Byrd (D-WV)
Cantwell (D-WA)
Cardin (D-MD)
Casey (D-PA)
Collins (R-ME)
Conrad (D-ND)
Dole (R-NC)
Dorgan (D-ND)
Durbin (D-IL)
Feingold (D-WI)
Harkin (D-IA)
Inouye (D-HI)
Kennedy (D-MA)
Kerry (D-MA)
Klobuchar (D-MN)
Kohl (D-WI)
Lautenberg (D-NJ)
Leahy (D-VT)
Lieberman (ID-CT)
Martinez (R-FL)
McCaskill (D-MO)

Menendez (D-NJ)	Rockefeller (D-WV)	Snowe (R-ME)
Mikulski (D-MD)	Salazar (D-CO)	Stabenow (D-MI)
Murray (D-WA)	Sanders (I-VT)	Tester (D-MT)
Nelson (D-FL)	Schumer (D-NY)	Whithouse (D-RI)
Reed (D-RI)	Smith (R-OR)	Wyder (D-OR)
Reid (D-NV)		

NOT VOTING—12

Clinton (D-NY)	Ensign (R-NV)	McCain (R-AZ)
Coburn (R-OK)	Feinstein (D-CA)	Obama (D-IL)
Coleman (R-MN)	Johnson (D-SD)	Roberts (R-KS)
Dodd (D-CT)	Levin (D-MI)	Sessions (R-AL)

GROUPED BY HOME STATE

Alabama: Sessions (R-AL), Not Voting; Shelby (R-AL), Yea.

Alaska: Murkowski (R-AK), Yea; Stevens (R-AK), Yea.

Arizona: Kyl (R-AZ), Yea; McCain (R-AZ), Not Voting.

Arkansas: Lincoln (D-AR), Yea; Pryor (D-AR), Yea.

California: Boxer (D-CA), Nay; Feinstein (D-CA), Not Voting.

Colorado: Allard (R-CO), Yea; Salazar (D-CO), Nay.

Connecticut: Dodd (D-CT), Not Voting; Lieberman (ID-CT), Nay.

Delaware: Biden (D-DE), Nay; Carper (D-DE), Yea.

Florida: Martinez (R-FL), Nay; Nelson (D-FL), Nay.

Georgia: Chambliss (R-GA), Yea; Isakson (R-GA), Yea.

Hawaii: Akaka (D-HI), Nay; Inouye (D-HI), Nay.

Idaho: Craig (R-ID), Yea; Crapo (R-ID), Yea.

Illinois: Durbin (D-IL), Nay; Obama (D-IL), Not Voting.

Indiana: Bayh (D-IN), Nay; Lugar (R-IN), Yea.

Iowa: Grassley (R-IA), Yea; Harkin (D-IA), Nay.

Kansas: Brownback (R-KS), Yea; Roberts (R-KS), Not Voting.

Kentucky: Bunning (R-KY), Yea; McConnell (R-KY), Yea.

Louisiana: Landrieu (D-LA), Yea; Vitter (R-LA), Yea.

Maine: Collins (R-ME), Nay; Snowe (FR-ME), Nay.

Maryland: Cardin (D-MD), Nay; Mikulski (D-MD), Nay.

Massachusetts: Kennedy (D-MA), Nay; Kerry (D-MA), Nay.

Michigan: Levin (D-MI), Not Voting; Stabenow (D-MI), Nay.

Minnesota: Coleman (R-MN), Not Voting; Klobuchar (D-MN), Nay.

Mississippi: Cochran (R-MS), Yea; Lott (R-MS), Yea.

Missouri: Bond (R-MO), Yea; McCaskill (D-MO), Nay.

Montana: Baucus (D-MT), Nay; Tester (D-MT), Nay.

Nebraska: Hagel (R-NE), Yea; Nelson (D-NE), Yea.

Nevada: Ensign (R-NV), Not Voting; Reid (D-NV), Nay.

New Hampshire: Gregg (R-NH), Yea; Sununu (FR-NH), Yea.

New Jersey: Lautenberg (D-NJ), Nay; Menendez (D-NJ), Nay.

New Mexico: Bingaman (D-NM), Nay; Domenici (R-NM), Yea.

New York: Clinton (D-NY), Not Voting; Schumer (D-NY), Nay.

North Carolina: Burr (R-NC), Yea; Dole (R-NC), Nay.

North Dakota: Conrad (D-ND), Nay; Dorgan (D-ND), Nay.

Ohio: Brown (D-OH), Nay; Voinovich (R-OH), Yea.

Oklahoma: Coburn (R-OK), Not Voting; Inhofe (R-OK), Yea.

Oregon: Smith (R-OR), Nay; Wyden (D-OR), Nay.

Pennsylvania: Casey (D-PA), Nay; Specter (R-PA), Yea.

Rhode Island: Reed (D-RI), Nay; Whitehouse (D-RI), Nay.

South Carolina: DeMint (R-SC), Yea; Graham (R-SC), Yea.

South Dakota: Johnson (D-SD), Not Voting; Thune (R-SD), Yea.

Tennessee: Alexander (R-TN), Yea; Corker (R-TN), Yea.

Texas: Cornyn (R-TX), Yea; Hutchison (R-TX), Yea.

Utah: Bennett (R-UT), Yea; Hatch (R-UT), Yea.

Vermont: Leahy (D-VT), Nay; Sanders (I-VT), Nay.

Virginia: Warner (R-VA), Yea; Webb (D-VA), Yea.

Washington: Cantwell (D-WA), Nay; Murray (D-WA), Nay.

West Virginia: Byrd (D-WV), Nay; Rockefeller (D-WV), Nay.

Wisconsin: Feingold (D-WI), Nay; Kohl (D-WI), Nay.

Wyoming: Enzi (R-WY), Yea.

Mr. WARNER. But I wish to say how pleased I am to see you vigorous and strong, and with our distinguished leader, Senator MCCONNELL, leading the charge. I hope we get it up here and let these 100 Senators speak their will.

Mr. DOMENICI. Thank you. I am glad to be at our Republican leader's side on this issue and help wherever I can.

Mr. WARNER. We share that.

Mr. DOMENICI. We are aware this is a real big, big-time American problem, as hard as any kind of problem as we have had.

Mr. WARNER. I say to the Senator, go back and look at your mailbox, look at your e-mail, look at the hundreds of communications each of us are receiving every day.

Mr. DOMENICI. You bet.

Mr. WARNER. These people are gathered—I would say almost a quarter of Americans are gathered around the kitchen table every night looking at the increased costs in their food, the increased costs in their heating and their gasoline, trying to figure out how they are going to make ends meet, with relatively small amounts of dollars in the overall picture. But to them, it is the difference between buying a little extra food and having the choice to forego it.

I yield the floor.

Mr. WHITEHOUSE addressed the Chair.

The PRESIDING OFFICER (Ms. KLOBUCHAR). The Senator from Rhode Island is recognized.

Mr. MCCONNELL addressed the Chair.

The PRESIDING OFFICER. The Republican leader is recognized.

Mr. MCCONNELL. Madam President, let me just say to my good friend from Rhode Island, I am sorry we have gotten a little bit behind. My remarks are not very long, and I will be happy to proceed on leader time.

The PRESIDING OFFICER. The Senator may proceed.

Mr. WHITEHOUSE. I am happy the leader should proceed. I simply wished to have an idea of how long it might be so I know when I would begin.

Mr. MCCONNELL. Ten minutes or less.

Mr. WARNER. Madam President, if I could make an inquiry of the distinguished leader while he is on the Senate floor, at some point I would like to work into the queue. If my good friend from Rhode Island is following the leader, perhaps I could follow him. Is there a standing order?

Mr. WHITEHOUSE. If I could indicate to the Senator from Virginia, we are under an order that allocates the time of one-half-hour blocks, and I have our first Democratic half hour. So it would probably be more convenient and better, if the Senator simply followed the Republican leader, and I just deferred some additional time to allow him to speak directly after the Republican leader, and we can adjust the order accordingly.

Mr. WARNER. Madam President, I appreciate that courtesy, and I will just take, say, 6 minutes following the distinguished Republican leader.

The PRESIDING OFFICER. The Republican leader is recognized.

Mr. MCCONNELL. Madam President, my remarks are on another issue, but I was here for the colloquy between my good friend from Virginia and my equally good friend from New Mexico. We all know they are both retiring from the Senate later this year, but it is serendipitous that this issue has arisen at this particular time, when the American people are demanding the kind of action that the Senator from New Mexico and the Senator from Virginia have been promoting for years. So I think it is a good thing that while they are still here in their service to our country, we will be debating this issue vigorously next week, and all of us hope for success.

NOMINATIONS

Mr. MCCONNELL. Madam President, on another issue, this is the 1-year anniversary of the nomination of Judge Robert Conrad to be a member of the Fourth Circuit Court of Appeals. When this Congress began, the majority leader and I agreed that partisanship in the judicial nominations process was unhealthy, and we said this Congress would be different. The Los Angeles Times and the Washington Post acknowledged the President did his part to get the process off to a good start back in the beginning of this Congress. They, and many others, complimented his good faith in not resubmitting circuit court nominees whom some of our Democratic colleagues did not like.

The majority leader himself said how much he appreciated the President's good faith. He said:

> I personally want the record to reflect that I appreciate the President not sending back four names that were really controversial.

The majority leader also said he and his colleagues had an obligation to reciprocate and treat circuit court nominees fairly. He said:

> I think we have to reciprocate in a way that is appropriate, and we are going to try to do that by looking at these nominees as quickly as we can.

So the question is, have the Democrats treated these nominees fairly? Have they, in fact, reciprocated?

Let's look at the facts. This President is in his final 2 years of office, and the Senate Democrats, of course, hope to recapture the White House. So, obviously, there is a partisan incentive not to confirm President Bush's judicial nominees. This is, of course, human nature, but this situation is not new. President Bush is not the first President to be in his final 2 years in office when the opposite political party controls the Senate, and he will not be the last.

Even with lameduck Presidents, there is a historical standard of fairness as to confirming judicial nominees, especially circuit court nominees. The majority leader and I agreed that this Senate should meet that standard. The average number of circuit court confirmations in this situation is 17. President Clinton had 15. This Senate has confirmed only 10 circuit court nominees. What happened?

Unfortunately, old habits are hard to break and, in my opinion, Democrats on the Judiciary Committee found it hard not to play politics. It started with the renomination of Judge Leslie Southwick.

Judge Southwick was a distinguished State court judge and an Iraq war veteran. Moreover, he was someone the committee Democrats had already approved unanimously to the district court. So at the beginning of this Congress when the President tried yet again to fill a vacancy on the Fifth Circuit that had existed for his entire Presidency, he did not resubmit a nominee the Democrats opposed. Instead, he quite reasonably nominated someone whom committee Democrats had already approved: Leslie Southwick.

How did the Judiciary Committee Democrats respond? With one exception, they did a total about-face and actually tried to filibuster Judge Southwick's nomination.

Unfortunately, Judge Southwick isn't the only consensus nominee who became ''controversial.'' Judge Robert Conrad is the chief judge of a Federal district court in North Carolina. The Senate has already approved him to important positions not once but twice; first, as the chief Federal law enforcement officer in North Carolina, and then to a lifetime position on the Federal trial bench. In addition, the ABA gave Judge Conrad its highest rating, unanimously ''well qualified.'' Former Attorney General Janet Reno called him ''an excellent prosecutor'' and said she was ''impressed with his judgment . . . and his knowledge of the law.''

Again, to resolve a dispute—this time over a Fourth Circuit seat—President Bush did not resubmit a nominee whom Senate Democrats opposed. As with Judge Southwick, he nominated someone they had already approved, Judge Robert Conrad.

Guess what has happened. Well, nothing has happened. As of today, Judge Conrad has been sitting in the committee for 365 days, 1 full year, without a hearing, even though he meets all the chairman's criteria. He has the highest possible ABA rating, he has strong home State support, and he would fill a judicial emergency.

What is the result of all of this? While Judge Conrad waits in committee, the circuit court to which he is nominated is over 25 percent vacant. Over one-fourth of its seats are empty. Its chief judge states that to keep up with its work, the court must rely heavily on district court judges. In short, it is robbing Peter to pay Paul. ''It goes without saying,'' she says, ''that having to use visiting judges puts a strain on our circuit. In particular, it forces the circuit's district judges to perform double duty.''

The situation on the Fourth Circuit is so bad that the ABA has made the crisis on the Fourth Circuit its lead story in the most recent edition of its professional journal. It is on the cover page.

Now, my friend, the majority leader, comes to the floor this morning and essentially says judges aren't important, and no one cares about them. Given the crisis in the Fourth Circuit—a crisis that is so bad the ABA is highlighting it—I can't imagine he would suggest such a thing. I am sure the millions of citizens of the Fourth Circuit don't think that having their appellate court over 25 percent vacant doesn't matter. I am sure they care very much about that. But evidently that is what the majority leader believes, and apparently he is not the only one in his conference who feels that way, given the lack of action in the Judiciary Committee.

The committee refuses to move Judge Robert Conrad's nomination or any other pending Fourth Circuit nominee. We are told Democrats do not support Rod Rosenstein's nomination to the Fourth Circuit—which is supported by the Washington Post—because he is doing too good a job as U.S. attorney. That is an interesting rationale for not moving someone.

We have another Fourth Circuit nominee, Judge Glen Conrad from Virginia. He is a Federal district court judge whom the Senate confirmed to the trial bench without any controversy. He has the support of both his home State Senators, one Democrat and one Republican. After he was nominated, the chairman said he would move him as long as there was time to do so. Specifically, he stated:

> I have already said that once the paperwork on President Bush's nomination of Judge Glen Conrad to the Fourth Circuit is completed, if there is sufficient time, I hope to move his nomination.

Well, the chairman's conditions have been met with respect to Judge Glen Conrad's nomination. His paperwork has been ready for a month, and it is only July 17. The last time I looked, there were 12 months in a year. This is July 17. Clearly, we have time to confirm him, but yet we have no action on his nomination.

Now, our Democratic colleagues continually talk about the so-called Thurmond rule under which the Senate supposedly stops confirming judges in a Presidential election year. I am concerned that this seeming obsession with this supposed rule—which, by the way, doesn't exist; Senator SPECTER has researched that thoroughly and there is no such rule. Anyway, I am concerned that this seeming obsession with this rule that doesn't exist is just an excuse for our colleagues to run out the clock on qualified nominees who are urgently needed to fill vacancies.

No party is without blame in the confirmation process, but what is going on now—or, more accurately, what is not going on—is yet another step backward in politicizing the confirmation process—something we had all hoped we would get beyond.

It is the American people, especially those in the five States that make up the Fourth Circuit, who are suffering the consequences, and I am sorry the majority leader doesn't think that matters.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Virginia is recognized.

Mr. WARNER. Madam President, I thank the Chair. I again thank my colleague from Rhode Island.

Before the distinguished leader departs the floor, I simply wish to say that I appreciate his bringing up the nomination of Judge Glen Conrad to the United States Court of Appeals for the Fourth Circuit. I was privileged to recommend Glen Conrad to President Bush for his current seat on the U.S. district court for the Eastern District of Virginia. Judge Conrad has served in this position for five years, and, prior to his confirmation by the Senate, he was a magistrate judge in the Eastern District for twenty-seven years. He has devoted his professional life to serving the Federal court system and is eminently qualified to fill one of those Fourth Circuit vacancies that desperately need it.

I wish to thank my good friend and colleague, Senator WEBB, who joined me in recommending Judge Conrad for the Fourth Circuit. We have submitted our blue slips to the Judiciary Committee, and I have confidence that the majority leader and the distinguished chairman and ranking member of the Judiciary Committee will find time to look at his nomination. Glen Conrad is a true public servant who is ready to take and fill a badly needed post.

I thank the leader.

Mr. MCCONNELL. Madam President, if I could just take a moment, I haven't given up hope, I would say to my good friend from Virginia, that Judge Conrad will be reported out of committee and confirmed. But there are no remaining obstacles. All of the paperwork is done and has been finished for

over a month. I hope my good friend from Virginia, and his colleague who supports the nominee who is of the other party, will continue to press the chairman of the Judiciary Committee and the majority leader to move forward with a nominee who appears to me by all accounts to be about as noncontroversial as can be come up with. So I thank my colleague from Virginia.

Mr. WARNER. I thank again our colleague from Rhode Island.

I spoke earlier when the distinguished Senator from New Mexico, Mr. DOMENICI, was on the Senate floor talking generally about the drilling offshore. I mentioned that for many years I have been working on it with other colleagues in this Chamber and lost the majority by one vote.

I ask unanimous consent to amend those statements with further criteria.

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

Mr. WARNER. Madam President, now I wish to briefly address what I think is a very important aspect of the ongoing debate on energy. I want to laud many Senators on both sides of the aisle who are looking at the gravity of the situation. Families sit around the kitchen table in the evenings and work out problems among themselves, including the gravity of the problems associated with the rising gas prices at the gas pump, food prices, and many other issues. I went in and made a study of the increased cost of a loaf of bread, dishwasher fluid—I could go on and on—hot dogs, hamburgers. The extent to which prices are going up is extraordinary, coupled with the increased price at the gas pump.

We are all working together, and I firmly believe that under the leadership of Senators REID and MCCONNELL, we can come up with some sort of a bipartisan effort consistent with the overall policy the President has urged recently in his speech.

As important as offshore drilling is—and I yield not a foot of ground on that; I think it is important, and that is why I have been advocating it for many years. I support battery-powered automobiles, wind energy, and all of the other renewables. But we have to do something now, today, and tomorrow to help the people sitting around their kitchen tables trying to solve their problems. I have been looking at several options, and I will review them briefly.

I anticipate that one-third of Americans today are virtually desperate and trying to make ends meet with their family budgets, and the necessity to drive their automobiles to go to work, pick up their children, to visit their elderly grandparents—all of these things are matters of necessity, and they are trying to balance that out among themselves. What do we do about it?

I introduced the Immediate Steps to Conserve Gasoline Act—an odd title but straightforward in what it says. My idea is as follows: Many folks—a third of them—are conserving; they are taking conservation steps. Look at the statistics. You see less driving. Quite a few statistics are coming in about less driving, which translates into less demand at the gas pump. A free marketplace should lead to some measure of reduction. We recognize that gasoline and petroleum is at worldwide pricing, and we are in a one-world market. We are competing with other nations, which are likewise experiencing the rising costs of fuel.

My brother recently returned from a business trip to Europe. He is quite familiar with Central Europe and Austria. He said on the famous autobahn they are cutting back on the speed because there is a savings on gasoline. The faster you drive, the less efficient the carburetion process in the engine is in terms of delivering power.

I suggested to the President, to the Secretary of Energy, and I have asked the Government Accounting Office to look at a chapter in American history. I remember it quite well, 1973 to 1974. I was at the Navy Department. My friend from Rhode Island, John Chafee, and I were together at that time. I remember the President, together with the full support of the Congress, enacted legislation whereby America imposed a hardship on itself; it was a program all across America—and it is all a matter of public record—that made the speed limit 55 miles per hour. What I have asked the President, the Secretary of Energy, the GAO, and others to do is to go back and examine that period, take a look at it. Fifty-five might not be the speed limit; it might be 60 or even a slightly higher speed limit because of the improved carburetion process and efficiency achieved in this nearly quarter of a century in today's modern automobiles compared to the 1973–1974 automobiles.

It is interesting, in that period of time—and these are Government statistics—when the national speed limit was imposed, it saved 167,000 barrels of oil a day. The significance of that figure is that, in that period, 1973–1974, we were only 30 percent dependent upon importing oil from abroad. Now we are at 60 percent. So there has been a doubling of our dependency on foreign oil. Also, the number of vehicles on the road today—a quarter of a century later—is approximately twice the number of vehicles that were traveling America's highways and roads in 1973–1974.

I realize it is not popular to talk about it. Believe me, around my own dinner table at night, I have heard from my children, who are not at all pleased with this.

Anyway, I think we have an obligation as a Congress, working with the executive branch, to look at it. That is all I am asking. Go study it, those who are far more knowledgeable than I and those who have all of the facts at their fingertips, and let's bring in the private sector to give their views and look at this potential. If we were to bring about some reduction of the high speeds on America's roads and highways today, I think you could translate that into less demand at the pump and less demand in terms of out-of-pocket costs.

So there we are, simple as that. It is history, it worked, so let's look at it. That 55-miles-an-hour speed limit that was put in back then stayed for 20 years. Congress finally repealed it in 1995. Guess what. The cost of fuel had dropped to $2 a gallon or thereabouts.

The other measure that I bring to the attention of my colleagues is this: The American people are using their own initiatives to save energy, and I am calling on the entire Federal Government, under the leadership of the President, and all of the agencies and departments to see whether they can reduce their overall use of gasoline by 2 to 3 percent—just by a small margin.

We passed an energy act here not long ago, and I use that as a model. We were talking about other forms of energy there. That is becoming law.

For 1 year, the Federal Government can say we are going to join the citizens and reduce our overall consumption of gasoline by 2 to 3 percent, give it a try—anything to bring off pressure at the pump.

My two concepts fall clearly under the area of conservation. As I look at the various options my colleagues on both sides of the aisle are exploring and looking at, I do not see therein the conservation potential, thus far, which can bring about some relief. I am confident this can be done if it is done properly. The American people are not going to like it. Politically, it will be a tough one. Somehow, I have always felt, in the 30 years I have been privileged to be a part of this body, that we are called upon now and then to make tough calls and stand up to the American public and say we have to all pull together—the people and the Government, State and Federal.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island is recognized.

Mr. WHITEHOUSE. Madam President, I ask unanimous consent that after I have concluded my remarks, the control of the time go back and forth between the Republicans and the Democrats, alternating in half-hour increments.

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

HEALTH CARE

Mr. WHITEHOUSE. Madam President, I am very pleased to have a chance to speak today about the problem of health care in our country.

We are coming into a potentially very exciting time, when a new President and new administration will open up new opportunities to reform our ailing and broken health care system. It is a matter of urgency that we do so. It is also a matter of urgency that we get it right.

I have spoken on this issue on a number of occasions on the floor and elsewhere, and I often describe the marks

of failure of our health care system, which are many. For example, the number of uninsured Americans is now climbing toward 50 million people. The fact is that despite the best doctors, the best nurses, the best medical equipment and procedures, the best medical education in the world, as many as 100,000 Americans are killed every year by avoidable medical errors. In the United States, our life expectancy, our obesity, and our infant mortality rates are an embarrassment compared to other nations.

The health care system cost is over $2 trillion. The last report I saw was at $2.3 trillion, and it is anticipated shortly to reach $4 trillion. At this point, we are spending 16 percent of our gross domestic product on health care, which is far more than any other nation; the closest nation comes to 11 percent. The average of the European Union countries is only 8 percent. So we are putting twice as much of our national product into our health care system as our European competitors are.

Within our own system, the insurance companies' overhead eats up 31 percent of private insurance health care expenditures. In the battle between insurers and providers over getting paid—which is becoming increasingly an arms race—$20 billion per year gets burned up and lost.

More American families are bankrupted by health care emergencies and health care expenses than any other cause. It is not just uninsured families who are being bankrupted. It is the insured as well because of the thinness of so much of our coverage. There is more health care than coffee beans in Starbucks coffee. There is more health care than steel in Ford automobiles.

So when you look at it from that perspective, you truly see a troubled system.

The Commonwealth Fund has recently put forward a report that drills into the problems of our system even further. I would like to take some time to share with my colleagues the findings from the Commonwealth Fund study. They are quite impressive, but not in a positive way.

They found that Americans spend more on health care expenses than any other of the countries they tracked. This axis of the graph shows total health care spending. This axis of the graph shows the out-of-pocket spending in addition to the insured health care spending. You can see that the United States stands as an extreme outlier to all of these other nations, including France, Germany, Canada, Netherlands, Australia, New Zealand, and Japan, and the average of the OECD countries—a group of 30 market economy countries that are very competitive with ours.

It is astonishing. We cannot remain competitive when total health care spending is this much above those countries, plus out-of-pocket demands on individual Americans, in addition to that national health care spending, is so much greater than those other countries.

People who spent more than $1,000 out of pocket for medical care in 2004 when the study was done: In the United States, nearly a third of the above-average income people; a quarter of below-average income people, compared to the United Kingdom, 2 percent and 5 percent; New Zealand, 4 percent and 6 percent; Canada, 10 percent and 12 percent; Australia, 8 percent and 21 percent. We are not even close.

Spending on physician services: In the United States, we pay $1,362 every year per capita on physician services. In the Nations with which we compete: Japan $563; OECD, the average is $482; Australia, $436; France, $371; Canada, $319; Germany, $307. That is a quarter of what we spend. And they are not receiving bad health care in those countries.

Pharmaceutical spending is a little bit more even but, once again, who has to spend the most? Good old USA, more than twice what the OECD average is or The Netherlands; about twice what Australia is. Over and over, we see persons punished by the cost of the health care system.

Here is what I mentioned earlier, the percentage of the gross domestic product spent on health care: America, 16 percent; the next highest is just under 11; OECD, the average is 8.7 percent. This is not a sustainable situation.

Health care spending per capita, $6,102 for Americans, compared to the competing systems: Canada, $3,165; France, $3,159; The Netherlands, Germany, Australia, OECD, UK, Japan, New Zealand, down to $2,083, about a third of what we spend in the United States of America. And they have very decent health care systems and, in many cases, better health care outcomes.

This is similar to the other graph showing that $6,102 goes per capita per year to support our health care system. This shows that if you break it up into public spending in the yellow, out-of-pocket spending in the white, and private insurance spending in the blue, if you take the private and out-of-pocket spending, it is more than every other country with which we compete. That entire $2,572 per person in private insurance spending is all above what everybody else has to pay for health care in their countries. No wonder facts such as these emerge.

Physicians perceive that patients often have difficulty paying for medications: 51 percent of American doctors have observed in their professions that we Americans have difficulty paying for our prescriptions—51 percent. In New Zealand, the next highest, it is 27 percent; Canada, 24 percent; Germany, 23 percent; Australia, 15 percent; UK, 13 percent; down to Netherlands, 7 percent. Wouldn't we be better off as a country if only 7 percent of physicians reported that their patients often had trouble paying for medications?

And for all of that, look at some of the results we get. Deaths due to surgical or medical mishaps per 100,000 population: America leads the nations with .7 mishaps per 100,000; .6 for Germany; .5 for Canada and France, all the way down to .2 for Japan and The Netherlands. We pay more, but we don't get better results.

This one makes me cringe to look at. Infant mortality rate for our country: 7 deaths per 1,000 live births. Look at the countries that beat us in infant mortality: New Zealand, Canada, United Kingdom, Greece, Ireland, Portugal, Australia, Netherlands, Switzerland, Italy, Denmark, Belgium, Germany, the Czech Republic, Austria, France, Spain, Norway, Sweden, Finland, Japan, and Iceland, with many countries with an infant mortality rate half our country's, despite the fact we are spending twice as much on health care.

If we look at potential years of life lost to circulatory illness, which means dying younger than you should have, America leads: 825 potential years of life lost per 100,000 population; Australia, 419; France, 411, half as much. It is embarrassing.

Potential years of life lost due to diabetes: In the U.S., again, 101, down to Japan, 25, four times better. Look at how we are outliers against the rest of our competitors and against these other developed nations.

Diseases of the respiratory system: Here we go again. Who is the worst? The USA.

Obesity: This is a huge indicator of future illness and future health care expense. Again, who is the worst? Madam President, 30.6 percent in the U.S., down to 9.5 percent in France; 10.9 percent in The Netherlands; 12.9 percent for Germany; the OECD average, 13 percent. We are twice as bad as the OECD average.

Look at the system that is backing it up. Patients reporting any error based on the number of doctors they have seen: If they have 4 or more doctors, 48 percent of American patients reported errors; with 1 doctor, it is 22 percent. We are worse than all the other countries again and again.

It is similar for medical, medication, and lab errors. Who is the worst? The United States, with 34 percent compared to 22 percent in the UK; 23 percent for Germany; 25 percent for New Zealand; 27 percent for Australia; 30 percent for Canada.

Incorrect lab and diagnostic test or delay in receiving abnormal test results: Again, who has the worst record? The U.S., 23 percent. The Germans managed to get that down to 9 percent. We are more than twice as bad as they are.

Coordination of care, vitally important for people who have multiple illnesses and multiple treatments, reporting of coordination problems: The U.S., 43 percent for those with 4 or more doctors; 22 percent for those with 1 doctor. That is again, worse than all of our competitors that were in the study.

Difficulty getting care on nights, weekends, and holidays without going

to the ER: It has become standard in America that the place you get care on nights, weekends, and holidays is the emergency room, and that is why 61 percent of adults who sought care reported it was very or somewhat difficult to get care without going to the emergency room. In Germany and New Zealand, they managed to get that to 25 percent and 28 percent respectively, another measure that the system is not serving the American people.

Test results or medical records not available at the time of appointment: 23 percent compared to 11 in Germany. Again, we are the worst on the table.

Doctors who report they routinely receive alerts about potential problems with drug dosage or drug interactions: In the United Kingdom, 91 percent report they receive alerts about a potential problem with a drug dosage or interaction; 97 if you include those who use a manual system; 93 percent total in New Zealand; 95 percent in The Netherlands; 90 percent in Australia; 51 percent in the United States. We are not even close by a lot of these measures.

Here is our public investment per capita in health information technology, which is probably the platform to the solution of our health care dilemma: United Kingdom, 192 bucks per person in 2005; Canada, $31; Germany, $21; Australia, $4.93. Here is what we invest in the U.S.: 43 cents—43 cents—to develop health information technology. No wonder we are getting those results we saw.

And here they are, primary care doctors' use of electronic patient medical records: 98 percent of primary care doctors use electronic patient medical records in The Netherlands; 92 percent in New Zealand; 89 percent in the UK; 79 percent in Australia; 42 percent in Germany; and look at us, 28 percent. It is pathetic.

And where are the financial incentives to encourage doctors to do it? Why is it at 28 percent? Look who reports they have financial incentives for quality of care improvements: 95 percent do in the UK; 79 percent in New Zealand; 72 percent in Australia. Who, again, is the worst? Who again is trailing the civilized, developed world? The United States of America. Again, it is embarrassing.

If you are managing patients with chronic disease, which is where the big money is and where the biggest health risks are, how many primary care doctors get financial incentives for quality of care improvement: 79 percent do in the United Kingdom; 68 percent do in New Zealand; 62 percent in Australia; in The Netherlands, 47 percent; in Canada, 37 percent; in Germany, 24 percent. Look at us, 8 percent. And we wonder why there is a problem.

We are not even happy about the system and our interactions dealing with it. Does your doctor always listen carefully? Who comes in last? The U.S.

Does your doctor always explain things so you can understand them? Who comes in last? The U.S.

Does your doctor always spend enough time with you? Who comes in last? The U.S.

I know I have taken everybody through a lot of graphs. There are a lot more in the overall study by the Commonwealth Fund. This is the wrap-up of the ranks for 2004, 2006, and 2007 of the six nations. Who is last every year? Sixth place for six; sixth place for six; sixth place for six; and for $6,102 per person compared to about $3,000 or less for almost every other one of our competitors.

This is what it leads to. This is spending on health per capita. Back in 1980, all the nations were grouped fairly closely together. The other nations have remained fairly closely grouped. But look at what has happened to our cost profile, and it is going to continue to go up and up and up and up, and we are going to come to a breaking point.

David Walker, the former Comptroller General, has said the cost of the unfunded liability we bear for the future costs of entitlement programs is $53 trillion. I come from Rhode Island. We don't deal in trillions of dollars. Our whole State budget is a little over $5 billion.

What is $53 trillion? If a penny is $1 billion and 5 pennies is a stack about this high, which will be the entire State of Rhode Island budget, $53 trillion is a stack of pennies more than 250 feet high, through the roof of this building and hundreds of feet into the air.

What we are going to have is a health care calamity. We have two choices as to how we deal with it. We can wait around. We can wait until the wolf is at the door and then we can decide we cannot afford $53 trillion. We can make fiscal adjustments to that. We know what fiscal adjustments we can make. We have done some already. You pay providers less. You throw more people off health care. You make insurance coverage thinner. You raise taxes to pay for it. But we have gone down all those roads already. We have gone too far down those roads already. And if we are left with only those tools in the toolbox to solve this health care problem, we will be doing one of the gravest disservices this Congress has ever done to the country we are here to serve. Instead, we have to go and look at the health care delivery system and repair it so it provides better results.

The good news from all the bad news on those charts is that there is enormous room for improvement. We can substantially reduce the cost. There are three important ways I think we can go about doing this. The first is to improve our health information technology. We need to have a national health information technology infrastructure. The RAND Corporation values having a national health information technology infrastructure at somewhere between $81 billion and $346 billion per year. That type of savings is worth spending some serious money to achieve—not the 43 cents per person we saw on the graph. We have to engage in a national urgent construction project of a health information technology infrastructure.

The second thing we have to address significantly is the problem of quality and the underinvestment in prevention in our system right now. There are enormous savings to be reached there. In a project we are doing in Rhode Island, copying the Keystone project in Michigan, we are seeing significant savings in our intensive care units and improving quality of care. In Michigan, in 15 months, they saved about 1,500 lives, and they saved about $150 million. And it wasn't even in all the intensive care units in Michigan. There are huge savings from quality improvement if you can set up the incentives so people will do it.

When we set this up in Rhode Island, the hospitals came to me—I was attorney general then—and they said: we will do this, but it is going to cost $400,000 a year. And I said: Yes, but it saves money. Keystone showed that. We think it will save $8 million. That is a 20-to-1 return. Go. And they said: No, no, no, you don't understand how it works in the health care system. That $400,000 comes out of our expenditures. That is a negative on our bottom line. That $8 million savings comes out of our revenues. We get reimbursed for that care. So we will lose $8 million in revenues if you ask us to spend this $400,000. That is a big hit.

They agreed to do it, but I have taken aboard in my mind and my heart the lesson of how badly our health care system supports providers when they try to improve the quality of care in this very tough financial environment they are in.

That brings us to the third piece. Health information technology was first, quality prevention investment in ways that will save costs is second, and the third is to reform the reimbursement system so the price signal that gets sent into the market by our health care system directs people in ways we want.

We can't do this on a piecemeal basis any longer. These three ideas can dramatically reform our health care system. They have one problem. They will take some time. You can't turn the switch and make them go. We have some work to do to develop the strategy, to implement it, and to build what new infrastructure has to be constructed to make it work. I would guess, based on an experience I had in Rhode Island with a similar reform, that it is a 10-to-15-year lead time to have the full effect begin to show itself.

And you know what, if you dial back from the time when that $53 trillion fiscal tsunami is going to hit this country, that 10 to 15 years is probably right now. So not only is a new administration with a new President and new energy and new opportunities a great chance in the coming year to begin to

get this work done and to open a substantial reform of our health care system, but it is also, in many respects, a deadline.

You can go by a highway exit and it is too late to come back to it, and I am afraid that is where we are right now. So as I prepare to conclude my remarks and yield the floor, I want to say to my colleagues: we are going to have to work very hard together to fix our health care system in the coming year. I know the financing problems and the access problems are real, but I urge and implore you to consider that it is not enough to repair the finance and the access problems of our health care system. We need to get into the delivery system and fix it so it provides better, less expensive, more efficient health care for Americans.

I believe we can do it, and I believe it is not a partisan issue. It is a question of right versus wrong, smart versus stupid, wasteful versus efficient, and not right versus left or Republican versus Democrat. So I challenge my colleagues to join me in this fight, and I look forward to the important results from it that America needs.

I thank the Presiding Officer for recognizing me, and I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma is recognized.

Mr. INHOFE. Madam President, I am introducing two bills today, the second of which resolves the problem of the gas price crisis at the pumps today.

(The remarks of Mr. INHOFE pertaining to the introduction of S. 3280 and S. 3281 are located in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

The PRESIDING OFFICER. The Senator from Ohio is recognized.

Mr. VOINOVICH. Madam President, I rise today to speak about an issue that weighs heavily on the minds of every Ohioan—the skyrocketing cost of gasoline. There have been many elaborate theories bandied about on the floor of the Senate in the last month as to why gasoline is so expensive. We have heard that investors are driving up the cost of oil by 20 to 30 percent. But businessman Warren Buffett has said ''it's not speculation, it's supply and demand.'' And Paul Krugman wrote in an op-ed, ''the hyperventilation over oil market speculation is distracting us from the real issues.''

Madam President, I will insert for the RECORD an article which appeared in the July 7–14 Newsweek edition by Robert Samuelson titled ''Let's Shoot the Speculators!'' The quote I want to make as part of my speech is:

> Gosh, if only it were that simple. Speculator-bashing is another exercise in scapegoating and grandstanding. Leading politicians either don't understand what's happening or don't want to acknowledge their complicity.

There have also been calls to increase production in the 68 million nonproducing acres that are already leased. Some of my colleagues are claiming that hundreds of small, medium, and large oil companies are colluding to not drill on their current leases because they want to restrict the supply so they can increase profits. At the same time, those same colleagues accuse the industry of wanting to open ANWR and the OCS to more drilling to increase profits by increasing supply. That makes absolutely no sense.

I think we can all agree this is a complicated issue with moving parts. Congress cannot afford to address the factors contributing to the high gas prices individually as we are doing today. We must look at the pieces comprehensively and find solutions to combat this crisis from all angles, and we have to act now.

Over the past months, I have heard loudly and clearly from thousands of Ohioans how this crisis is directly affecting them and their loved ones. In fact, this past July 4 recess I was talking with folks about high gas prices. They are frustrated and angry—frustrated at the high cost of gasoline and angry that Congress wasn't getting off its you know what to do anything about it. They told me about how the price of gasoline is affecting them where it hurts—right in their pocketbook. It is affecting vacation plans for those families who planned to take long trips this summer. It is affecting people who have to drive long distances for a living. And it is particularly affecting people who live on the financial edge.

The truth is, with the high cost of natural gas, and the high cost of gasoline and food, the standard of living of millions of Americans is being impacted substantially.

Other Ohioans have written to me, and one letter I think about quite often was from Mary Keener, who works at the James Cancer Center in Columbus. She wrote to my office to tell me about her concerns for patients living in Ohio's Appalachian region. She says:

> Patients call our office and say: ''I know I need this cancer treatment to live, but I can't afford to buy the gas to get it. Can you help me?''

Every day, more and more Ohioans contact me and it is becoming clear that they get it. They realize we need to increase our oil supply and develop a comprehensive energy strategy.

Sadly, this crisis could have been averted. We have known for years that we need a comprehensive energy strategy, and I have been calling for one since I came to the Senate in 1999. In 2002, after the Senate failed to pass the provision that would have opened ANWR and dramatically increased our domestic energy production, I said:

> As we go down the road, I think those that voted against this amendment will regret their vote when we face the sticker shock at the gas pump and the eventual impact that continued dependency on foreign oil will have on our national security, economy, and our foreign trade deficit.

Since that vote, gas prices have increased more than 200 percent. Meanwhile, it took 5 years and 6 weeks of floor debate for Congress to pass the 2005 Energy Policy Act, a bill that only provided limited strides forward. And while the bill took modest steps to improve national energy efficiency, boost research and development funding for advanced energy technologies, and promote increased use of biofuels, it did not go far enough toward increasing our domestic energy supply.

For years, the gap in the United States between demand and domestic supply has been widening. In fact, U.S. oil production has steadily declined since 1970, when it was nearly 10 million barrels per day, to 5.1 barrels in 2007. So with less domestic resources available, we have been forced to seek energy abroad.

In 1973, the United States imported 6 million barrels of oil per day, or 34 percent of our total supply. By 2006, net oil imports were 12.4 million barrels per day, or 60 percent of our total liquid fuel use.

This chart gives you an idea of what has happened. Our domestic oil production has gone down and our need for imported oil has gone up. You can see the gap that exists. And the only way we are going to make any progress is to reduce that gap that is so pronounced today.

While Americans understand we need to increase the supply of oil, I am not sure they fully realize to what extent our life is threatened by our reliance on foreign sources of oil. Every year we send billions of dollars overseas for oil to pad the coffers of many nations that don't have our best interest at heart, such as Venezuela, whose leader has threatened to cut oil off to the United States.

In fact, in 2007, we spent more than $327 billion to import oil. Sixty percent of this, or nearly $200 billion, went to the oil exporting OPEC nations. In 2008, the amount we will spend to import oil is expected to double to more than $600 billion, $360 billion of which is going to go to the OPEC nations. Let's take a moment to put those figures into context, when compared to our fiscal year 2008 budget for our national defense, which was more than $693 billion. The $600 billion we will spend to import oil in 2008 is nearly equal—it is nearly equal—to the entire defense budget of the United States.

Our dependence on foreign oil has serious national security implications. In addition to funding our enemies, as I explained, we cannot ignore the fact that much of our oil comes from and travels through the most volatile regions of the world. A couple of years ago I attended a series of war games hosted by the National Defense University. I saw firsthand how our country's economy could be brought to its knees if somebody wanted to cut off our oil, as was done in 1973.

Do you know that 80 percent of the global oil routes flow through unstable countries, such as Iran? Over 40 percent of the world's oil travels through the Strait of Hormuz.

Just to give an idea, this graph reflects where we are getting our oil. Here is Venezuela—Chavez, the dictator down there who is working against our interests constantly in South America. He is no friend of ours. The Middle East. We know what we have over in this unstable part of the world. Our concern about Iran is also impacting on the price of oil, because people are not certain what is going to happen in terms of Iran.

Our dependence on foreign oil is even more troubling when you consider our Nation's financial situation. The decline of the dollar has had a direct effect on increasing prices of gasoline. In fact, many experts say we are paying substantially more to export oil today because of the weak dollar.

We cannot overlook our national debt. Today, 51 percent of the privately owned national debt is held by foreign creditors, mostly foreign central banks. That is up from 6 years ago. Foreign creditors provided more than 70 percent of the funds the United States has borrowed since 2001, according to the Department of the Treasury.

Who are these creditors? According to the Treasury Department, the three largest holders of U.S. debt are China, Japan, and OPEC. This is insane. It has to stop. We cannot afford to allow at this time countries that control our oil and our debt to control the future of the United States of America.

We need to enact an energy policy that broadens our base of energy resources to create stability, maintain reasonable prices, and protect our Nation's security. It must be a policy that will keep energy affordable, and it must be a policy that will not cripple the engines of commerce that fund the research that will yield environmental protection technologies for the future.

We need a second Declaration of Independence to move us away from foreign sources of energy in the near term and away from oil in the long term.

This is not going to be easy. As you know, oil is not easily found nor substituted, and it will remain an integral part of our economy in the short term. But we must make investments today that will help us achieve our goal tomorrow. To do this, I believe we must increase our supply, reduce our demand through alternative energies, and conserve what we already have.

We are trying to get folks to understand that if we want relief from high gas costs, we must begin to make investments today that will help us achieve our goal tomorrow. We talked a lot in recent weeks about finding more and using less. If we had accomplished this 10 years ago, I would not be here talking about the high price of gasoline and the suffering of Ohioans in my State.

In order to stabilize our Nation's energy supply, we must enact policies to increase development of domestic oil. While these resources will not physically come on line for a number of years—and people better understand it—moves to expand the development will send a clear signal to the market that we are serious about meeting our future energy demands and immediately begin to drive down the cost of oil because our investors will know that gas will not be worth as much in the future, and therefore they will sell it off today. It will have an impact on the price.

The fact is, we have more energy resources in the United States than any other country in the world. We are the No. 3 oil producer in the world, but the majority of our oil resources are locked up. Madam President, 85 percent of our offshore acreage and 65 percent of our onshore acreage is off limits. I was embarrassed that we have gone to Saudi Arabia with our hat in our hand to beg them to increase oil production. Rather than begging the Saudi Government, we need to be utilizing our own resources.

The other day I said if I were King Abdallah of Saudi Arabia, I would say to President Bush: Mr. President, why do you come to me asking for more of our oil when you have great resources in your country? You want to use all of our resources. In Alaska you have more than 10 billion barrels of oil. You had a chance to open ANWR to responsible environmentally friendly oil exploration in 1995, but President Clinton vetoed it. Your country could be producing an extra 1 million barrels of oil today, an increase of 20 percent over your current production.

Did you know that Prudhoe Bay, located west of ANWR, has cleanly delivered billions of barrels of crude oil since the 1970s, providing a strong example of the drilling that can be done safely with minimal environmental impact with today's technology and environmental safeguards.

You could also give your States the option of drilling on the Outer Continental Shelf. These reserves are believed to equal 8.5 billion barrels of oil, and undiscovered resources could equal 10 times that. That is 85 billion barrels of oil. But a moratorium currently prohibits access to the OCS.

By the way, I commend President Bush for lifting the executive moratorium. I will just keep talking for King Abdallah.

I know some of your environmentalists are concerned, but it is my understanding that there has not been a significant oilspill on the gulf coast for nearly 30 years, and in 2005 Hurricane Katrina passed overhead nearly 4,000 rigs without causing a significant spill.

You could make use of your vast reserves of oil shale. There are currently 800 billion barrels of oil, technically recoverable reserves, in the United States. That is three times larger than the total proven oil reserves of Saudi Arabia. Think of that, three times as much.

The Rand Corporation noted that:

> If oil shale could be used to meet a quarter of United States' demand, 800 billion barrels would last for more than 400 years.

Again, you passed a moratorium that prohibits access to these reserves—regulations even to go in there. Your friend up north, Canada, has some of the largest tar sand reserves in the world. A Congressman named WAXMAN passed a provision that jeopardizes access to those resources.

Don't forget coal. You have 250 years of coal in the United States, more than any other nation in the world. You are being prevented from using coal to liquid. As a matter of fact, in the State of Ohio, Baard Energy is planning a coal-to-liquid and biomass facility that will produce 53,000 barrels a day of jet and diesel fuel and other production from coal and biomass feedstocks.

Advances in carbon capture sequestration technology would lower the greenhouse gas emissions, but again, because of Congressman WAXMAN, your coal-to-liquid industry has slowed the Air Force's plans to run their entire fleet on synthetic fuel by 2016.

We ought to realize this. How did the Germans stay in the war effort when they had no oil? They took the coal they had, they converted it to oil, and that is how they kept their war machine going. It seems to me we ought to at least give recognition to the fact that we should make sure that our defense has all of the resources it needs in terms of oil.

I think we have to get real. We say to all these other countries that we want them to use their reserves, increase their supply. Frankly, they should say: Why don't you do it yourself? Why don't you do it?

The other thing we have to do is we have to use less. It is long past time for our Government to provide the spark to rekindle our Nation's creativity and innovation. Following Russia's launch of Sputnik, President Kennedy challenged us and said we are going to put a man on the Moon in 10 years, and we did it. By golly, if we could put a man on the Moon in 10 years, we can figure out how we can become the country that uses oil the least in the world. We do need a new Apollo project to encourage further advances in ethanol to cut consumption and the development of more efficient, hybrid electric and plug-in vehicles. I hope my grandchildren will be using plug-in vehicles. They will not be using any oil at all in terms of their transportation. If half our fleet of 240 million vehicles were converted to electric hybrids, we could reduce our oil imports by 4 to 5 million barrels a day.

Last week I chaired an energy forum and had the opportunity to hear from David Vieu, president of A123 Systems, which company is developing American-made battery technology. He explained that this technology is already commercially viable.

We are making some headway. We have to make up our minds that we are going to get the job done. We have to let the world know. Can you imagine what we could do? Let the world know we are going to go after every drop we

have available, in terms of our supply, and we are going to do everything we can to reduce our demand. We are going to do everything we can to conserve what we have. I believe that will send the fear of God through those individuals, and we will see an impact on the cost of oil in this country, even though it is going to happen in the future.

Do you know what is funny. These folks are betting that we will not do what we ought to do because they have watched us. They have watched us. They have seen that we have not used our resources. They have watched us and seen that we have not used the best technology to reduce our demand for oil. They have watched us as we have not conserved as we should have been doing during the last number of years.

I think the chickens have come home to roost. High gas prices are hurting Americans. The problem we have had in this country is, we haven't had an energy policy, but we have not harmonized our environment, our energy, our economy, and our national security. I am confident we can come together on a bipartisan basis and work something out so the American people understand that the Senate and Congress have come together on an issue that is of crisis proportion to our fellow Americans, and that we care more about them and our country's future than we do about bickering with each other.

I go home all the time, and people just say: the reason your numbers are so bad is because we think you guys, men and women, are more interested in partisan politics and bickering than you are in getting together and getting the job done.

I have to say, from my perspective, it is very frustrating. I was the mayor of Cleveland, an 8-to-1 Democratic city; 21 councilmen and the most powerful council president. We worked together. We figured out how to move the city of Cleveland ahead for 10 years.

I became the Governor of Ohio, and Vern Rife was the speaker of the house 24 years, the most powerful Democratic speaker we had. After he discovered I was Governor after 6 months—it took a while—Vern and I sat down and said: You know what. Let's work together and move Ohio ahead.

I think it is time we got together and said: Republicans and Democrats, let's move America ahead. Wouldn't it be great for our children and grandchildren to one day celebrate the time America put aside its differences and came together to reaffirm its independence a second time and rekindled the American spirit of self reliance, innovation, and creativity to usher in a new era of prosperity?

Mr. President, I ask unanimous consent the Newsweek article by Robert Samuelson be printed in the RECORD.

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

[From Newsweek, June 28, 2008]

LET'S SHOOT THE SPECULATORS!

(By Robert J. Samuelson)

Tired of high gasoline prices and rising food costs? Well, here's a solution. Let's shoot the ''speculators.'' A chorus of politicians, including John McCain, Barack Obama and Sen. Joe Lieberman, blames these financial slimeballs for piling into commodities markets and pushing prices to artificial and unconscionable levels. Gosh, if only it were that simple. Speculator-bashing is another exercise in scapegoating and grandstanding. Leading politicians either don't understand what's happening or don't want to acknowledge their complicity.

Granted, raw-material prices have exploded across the board. Look at the table below. It shows price increases for eight major commodities from 2002 to 2007. Oil rose 177 percent, corn 70 percent and copper 360 percent. But that's just the point. Did ''speculators'' really cause all these increases? If so, why did some prices go up more than others? And what about steel? It rose 117 percent—and continued increasing in 2008—even though it's not traded on commodities futures markets.

A better explanation is basic supply and demand. Despite the U.S. slowdown, the world economy has boomed. Since 2002, annual growth has averaged 4.6 percent, the highest sustained rate since the 1960s, says economist Michael Mussa of the Peterson Institute. By their nature, raw materials (food, energy, minerals) sustain the broader economy. They're not just frills. When unexpectedly high demand strains existing production capacity, prices rise sharply as buyers scramble for scarce supplies. That's what happened.

''We've had a demand shock,'' says analyst Joel Crane of Deutsche Bank. ''No one foresaw that China would grow at a 10 percent annual rate for over a decade. Commodity producers just didn't invest enough.'' In industry after industry, global buying has bumped up against production limits. In 1999, surplus world oil capacity totaled 5 million barrels a day (mbd) on global consumption of 76mbd, reckons the U.S. Energy Information Administration. Now the surplus is about 2mbd—and much of that in high-sulfur oil not wanted by refiners—on consumption of 86mbd.

Or take nonferrous metals, such as copper and aluminum. ''You had a long period of underinvestment in these industries,'' says economist John Mothersole of Global Insight. For some metals, the collapse of the Soviet Union threw added production—previously destined for tanks, planes and ships—onto world markets. Prices plunged as surpluses grew. But ''the accelerating growth in India and China eliminated the overhang,'' Mothersole says. By some estimates, China now accounts for 60 percent to 80 percent of the annual increases in world demand for many metals.

Commodity-price increases vary, because markets vary. Rice isn't zinc. No surprise. But ''speculators'' played little role in the price run-ups. Who are these offensive souls? Well, they often don't fit the stereotype of sleazy high rollers: many manage pension funds or university and foundation endowments. Their modest investments in commodities aim to improve returns.

These extra funds might drive up prices if they were invested in stocks or real estate. But commodity investing is different. Investors generally don't buy the physical goods, whether oil or corn. Instead, they trade ''futures contracts,'' which are bets on future prices in, say, six months. For every trader betting on higher prices, another is betting on lower. These trades are matched. In the stock market, all investors (buyers and sellers) can profit in a rising market and all can lose in a falling market. In futures markets, one trader's gain is another's loss.

Futures contracts enable commercial consumers and producers of commodities to hedge. Airlines can lock in fuel prices by buying oil futures; farmers can lock in a selling price for their grain by selling grain futures. What makes the futures markets work is the large number of purely financial players—''speculators'' just in it for the money—who often take the other side of hedgers' trades. But all the frantic trading doesn't directly affect the physical supplies of raw materials. In theory, high futures prices might reduce physical supplies if they inspired hoarding. Commercial inventories would rise. The evidence today contradicts that; inventories are generally low. World wheat stocks, compared with consumption, are near historic lows.

Recently the giant mining company Rio Tinto disclosed an average 85 percent price increase in iron ore for its Chinese customers. That was stunning proof that physical supply and demand—not financial shenanigans—are setting prices: iron ore isn't traded on futures markets. The crucial question is whether these price increases are a semi permanent feature of the global economy or just a passing phase as demand abates and new investments increase supply. Prices for a few commodities (lead, nickel, zinc) have receded. Could oil be next? Barron's, the financial newspaper, thinks so.

Politicians now promise tighter regulation of futures markets, but futures markets are not the main problem. Physical scarcities are. Government subsidies and preferences for corn-based ethanol have increased food prices by diverting more grain into biofuels. A third of the U.S. corn crop could go to ethanol this year. Restrictions on offshore oil exploration and in Alaska have reduced global oil production and put upward pressures on prices. If politicians wish to point fingers of blame for today's situation, they should start with themselves.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

(The remarks of Mr. ROCKEFELLER, Mr. LAUTENBERG, and Mr. MENENDEZ pertaining to the introduction of S.J. Res. 44 are printed in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

The PRESIDING OFFICER. The Senator from New York.

KIYO MATSUMOTO AND PAUL GARDEPHE

Mr. SCHUMER. Mr. President, I rise to speak about two judicial nominees who were approved by this Chamber a few hours ago, both from my home State of New York. Happily, earlier today, they were confirmed by voice vote to be district judges in the Southern and Eastern Districts of New York. Both of these nominees, Magistrate Judge Kiyo Matsumoto and Paul

Gardephe, were rated unanimously ''well qualified'' by the American Bar Association, and both were unanimously reported out of the Judiciary Committee before they were confirmed today.

In New York, we have actually worked out a wonderful system for nominating judges to the district and circuit courts in which the President and I have worked extremely well together to name mainstream, consensus candidates to the Federal bench such as these two nominees.

Some of my Republican friends were here on the floor earlier making all kinds of assertions about the judicial nominations process. Undoubtedly, there has been rancor when it comes to judges from other parts of the country, but it doesn't have to be that way. When the administration works closely and cooperatively with home State Senators, as we have done in New York, things work out extremely well. Highly qualified, mainstream judges, not too far on either side, are approved—some nominated by the President and some nominated by the Senators from New York. In my State, we work well together. The results are not only mainstream consensus nominees but mainstream consensus nominees without the acrimony. Two of the consensus nominees were before us earlier today.

I am particularly pleased to support Judge Matsumoto in the Eastern District to be judge because I personally recommended her to the President. When I interviewed her, I was deeply impressed by her poise, intellect, temperament, and thoughtfulness. The sitting judges in the district speak extremely highly of her, and her record of public service and accomplishment speaks for itself. Her confirmation, moreover, is historic. She now becomes only the second Asian-American woman ever to be confirmed to the Federal bench. We hope another and another and another will come soon.

Judge Matsumoto graduated with high honors from the University of California at Berkeley and received her J.D. from Georgetown. Her distinguished career has included work in the private sector, in academia, and public service. For years, Judge Matsumoto has been a well-respected Federal magistrate judge in the Eastern District. In fact, on only one occasion has a reviewing district court judge declined to adopt Judge Matsumoto's report or recommendations. That is an extremely impressive record.

I am not only proud to support the nomination of Judge Matsumoto because of her integrity and qualifications but also because I believe she will contribute to a diversity of perspectives on the Federal bench. I have always believed that our Federal bench should reflect the same broad diversity of experience as America writ large. I have endeavored to add minorities to the benches of New York State. I am endeavoring now to add women as well because fewer than one-third of sitting judges in the Eastern District are women, and Judge Matsumoto will help narrow the gap. I have also nominated a woman to sit in the Southern District whom, hopefully, we will nominate next week, as she was approved by the Judiciary Committee unanimously.

Of course, there is an unfortunate underrepresentation of Asian Americans on the bench. With her confirmation, Judge Matsumoto becomes only the third Asian-American Federal judge outside of the Ninth Circuit and only the second ever in New York. The only other, Denny Chin, was confirmed to the Southern District bench 14 years ago.

Judge Matsumoto has received the enthusiastic support of other groups, including the National Asian Pacific American Bar Association. They call Judge Matsumoto's nomination ''a potential milestone for the Asian Pacific American community.'' I couldn't agree more.

Judge Matsumoto's father and mother, merely because they were of Japanese descent, were forcibly removed to an internment camp during World War II. Fifty years later, their daughter ascends to the Federal bench. This shows that in America, we make our mistakes, but we also have greatness. Judge Matsumoto's life and career show the greatness of those who believe in America and push our Nation to its best potential. The woman whose family was subject to the worst injustice under law, now, as a result of her own talent and hard work, has a seat of legal power to judge others with intellectual excellence and fairness. God bless America for these kinds of things that happen.

Finally, I would like to say a few words in favor of Judge Paul Gardephe, who was earlier confirmed as a judge in the Southern District of New York. Mr. Gardephe has an impressive and eclectic legal resume that includes work in both the public and private sector, work on criminal prosecution, criminal defense, civil litigation, and corporate law. He is a magna cum laude graduate of the University of Pennsylvania and Columbia Law School. He served as a law clerk to Judge Engel on the Sixth Circuit, has spent 9 years as a prosecutor in the Southern District, and worked as deputy general counsel for Time, Inc. Mr. Gardephe also worked for the inspector general in the Department of Justice, where he was involved in the review of the Department's performance in the Robert Hanssen and Aldrich Ames spying cases. Mr. Gardephe was also honored with the Thurgood Marshall Award for his work representing a death row inmate pro bono.

When I decide whether to support a nominee to the Federal bench, the most important criteria to me is this: Is the nominee an ideologue or will the nominee place the rule of law ahead of his or her own personal ideological views? I believe both of these nominees will make excellent judges who will be impartial and thoughtful guardians of the rule of law. I am pleased that my colleagues voted to confirm both of them. I heartily congratulate the nominees and their families.

I yield the floor.

Mr. BARRASSO. Mr. President, I think we all agree that balancing environmental with energy goals can be a challenge, but it is a challenge we must confront now.

Members of this body have discussed various proposals to regulate the output of greenhouse gases. Some advocate doing it though a cap-and-trade approach. Others have advocated a carbon tax. Such proposals are aimed at limiting future carbon output into the atmosphere.

Discussion and debate is not enough. We need action now. One resource often overlooked is coal. Despite the recent pace in developing clean coal technologies, America cannot afford to simply give up on this challenge. Coal is an abundant, affordable, reliable, and secure energy source. It has the potential to become an even cleaner fuel.

I believe another solution to protect our environment and our economy can be found in the GEAR Act. This bill takes a new look at climate change by tapping into human potential and the American spirit to develop the technological solutions we need to address climate change.

Recently, there was a very thoughtful editorial written by Shawn Taylor which was printed in the ''Wyoming Livestock Roundup'' on July 12, 2008. Shawn is the executive director of the Wyoming Rural Electric Association. I believe he does a terrific job of summing up the feelings of Wyoming people on the need to take action balancing climate change goals while keeping bills affordable.

I ask unanimous consent to have the editorial to which I referred printed in the RECORD.

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

WAS CHICKEN LITTLE RIGHT?

(By Shawn Taylor)

Is the sky falling? In the past I would have responded to this question by saying, ''It depends on whom you ask,'' but in today's world you'll be hard pressed to find anyone involved in the energy/environmental/business/agriculture, etc. industries that would argue with Chicken Little.

Whether you agree with those who subscribe to the man-made global warming theory, or those who think the status quo is acceptable, or somewhere in between, you can find a scientist with numbers to argue your case. But I would like to try to focus on some political, physical and, economic realities.

First, pressure is mounting in Congress to do something about climate change. Both presidential candidates have stated they support a cap and trade approach to curb emissions of carbon dioxide. While political debates in Washington, D.C. may seem far away the outcome will have a direct impact on you, whether you're in the agriculture industry, a small business owner or just own a house and have to pay your utility bill.

Experts now say some areas of the country will be short of power within one or two years. Climate change is but one aspect of a looming energy crisis created by increasing demand and decreasing capacity to meet that demand.

While Wyoming's elected representatives in D.C. are sympathetic and understand these issues, many in D.C. aren't spending a lot of time on the energy supply issue. The desire to reduce greenhouse gas emissions quickly without regard to our national economy and giving short shrift to technology-driven solutions, and the growing demand for power are about to collide and form, excuse the cliché, the perfect storm.

Second, while all Americans need to start being more efficient with their energy usage, energy conservation cannot meet the nation's power needs alone. While the development of more renewable resources helps diversify and strengthen our energy supplies, they are not the silver bullet solution to climate change. We need everything we can get our hands on in the near future, just to keep the lights on, to say nothing of a long-term energy policy.

Third, to avert an energy crisis, the federal government must exercise true leadership. Without that leadership—without a sound, responsible plan—government risks not only the reliability of our electric system, but literally the ability of many Americans to be able to afford to pay their electric bill. Consumers could be paying a higher bill each month without the guarantee the lights will stay on.

Folks in Wyoming and across the country need to start a dialogue with their elected officials at every level by asking the following questions:

Balancing electricity needs and environmental goals will be difficult. How much is this effort going to increase my electric bill; what will you do to make it affordable; and in the end, will these emissions reduction goals have a global impact?

Experts say our nation's growing electricity needs will soon go well beyond what renewable energy and energy conservation and efficiency can provide. What is your plan to make sure we have the electricity we'll need in the future? What are you doing to fully fund the research required to make emissions free electric plants an affordable reality?

I encourage you to contact your representatives and senators and ask them these questions and ask they pose the same questions to their colleagues.

You don't need to be an energy expert to ask questions. You I do need to be aware you may not be able to pay your utility bill in the future, or that there might not even be a utility bill to pay! Asking questions helps find the answers to solve the problem of balancing climate change goals while keeping your electricity reliable and your bills affordable.

Right now members of Congress, as well as state elected officials, are hearing from lots of different interest groups with ideas about how to address climate change or global warming or emissions reductions, whatever you want to call it. While I write this as the Executive Director of the Wyoming Rural Electric Association, the problems we face are pretty much universal, and the one group that, to date, has been left out of the conversation is the consumer. We need a plan people can live with today while we deal with the long-term issue of balancing energy policy and environmental policy.

To make things easy there is a website to allow you, the consumer, to contact your Congressional delegation and ask them the questions mentioned above. The website *www.ourenergy.coop* was established by the National Rural Electric Cooperative Association but you don't have to be a member of a co-op to ask these questions, you just have to be concerned about the approach D.C. is taking.

Policy makers far too often don't ask questions until something goes wrong. We believe it makes sense to know the answers before the laws are passed. You can help your elected officials and yourself by having this conversation.

The PRESIDING OFFICER. The majority has 2 minutes 20 seconds remaining; therefore, the Senator from Pennsylvania is recognized.

Mr. CASEY. I know my time is limited, Mr. President.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. REID. Mr. President, I will make sure my friend from Pennsylvania doesn't lose a second of his time.

The PRESIDING OFFICER. There is 1 minute 56 seconds.

Mr. REID. I ask unanimous consent that the Senator from Pennsylvania have 3 minutes.

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

CONCLUSION OF MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent that morning business be closed so that I might file cloture on a motion to proceed to the speculation bill we tried to move on earlier and that once the motion is stated, the Senate return to morning business.

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

STOP EXCESSIVE ENERGY SPECULATION ACT OF 2008—MOTION TO PROCEED

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the clerk will report the motion to invoke cloture.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the motion to proceed to Calendar No. 882, S. 3268, the Stop Excessive Energy Speculation Act of 2008.

Harry Reid, Jeff Bingaman, Byron L. Dorgan, Christopher J. Dodd, Amy Klobuchar, John F. Kerry, Daniel K. Inouye, Patrick J. Leahy, Patty Murray, Bernard Sanders, Jack Reed, Sheldon Whitehouse, Bill Nelson, Richard Durbin, Frank R. Lautenberg, Tom Harkin, Maria Cantwell.

MORNING BUSINESS

The PRESIDING OFFICER. The Senator from Pennsylvania is recognized.

(The remarks of Mr. CASEY pertaining to the introduction of S.J. Res. 44 are printed in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Mr. CASEY. Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama.

ENERGY

Mr. SESSIONS. Mr. President, I know we are moving to the bill that deals with speculation, which is designed to bring down the price of gasoline. I think there is a bubble out there of some kind in the price of gasoline, at least I hope so. If that is so, I think we could see that bubble burst or some of the steam come out of it. I think it is something we ought to encourage.

Some of my colleagues on the Republican side of the aisle, justifiably, are concerned that we are trying to pass a law that will end the right to contract, end the right to protect yourself from rising costs, and those kinds of things. I, frankly, am not that worried about it. I think there is a danger we could overregulate the futures market. I do not think, historically, we have ever attempted to do that in any fundamental sense.

It is pretty clear, if we do not have a futures market here, one will exist in some other place in the world, as they already do today. So I guess I would say, if you can come up with a good bill that does not do any real damage, that it might help reduce speculation, I would be inclined to consider it and give it a fair shake.

But I do not believe that is the problem we have today. I believe people are speculating and driving up prices from that speculation, if it is occurring—and it probably is to some small degree—because there is a shortage of the amount of oil on the world market, that the demand is greater than supply. When the price of oil on the world market was $20 a barrel—that was not too long ago—$40 a barrel, if the speculators were so powerful, why didn't they drive it up then?

What happened, according to most experts, is we are consuming about 87 billion barrels of oil a year, and we are producing about 86 billion. Supply is inelastic and demand is inelastic. So when the price goes up, people do not stop using it much.

We are beginning to see about a 3-percent reduction in the American use of gasoline, after a doubling of the price. So most people would like to use less, but between their work and their family and their just needs, they have to use automobiles in this country, and they are not able to go out and sell their pickup truck or their SUV and buy some hybrid automobile this week. It would be nice, but people cannot afford to give away those things they have invested large amounts of money in.

We have done the calculations on it, and I have concluded that based on 24,000 miles traveled by a typical two-car American family per year, the increase in gasoline prices, in 1 year, means that family is paying approximately $105 more per month—per month—than they were just 1 year ago

for the same number of gallons of gasoline.

This is after your taxes are paid, after your retirement contributions are made, after your insurance is paid, after your house payment is paid. After that, there is not that much aftertax money for the average American. They have to watch how they spend it. To have, out of the blue, in 1 year, another $105 a month out of that paycheck is something that is a real hit to them. I believe it is impacting families significantly, individuals significantly, and it is hurting our economy also. There is no doubt about it, to my way of thinking.

There are some things we can do. I wish to be frank with my colleagues. I have been disappointed in the Democratic proposals. Some weeks ago, when we first started talking about energy, the proposals that came forth had three basic criteria—three principles.

The first one had to do with taxing oil companies. Now, I am not saying we should never tax oil companies any more than they are being paid. But if our problem is a shortage of oil—and I believe fundamentally that is the situation—to tax the people who produce it is not a way to get more of it. What you tax, you get less. What you subsidize, you get more. So that certainly is not a long-term solution to the crisis we are facing today.

Another proposal that was in the package at that time was that we would sue OPEC, we would sue the oil-producing nations that collaborate together and decide they are going to constrict the world supply of oil, therefore creating shortages, therefore driving up the price of oil, and allowing them to make even more money per gallon than they were making before.

They are doing that. They are absolutely meeting to control the production of oil, with a goal to drive up the price of oil and gas on the American consumer. In one sense, as I have said for several years, when OPEC meets, they meet to decide how much to tax the American consumer. We need a systemic, long-term strategy to confront that problem politically and any other way we can do it because it is not right what has been happening.

So production in Saudi Arabia, Venezuela, Russia, and even Mexico is down. They do not have much incentive to increase their production because the price has gone from $40 a barrel on the world market to $140 a barrel—now dropping maybe 10 percent in the last few days. Thank goodness we are beginning to see a little better trend. But who knows whether it will be permanent. So by reducing their production, shortages have been created, and that has spiked the prices. I am very unhappy about that.

But I am a former U.S. attorney, Federal prosecutor, as the Presiding Officer is, and I am not aware of how it is possible for the United States of America to file a lawsuit against a sovereign nation to try to order them, I guess—what court is going to do this—to order them to produce more of the oil that is in their ground, if they do not want to produce it.

I do not think we are going to be successful on that. I think that is just talk. That is just ''flapdoodle.'' That is not going to work. But I tell you, it might be possible, frankly, let me say, that if we had to have a lawsuit of that kind, we would probably have a better chance of having it filed against the Congress. Maybe Senator REID would accept service because this Congress is keeping America from producing our own oil and gas offshore, onshore, in Alaska, and other places.

We have systematically passed laws and regulations that have prohibited the production of our own resources. Yet we are going to complain about some other country that does not produce? I think that is rather silly. I think the speculation matter—and I am open minded. I do not have an automatic rejection of a speculating bill. I would support, certainly, more investigators to see if there is fraud going on out there, and I suspect in some places there is. But, fundamentally, I am convinced from my study that the problem we are having is we are using more and more. China is using more and more. India is using more and more oil and gas.

I visited South America a couple years ago as a part of a congressional delegation. All those countries are growing at 6, 7, 8, 9 percent a year. They are using more and more oil and gas. So the world supply is not growing. In some of the biggest countries it is declining. As a result, we have a shortage here, and we need to develop some ideas to go forward.

We passed CAFE standards, on a bipartisan basis, that I think was a good piece of legislation. Several years before that was attempted—maybe 6 or so years ago—it was attempted, and some of us voted against it. I think perhaps a good case can be made that was a bad vote. Things were going along well at the time. The price of oil and gas was not too high, and we did not want to tell our consumers they had to have smaller automobiles and have more expensive automobiles that got better gas mileage.

But after the prices went up last year, a lot of us saw we had a crisis facing the country, and we have now passed a lot higher standards, which I think will help us, and we would have probably done better had we passed those standards some years before.

Likewise, I would note it was pretty clear, at that same time period, we were coming to a point where oil was going to become more valuable, we were going to have a crisis in the future, and many of us spoke—and I have spoken many times on this floor—about the need to produce from those great reserves in Alaska, the need to produce oil and gas off my coast of Alabama. Off the gulf coast, it is being produced safely. People go fishing around the oil rigs. Large amounts of oil and gas are coming out of those wells. But huge portions of our gulf and both the Atlantic and Pacific coasts are totally blocked from producing.

We have hundreds of wells in the Gulf of Mexico, some of them way out there, that are producing large amounts. They have been so much better today in knowing how to prevent spills, and we have almost no spills occurring in the last 20 or 30 years. So we need to do more of that. We have had vote after vote after vote and people have blocked it.

So I say people who have been blocking more production need to do like some of us who were not supportive of the higher efficiency standard mandates on automobiles, to begin to rethink their position. I think that is happening. I do believe a lot of Members of this body are concerned about this increase in prices. They know it is hurting American citizens. They know it is taking money out of their pocketbooks. They know it is going to many of these rich Gulf States that have so much money they don't know what to do with it. They are building skyscrapers and five-star hotels and golf courses in the desert and all kinds of incredible things with our money. Seven hundred billion dollars a year is going abroad to purchase the 60 percent of the oil we import to use in our automobiles. Over half of the oil and gas in our automobiles is imported. This is not good. This is impacting our economy negatively. All things being equal, which would you rather? Have us produce oil off our coast and keep all that money at home—Alabama gets to share a little bit of the resources. This is what happens in the gulf today: The States that approve deep gulf production get 37½ percent. We passed this 2 years ago, 3 years ago, in this Congress. Twelve-and-a-half percent goes to the Land and Water Conservation Fund, a prime environmental fund of the U.S. Government, and 50 percent goes to the U.S. Treasury.

Now, some of us have read—and I think most Americans have seen with some positive feeling—that Brazil has identified what appears to be very large reserves off the coast of Brazil. We are so happy. We are happy they are in the Atlantic. We want them to produce, because that will bring on more supplies and can help bring down the price of oil, but we have our own right off our shores. Why would we prefer to send our money to Brazil by the billions and tens of billions, hundreds of billions of dollars to purchase oil when we can be keeping it all at home, helping this economy? I have to tell you, it is not in good shape.

This drain of wealth to buy foreign oil is a negative factor in this economy today and it is hurting us in ways a lot of people don't fully realize. If you are now paying, on top of your house note that you stretched yourself to be able to pay when you bought that house as a young person and now you have to

pay another $105 for gasoline—and, in fact, according to the Cato Institute, electric bills have doubled in 5 years because of primarily increased energy costs—is that not a factor why a lot of people are not able to pay their mortgages? Well, I think it is. However, there are some who are so determined to fight fossil fuels that even though they are not able to stop the importing of oil into America that we burn in our automobiles, they have been successful in blocking America from producing its own. We do it cleaner and safer and protect the environment to a far greater degree than I would think any country in the world, except maybe the people in Europe who are doing it in the North Sea, which is a rougher, more dangerous area to produce oil than off our gulf.

I ask: How have we gotten ourselves in this predicament? When the great party—the great Democratic Party which has the majority in the Senate and a majority in the House of Representatives—is called upon to respond to a national crisis where the price of oil is surging and American pocketbooks are being drained every month, they propose the only bill we have now on the floor, which is a bill that is going to deal with speculation. I don't think that is good enough. I think it is not the fundamental values of most of our colleagues—Democratic or Republican.

I am prepared to look very hard with all of my colleagues in a bipartisan way to consider how we can produce more than just fossil fuels, more than oil and gas and coal and those things. Let's look at the biofuels. Let's look at solar. Let's look at wind. Wind is coming around. Wind is becoming more feasible today than we have seen it. The Government has a big subsidy in wind and that has encouraged the wind people to produce lots and lots of energy, but it is not the most reliable source of energy. Electricity, that is what it produces—electricity, not oil for our gasoline, for our car engines. I am prepared to consider other things.

Why have we created a system in America in which 97 percent of our automobiles burn gasoline, whereas in Europe 50 percent of the cars are diesel? We have new clean diesel technology today. Diesel engines get 35 to 40 percent better gas mileage than our gasoline engines. Can you imagine that, 35 to 40 percent better gas mileage. It is actually better. According to Popular Mechanics, it gets better gas mileage than a hybrid engine. Why don't we go back to more diesel energy and work in that way? I am seeing in my home State several facilities that are coming on line that I believe will soon prove we can take waste wood product and convert it to a liquid fuel that we can burn in our automobiles. Ethanol—or biodiesel, which is even better fuel than ethanol—and we can do it well below the world price of gasoline. I have my fingers crossed. I believe that is going to happen. I have been looking at that closely and I have supported the efforts that will promote that.

About 5 percent of the fuel we utilize in automobiles is ethanol, which comes primarily from corn. The next step is to use wood, particularly waste wood products that are left in the woods after sawn logs are cut. Wood is taken out of cities that you have to pay to landfill and it becomes a waste product. Paper, automobile tires, all of this can be converted to fuel and maybe we can get that up to 10, 12, 15 percent of our supply on biofuels.

We are also excited about the possibility of plug-in hybrid automobiles. These are automobiles that have a hybrid engine, but you plug them in at night, you charge your battery from 11 p.m. to 5 a.m. when the grid has a low demand on it, charge your battery, and be able to drive back and forth to work. The goal is 40 miles without ever using a drop of gasoline, all electricity coming out of the grid. It is clean, more cleanly produced, more friendly to the environment, and reduces our dependence on foreign oil because our electricity is all American produced.

Finally, let me not ignore what I believe has perhaps the greatest potential for America and the world environmentally and economically, and that is nuclear power. We have 104 nuclear powerplants in America today. They produce about 20 percent of all electricity. Not a single American in the 40 years we have been producing electric power has died as a result of a nuclear accident—not one. It has continued to be more and more efficient. In fact, right now the cost is as low as any source of energy we have.

I say to my colleagues, we are getting to a point now where the lines between electricity and automobile transportation are being blurred. Energy is energy. We will be able to transform electricity into a power source to turn the wheels of our vehicles and that will be a tremendous advance. If that electricity is produced at a very cost-effective rate by nuclear power that emits not one bit of CO_2 into the atmosphere, that emits no pollutants into the atmosphere—you only have this small amount of nuclear waste that I believe should be reprocessed.

Senator DOMENICI and I have offered legislation to do that, but the amount of waste that is now being produced is still very small in size. Every bit of it in the United States can be placed on one football field and not too many feet deep. It is not a problem that can't be solved, and it doesn't blow up. You have to reprocess it or put it away from people so it doesn't damage anyone or the environment.

I think we are heading in the right direction. I believe our Nation is getting its feet on the ground. I think the American people know—they know, they are not going to be fooled; they have no misconceptions—the way to contain the growth in the price of energy is to reduce our demand by conservation and increase our supply, and it will help our economy dramatically if the increase in supply is American energy, not imported energy. Those ought to be our goals. We can do that. We can reduce CO_2. We can use more biofuels. We can use more clean nuclear power. As a result, this economy can continue to function and be the envy of the world.

I note it should never, ever be a policy of our country to drive up the price of energy. Low-cost energy is a wonderful event for the world. It is one of the great things about this Nation. We have had relatively low-cost energy for many years. I was flabbergasted when one of the Presidential candidates, Senator OBAMA, said he wasn't worried so much that the price was going up, it just went up faster than people liked. That is not what I think is good policy. Our policy should be to take the steps now. Even if they take 5, 10, or 20 years to come to a reality, that will help ensure this surge in price does not continue; that we can maintain our American independence so we are not held hostage by foreign powers, this unprecedented transfer of wealth will end, and we can fight pollution and continue to clean up our environment.

Mr. President, I thank the Chair and yield the floor.

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

The PRESIDING OFFICER (Mr. NELSON of Florida). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. THUNE. 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. THUNE. Mr. President, I ask unanimous consent that I be able to speak as in morning business for up to 15 minutes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

GAS PRICES

Mr. THUNE. Mr. President, America faces a great many challenges today, particularly with regard to our economy, but none greater than our dangerous dependence upon foreign oil.

I have come to the floor several times in the past few months to talk about what I call the ''terrorism tax.'' The terrorism tax is the transfer of wealth outside of this country to import billions of barrels of foreign oil. A substantial portion of American dollars spent on foreign oil goes to countries that wish to do us harm.

This year, with regard to oil prices, the terrorism tax will total $700 billion. That $700 billion could have been used to pay for health care, groceries, or alternative forms of domestic energy. That $700 billion terrorism tax is more than the annual budget of the Department of Defense and is four times the annual cost of the war in Iraq.

The record high price of gas has been hurting American families and benefitting foreign adversaries for way too long. It is now the No. 1 issue on consumers' minds, and the Senate has been debating this issue for months. However, the Senate has failed to act on reasonable provisions to address historically high energy prices.

Variable and oftentimes unpredictable forces impact cyclical gas prices. However, over the long run, increasing supply while decreasing demand will moderate, if not lower, gas prices for American consumers. The very simple equation is to produce more and to use less.

A comprehensive national energy policy that is focused on finding more energy while using less will put us on the path toward affordable and reliable energy.

Recently, the President made a historic announcement that he ended the Executive moratorium on Outer Continental Shelf energy exploration. Congress cannot wait another day to follow suit by lifting the congressional moratorium as well. This outdated moratorium is blocking access to offer 18 billion gallons of proven reserves in the Outer Continental Shelf. In addition to the proven reserves, an estimated 86 billion gallons of undiscovered reserves exist off of our shores, 85 percent of which is still off limits. Congress should give coastal States the right to explore for oil and natural gas more than 50 miles off their shores.

Another promising area for domestic production is the development of oil and natural gas in section 10–02 of the Alaska Wilderness Wildlife Refuge. Congress authorized production in this remote area of Alaska's North Slope over 12 years ago. If it hadn't been vetoed by the Clinton administration, the United States would have an additional 1 million barrels of domestic production each and every day. One of the objections that gets raised by those who oppose exploration on the North Slope of Alaska is something that has been used for a long time: It would take 5 or 10 years to bring that energy on line. That is an old and tired argument. Evidence of that is when it becomes the punchline on the Jay Leno show. Jay Leno himself, in a monolog, has made that very same observation—that the argument being used today by our political leaders to avoid having to deal with this issue of developing some of our domestic resources is that it would take 5 or 10 years to develop. That is the very same argument that was made by political leaders over a decade ago.

It is important that we get past that argument, that we deal with the issue of our dangerous dependence upon foreign countries for our energy supply, and that we do so by developing the resources we have here at home, including the 6 to 16 billion barrels we know exist on the North Slope of Alaska.

In addition to the traditional sources of oil and gas, unconventional sources of oil are an important solution to our energy crisis as well. Coal to liquids and oil shale in Western States and oil sands in Canada are abundant supplies of fuel and should be fully developed to meet our growing energy needs. Unfortunately, Congress is once again standing in the way of domestic energy production.

The United States has an estimated 2 trillion barrels of oil shale in Western States—more than three times the reserves of Saudi Arabia. Unbelievably, politicians here in Washington are keeping this resource off limits.

As we continue to debate this issue, American energy companies stand ready to invest billions of dollars to make oil shale production economical and environmentally sound. This investment remains stifled since Congress is prohibiting the rules for such production from moving forward.

In addition to oil and natural gas, the Federal Government needs to stand by its commitment to renewable energy.

According to Merrill Lynch:

> Biofuels are making up a huge portion of oil supply growth.
>
> Biofuels are now the single largest contributor to world oil supply growth.

As biofuel production increases, our infrastructure to transport and use this fuel must increase as well. Congress has to break the monopoly of oil on the U.S. economy by investing in renewable fuel dedicated pipelines, biofuel refueling stations, and by requiring the production of flex fuel vehicles. Approximately 7 million flex fuel vehicles are on the road today. This is significant progress from a few years ago, and American automakers deserve to be applauded for their dedication to biofuels. However, millions of vehicles are still being produced and purchased without the flex fuel option.

That means the vast majority of Americans have no choice but to pull up to the pump and fill up on traditional gasoline at whatever price the oil company wishes to charge. In this sense, there is virtually no competition in our transportation fuel marketplace.

Congress should also continue to promote the use of hybrid vehicles and create incentives for plug-in electric hybrids, which will lessen the use of gasoline and diesel fuel.

Finally, we should enact moderate reforms and reasonable reforms to limit excessive speculation. Noncommercial investors are playing a historically high role in all commodities, including oil futures. Many analysts say this is adding a premium to the price of oil, which does not reflect the fundamentals of supply and demand. Congress needs to take commonsense steps to limit excessive speculation, without overreacting. Any overreaction will simply move trading overseas to markets with less transparency and oversight.

It is important to note that regulation alone is not going to bring down the price of gas. We need a comprehensive plan that includes all promising solutions to our energy crisis.

I want to make one observation, as well, regarding this issue of speculation, because I know a bill has been filed, and cloture was filed on a motion to proceed to legislation that would be a speculation response, or answer, to the energy crisis in this country. Frankly, I may vote for it. I haven't seen all of the details of it. I understand from people who are close to it that a lot of it is good—about 80 percent, and 20 percent might be things I won't like. I might be willing to vote for something like that, but it cannot be that alone. That is a minimalist solution and we don't have a minimalist problem. This is a problem that demands a major and comprehensive solution and attention from the Congress that includes not only addressing that issue—the narrow issue of speculation—but also the important issue of domestic production, increasing our supply, increasing the production of energy in this country, and also looking at ways to reduce our demand.

With regard to the issue of speculation, I want to read from an op ed in the Wall Street Journal by Martin Feldstein, back on July 1. This is what it says:

> Now here is the good news. Any policy that causes the unexpected future oil price to fall can cause the current price to fall, or to rise less than it would otherwise do. In other words, it is possible to bring down today's price of oil with policies that will have their physical impact on oil demands or supply only in the future. For example, increases in government subsidies to develop technology that will make future cars more efficient, or tighter standards that gradually improve the gas mileage of the stock of cars would lower the future demand for oil and therefore the price of oil today.
>
> Similarly, increasing the expected future supply of oil would also reduce today's price. That fall in the current price would induce an immediate rise in oil consumption that would be matched by an increase in supply from the OPEC producers and others with some current excess capacity or available inventories. Any steps that can be taken now to increase the future supply of oil, or reduce the future demands for oil in the U.S., or elsewhere, can therefore lead both to lower prices and increased consumption today.

The best thing we can be doing for American consumers is not a narrow minimalist response to the narrow issue of speculation but one that addresses the fundamental issue of supply and demand, because that drives marketplace prices. I believe if the world market believes we in the Congress are serious about addressing that issue—the fundamental issue of supply and demand—it will be reflected in those future prices. That isn't to say we should not have a solution that addresses the issue of speculation as well.

I am for a number of ideas being proposed. I think we need to have more cops on the beat. We need to authorize increased funding and staff for the CFTC, and I think we need to require the CFTC to gather information on index traders and swap dealers, to codify position limits and transparency for foreign boards of trade. Those are reforms that I think are important to address in any comprehensive energy bill.

But you cannot address the narrow issue of speculation and expect to impact, in the long term, the dangerous dependence we have on foreign sources of energy. We could address the issue of speculation, but what does that do to affect the basic fact that every single day we get 60 percent of our oil from outside the United States? We use 20 million barrels a day in the United States, or about 24 percent of the world demand, and about 12 million barrels of that, or 60 percent, comes from outside of the United States. That is not a sustainable place to be for a country that is worried about the impact high gas prices are having on its economy, and the impact it could have on our economy in the future if we don't address that dependence upon foreign energy.

We have to have production, and I think the American people get this. I think the American people are interested in this issue of speculation. I think they believe there is a role that plays in the price of oil and the price of a gallon of gasoline. I also think they understand we cannot solve the problem we have in this country absent addressing the issue of domestic production.

Increasing our domestic supply, reducing domestic demand—that is how we go about solving, in the long term, an issue or addressing a problem I think will affect the economy for years to come and make future generations of Americans continue to be held over a barrel by countries around the world that are hostile to the United States.

We cannot address the issue of energy by this bill alone. As I said, I am open to supporting and voting for the bill that is going to be introduced that addresses speculation, but that cannot be it. If that is all we do, we have done very little to address the long-term problem we have, and that problem is that we get 60 percent of our energy from outside the United States. You cannot say no to domestic production. You cannot say no to offshore production. You cannot say no to oil shale. You cannot say no to coal to liquids. You cannot say no to nuclear or to new refineries. You cannot say no to all those things that would help increase our domestic supply and affect that calculation, that basic equation of supply and demand, which is absolutely disastrous for the economy of this country.

I have traveled my State, as most Members of Congress do, on a regular basis. I had a number of meetings over the Fourth of July break where I met with people who are impacted by energy. I met this morning with corn growers who are in town, and also with agriculture and the tourism industry—all of those types of small business interests, people who are impacted, and families who are impacted by the high cost of gasoline. In my view, there is probably no bigger issue in the short term, and no bigger issue in the long term, that impacts the American economy and that could do more harm to that economy than this issue of high gas prices and the dangerous dependence we have on foreign sources of energy. We cannot solve it by saying no. We have to say yes to additional domestic production, yes to conservation measures that will use less energy, yes to renewables and biofuels, and yes to addressing this issue of speculation.

We need a comprehensive approach, not a rifle shot that deals with one aspect of it but doesn't solve the fundamental problem we have, and that is the fact that in every single State we pay a terrorism tax to countries outside the United States.

There is $700 billion of wealth this year that we will shift outside of the United States and pay to other countries around the world—in many ways, petro-dictators—a ''terrorism tax,'' because we have to get energy from them. They set the price and we pay it.

Until we change that fundamental calculation and dynamic, we are going to continue to see high gas prices and high oil prices. And that is not something this economy can withstand. It is certainly not fair to the American people for us to sit by and not take serious, meaningful action.

When the markets recognize we are serious, I believe we will see relief for the American people on the price of a gallon of gasoline and the price for a barrel of oil. That is why we need a comprehensive solution.

When this debate gets joined in the next week and following week, I am going to do everything I can to see that it is not addressing just one narrow issue but addresses this issue of production, addresses the issue of demand. That is the only way, in my view, that we will solve this problem.

I look forward to that debate. I hope we have opportunities to offer amendments. I hope it is not going to be one of those deals where the tree gets filled and we do not have a chance to vote on meaningful solutions to our energy crisis. The Senate needs to be heard. All of us need to have an opportunity to offer amendments and have them voted on, and I hope the process will allow for that.

I yield back the remainder of my time. I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana.

Ms. LANDRIEU. Mr. President, I have also come to the floor to speak about the direction I believe our country needs to move to lower gas prices and decrease our dangerous dependency on oil from places in this world that do not share our values and are not friendly, safe places to operate.

I wish to associate myself with the remarks of my colleague, the good Senator from South Dakota. I have been very pleased to work with him in a group of five Democrats and five Republicans. We hope to expand our group as there is more interest in trying to find a centrist approach, a commonsense center core that can move us away from saying no to saying yes in a smart way, yes to more production—not everywhere but in certain places where we believe there are reserves of oil and gas that our country most certainly needs, in a safe environmental way that can protect our coasts.

I know that issue is very sensitive to you, Mr. President. You have spoken eloquently about that on the floor, and you have made some excellent points, as other Senators. I know the Senator from New Jersey was here earlier today, and there have been Senators from different coastal communities.

I am not insensitive to the needs of coastal communities. I represent one myself. We might not have the beaches that Florida, Alabama, Mississippi, and New Jersey have, but we do have very special coastal areas that we also want to keep clean and pristine because of our fishing, because of our boating, and because of our other recreational sports that involve more than just sitting or playing on a beach. We do a lot of water activity, and we need that water to be clean and pristine. So we are not unaware of those challenges.

My colleague who just spoke is absolutely correct. Not only he but others have talked about the importance of saying yes, and this morning in a bipartisan energy summit conducted by the Democratic chairman, Chairman BINGAMAN, and the ranking member, Ranking Member DOMENICI, Daniel Yergin, who is the chairman of the Cambridge Energy Research Association, had a great deal of wisdom to share with us. I think, Mr. President, you were at that hearing. There were many good, insightful comments made. Statements were made this morning that could help guide us to a more secure approach.

One that stuck with me—I am going to paraphrase it because I don't have his quote. He said something along the lines of it has taken us 20 years to get into this tight oil market, and it is going to take us some time to get out, but there is a way out. He said it is imperative that we increase our supply of oil in the world, and particularly for the United States since we are consuming so much of it, and there are many places that production can be found and improved.

He went on to say: We have made some real progress in conservation, but, of course, we have to do more.

Again, we have been saying no for 20 years—no to this refinery, no to producing here, lawsuit after lawsuit, actions that shut down production. We must begin to say yes. Twenty years of saying no, and I am not leaving this, of course, at the doorstep of only Democrats, which is what some of our friends on the other side want, to blame just the Democrats. The Republicans have been in charge of this Congress for the majority of those years. Now they are claiming they were the ones saying yes all along. No, it was their Congresses that were saying no.

But this is not about blaming Democrats or Republicans. This is about

starting all of us to say, yes, we can; yes, we can get prices down; yes, we can make America more energy independent.

I would like to correct something I said the other day that is not true, and I am very sorry because I was not clear, but I am clear now.

I came to the Senate floor with this chart and said that all of these light blue places represented moratoria areas. While it is true for the lower 48, all of this entire west coast is off production, the eastern Gulf of Mexico under Alabama and next to Florida is off production, for the most part, with very few exceptions, with wells here. All of this area on the east coast is off limits to production.

I also said Alaska was off limits to production, and that is not true. This was changed very recently, and Alaska has now opened up, not ANWR, which is this little tiny point which is so hard to see on this map, but the rest of Alaska has opened up. I am going to show another chart that describes it a bit better.

This is a more accurate chart, and it is up to date. Again, I apologize, but that was an old chart. This is all off limits. Everything on the west coast is off limits and has been for decades. All of this area on the east coast, except for this blue diamond, is off limits by executive and congressional moratoria. The President has lifted his moratoria. He has lifted the executive moratoria, but the congressional moratoria still remain.

The place that has been the most open—and we are very proud of this in Louisiana and Texas—is the gulf. This is the western gulf, this is the central gulf, and this is the eastern gulf. The reason the eastern gulf is a different color than the rest of the chart is because this moratoria was extended actually under an agreement that was made on the Senate floor—and I was part of that action—to extend this moratoria longer than the moratoria on the east and west coasts.

The west and east coast moratoria are year-to-year moratoria. They are done in the Interior bill, and they have been routinely passed year to year. The eastern gulf moratoria is in law, and it extends until 2022.

Alaska is now basically opened, these blue sections. It is going to be very hard for people to realize this because it is really shocking to me, and I look at this all the time, but this dot approximately right here, this little dot right here is ANWR. This dot is what we fight over really, let me say—we fight over this little dot. Here is a whole State with lots of opportunities, and yet every discussion for the last 20 years has been about this little dot.

I know that little dot has a lot of oil and gas in it, and I voted to open it. But I am to the point now where we have to stop talking about ANWR and start thinking about other places in and around ANWR—with the help of our Senators from Alaska, who are very knowledgeable and very good on this issue, Senator TED STEVENS and Senator LISA MURKOWSKI—where we can get oil and gas in places that are not so remote where the infrastructure exists to move this gas from Alaska, which sits up north, to the lower 48, either by pipeline or by tanker to get oil safely to us.

There are benefits to drilling in Alaska. There are not many people there to aggravate. There are only 500,000, and people in Alaska, like people in Louisiana, want to have oil and gas drilling. They believe in using their natural resources, whether it is oil and gas or trees. We believe in actually cutting a lot of our trees because they grow back. We don't believe in cutting old, primitive forests and special places, but we actually believe that cutting trees and growing them back helps provide the good products we need, and we know how to manage our forests.

Alaska is a lot like Louisiana. We could find oil and gas here. And there is a lot of it. The problem is the transportation and the infrastructure, and there are some risks associated with moving oil through tankers. There is always a risk associated with long pipelines. We have that same infrastructure in the gulf where we have pipelines coming up from Louisiana.

I would like to show what some of this infrastructure actually looks like so people get an understanding when we talk about opening areas to drill. This is the kind of infrastructure that it takes to actually get it done.

This is a picture of the Gulf of Mexico. This is the tip of Louisiana and the coast of Texas and Mississippi. This is Mobile Bay, and this is the Florida panhandle, and it goes down. This pipeline, as the Presiding Officer knows, is a pipeline that is laid under the gulf to move gas to Florida from Mobile Bay because the eastern gulf is closed right now to production. But yet Florida has great need for gas, and the good people of Alabama send it to the people of Florida. There was a lot of controversy about this pipeline. There were people in Alabama, even Members of Congress, who said: Why send the gas to Florida? Let them drill their own gas. That is not part of this debate today, but it is a good question. There are answers to it. It is an interesting discussion.

These are pipelines, every one end is a rig or at least a well. These platforms are large. They are very deep. They are almost like skyscrapers out in the gulf. You cannot see them from the shore. This is invisible to the naked eye. You don't really see this. If you are in a boat, plane, or swimming, it is all subsea.

This is a picture of the network of pipelines required to move millions of barrels of oil from the ocean to people. If you took a snapshot onshore of where there is production in Wyoming or Utah or Colorado or New Mexico, you would see much the same thing—a maze of pipelines and wells—because it takes more than waving a magic wand for the oil to jump out of the ground and into people's tanks. There are a lot of steps that have to go into it.

So part of opening the OCS and opening more onshore is you want to open it in places that it is likely for the industry to reach and to have people—because even though robots are doing a lot of this work, we need people to show up on the rigs to build the platforms. That is why I fought so hard for money to come from these activities. When people tell me and some of my colleagues say, But, Senator, this resource belongs to the United States of America; why should Louisiana share any of these resources, I say, because Louisiana is the platform for oil and gas production, just like Texas. And with all due respect to the United States of America, the United States could not access these resources if we did not allow these resources to be accessed and then brought through our shores for distribution.

There is the distribution pipeline. It doesn't just affect Louisiana, it affects the entire country. I am going to show you the gas distribution system. This is not an oil distribution system, this is gas. All of the manufacturers in the Midwest and on the east coast need natural gas. There are very few places they can get it. They get it basically from the Gulf of Mexico. This is the trunk, in real terms, of how much gas there is. It says 6.4 billion cubic feet from the Gulf of Mexico production. The other big trunk comes from Alaska, and there is potential gas in Canada. This comes from Alaska. Basically, that is it. This is where the gas comes from.

So when prices of natural gas are high, it is because there is only a limited source in America, and we are not opening gas reserves where there might be more here, there might be some more here, and obviously there are more in Alaska. So that is just an example. But as you can see, the production in the Gulf of Mexico doesn't just benefit the people in Louisiana and Mississippi. Without it, you couldn't keep lights on in this Chamber or in New York or Chicago and other places that are very important.

I wanted to clarify that most of the OCS is off limits. Most of the OCS is off limits, and while you see lots of posters and pictures, and everybody is trying to move the numbers to justify their position, the fact is that in the lower 48—not counting Alaska, Alaska is not on here—less than 19 percent of the OCS is open to development, less than 19 percent. All of this is off limits, this is off limits, and this is off limits. The only area we can drill is here.

I would like to read this number here: It is 33 billion barrels of oil here on this side of the gulf. When people say there is no more oil in America, it is because we are not looking for it. There is plenty of oil onshore and offshore, not counting the oil we could actually get from coal—coal-to-liquids technology, clean—and not counting

the oil we could potentially get from shale, which is boiling the rock into a liquid and producing the oil, which could be billions of barrels.

I agree with Senator SALAZAR that the technology is not quite there yet, and maybe it is going to be too much of a drain on the water supply in the West. Perhaps it might be a very serious environmental problem. But we don't know. I think we should find out. That is my point. We don't know, but we need to find out because one day we may need to boil that rock, and if we need to, we need to figure out how to do it.

There is plenty of oil here. But when people say ''the science,'' trust me, if there is a scientist in America who wants to come anywhere around Washington to say there is no oil because they have explored it, I will debate them until my last breath, because we have not looked. There has been some seismic—not a lot of seismic—and the technology is so improved now that we can be much more certain of where oil and gas is. Just to say there are 33 billion barrels of oil here and then to jump to the conclusion that there is no oil here, that there has to be no oil here and no oil here, is really defying common sense.

I will end with this, Mr. President. Do we need to do more than produce? Yes, we do. Just increasing production is not the answer, but it is a step that must be taken. We are too great a nation to, every time prices hit $5, send a little piddling letter over to countries such as Saudi Arabia begging and pleading, as if we are some second-rate power, asking them to increase their oil production when we won't increase it at home. It is not right. We must increase our production, and we can do it safely.

I know there are others who wish to speak, so I will wrap up in just a moment.

We need to also—and this is where my friends on the other side of the aisle have not been very good in their own right. They have not been for mandates pushing conservation, and we must start driving a different kind of automobile, and not just expanding mileage from 20 miles per gallon to 27 miles, but CAFE standards reflecting efficiencies from 25 miles per gallon to 27 or 35.

We need to move to a different kind of automobile because it is the fuel demand, it is the gap between the 20 million barrels we use every day and the 8 million we produce. There is a 12 million-barrel-a-day gap. If we could close 6 million of that by more production domestically and close the other 6 million by conservation, America would have no more problem, the price would come down, and we would be free and happy—a powerful, free people again. And we have to get that way.

We once dominated in this industry. That is how we won World War II. We would not have won without our domination in the energy industry. We have to dominate again, and we can do it through conservation and production.

I hope our leaders, both the Democratic leader and the Republican leader, understand that there is a group of us who don't want to go home until this is done and that we are going to do everything we can because I don't believe we should be drifting out of this Capitol anytime soon until we have given a clear and unmistakable signal to the American public that we hear them and that we understand the economic strain.

Our economic model was not built for $5 gasoline, and we cannot sustain it. That is what we were told, and not by the Republican policy people or the Democratic policy people but by two of the brightest minds on this subject. They said the U.S. model cannot sustain this high price for long. It will cause and has caused serious economic disruption. It must be corrected.

So I hope, Mr. President, that we most certainly do this. I am open to things that perhaps I wouldn't have considered in the past, and I hope my colleagues will have that same open mind. If so, we can perhaps get some extraordinary things done.

Either tomorrow or next week, I am going to come back and talk about the myth of oil spills because the signs I see on this floor about oil spilling in the gulf—I want to continue to remind people that less than 1 percent of the oil in the ocean is caused from drilling in the ocean. The majority of it is natural seepage, and I am going to have some information that will show that. The people of Louisiana, Texas, and Mississippi are very proud of this industry that we have helped to birth not just for our country but for the world, and we are determined to help people understand that it can be done in a clean and environmentally sensitive manner.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont is recognized.

LIHEAP

Mr. SANDERS. Mr. President, I understand that there are a lot of differences in this body on the issue of speculation, which presumably is going to come up next week, on the issue of the role of the large oil companies and the enormous profits they are making, and there are differences of opinion about how fast and how aggressively we should go to sustainable energy and energy efficiency. But in one area, it appears to me there is less and less of a difference of opinion, and that is that more and more Members of the Senate understand that we are facing—right now, this summer, and in this coming winter—an energy crisis in terms of people going cold and perhaps freezing or dying from heat exhaustion this summer.

I am very proud to say that we have had tripartisan support for a very substantial increase in the LIHEAP legislation bill I have offered; that is, S. 3186, the Warm in Winter and Cool in Summer Act. That bill now has 47 cosponsors—34 Democrats, 11 Republicans, and 2 independents. At a time when more and more Americans are concerned about the partisanship here in Congress, I am happy to say that this bill has very strong tripartisan support.

I wish to thank the 34 Democrats who are cosponsors, including Senator OBAMA, Majority Leader REID, and Senators DURBIN, MURRAY, LANDRIEU, LEAHY, CLINTON, CANTWELL, JACK REED, KERRY, KENNEDY, SCHUMER, LEVIN, CARDIN, BROWN, KLOBUCHAR, MENENDEZ, CASEY, BINGAMAN, LAUTENBERG, STABENOW, BILL NELSON, BAUCUS, SALAZAR, WYDEN, WHITEHOUSE, ROCKEFELLER, DODD, TESTER, MIKULSKI, BIDEN, KOHL, DORGAN, and MCCASKILL. I thank all those Democrats for their support, and the 11 Republican cosponsors we have, including Senators SNOWE, STEVENS, COLEMAN, SMITH, SUNUNU, COLLINS, MURKOWSKI, GREGG, LUGAR, BOND, and DOLE. I also thank the Independent, Senator LIEBERMAN, for joining me as a cosponsor. Both Independents are on that bill.

Let me also thank Majority Leader REID for completing the rule XIV process and putting this bill directly on the calendar. Senator REID understands, as I think most of us do, that this bill has very strong support. For the health and well-being of many millions of people, whether in the Northeast or in the South, it is absolutely imperative that we pass this legislation as soon as possible.

In that regard, I want to express disappointment that just this morning, my Republican friend, Senator CORNYN, objected to a UC for passage of this bill and then objected to putting this bill on the floor and even giving us the opportunity to vote on it today. I hope my Republican friends and the Republican leadership reconsider this action because the truth is, there is a lot of support on the Republican side for increasing LIHEAP. I think it is imperative that we work together and we work as quickly as possible and we take a very strong load of anxiety off the shoulders of people from all over this country by passing this bill and getting a similar bill passed in the House.

This tripartisan bill would nearly double the funding for LIHEAP in fiscal year 2008, taking it from $2.57 billion to $5.1 billion. That is a total increase of over $2.5 billion. This, in fact, is the amount at which LIHEAP is authorized. We should make no mistake about it, the issue we are dealing with is a life-and-death issue. It is life and death today, and it will be life and death next winter.

I would like to report a statistic that is not widely known. When CNN gets its cameras out, they go to the tornadoes and the floods and the forest fires, and that is appropriate. Those are terrible tragedies we are all concerned

about. The truth is that more people in this country have died from the extreme heat and hypothermia since 1998 than all natural disasters combined. That is an interesting point, and you probably didn't know that. I didn't know that. But that is the case. And that includes floods, fires, hurricanes, earthquakes, and tornadoes.

The ''problem'' is what happens when maybe an old person in Florida can't afford electricity and has her air-conditioning turned off. She will die. Or a person with an illness in the State of Vermont, when the weather gets 20 below zero and he doesn't have the money to heat his home, he will die as well. And people die one at a time, not in great CNN-type disasters, but the reality is that more people die from extreme heat and extreme cold than they do from other types of emergencies. In Vermont and throughout New England, people are extremely worried that they will not have enough money to afford the price of heating oil next winter. A newspaper in my State of Vermont, the Stowe Reporter, recently editorialized that the lack of affordable heating oil could turn into New England's version of Hurricane Katrina next winter. We cannot allow that to happen.

The problem is not just in the Northeast. The point I have to reiterate over and over, this is not just a cold weather problem for my State of Vermont and New England. This is a hot weather problem as well. It is not just a cold weather issue, it is a hot weather issue as well.

Over the past decade, more than 400 people died of heat exposure in Arizona. Let me repeat that. Over the past decade, more than 400 people died of heat exposure in Arizona, including 31 in July of 2005 alone, 31 people in 2005 in Arizona. All of these deaths could have been prevented if these people had air-conditioning.

Without increased support from the Federal Government, Arizona will be out of LIHEAP funding before the end of this month. But if this bill passes, Arizona will see an infusion of $24 million in LIHEAP funding, triple what they currently receive.

Let me quote a letter I received from the mayor of Phoenix, AZ. His name is Phil Gordon. I thank Mayor Gordon for sending me this letter. He is strongly supportive of this legislation. This is what the mayor of Phoenix, AZ, Phil Gordon, writes:

> I am writing to express my support for the Warm in Winter and Cool in Summer Act. Currently Arizona can only provide assistance to 6 percent of eligible LIHEAP households. . . . To make matters worse, Phoenix continues to experience extreme heat. In the past month alone, we have had 15 days with temperatures at or above 110 degrees. This extreme heat is especially hard on the very young, the elderly and disabled who are on fixed incomes and can no longer afford to cool their homes. . . . Arizona Public Service reported that there was a 36 percent increase in the number of households having difficulty in paying utility bills and an increase of 11,000 families being disconnected compared to a year ago. Rising energy and housing costs are placing enormous strains on low-income households across Arizona.

What Mayor Gordon of Phoenix is talking about is taking place all over this country. We are in the middle of a recession. People are losing their work. Wages are going down. The price of fuel in general is going up. That includes electricity. If you are dependent on electricity for air-conditioning, and your electricity gets shut off and you are old and you are sick, you have a serious problem. That is what this legislation is going to address.

In my State of Vermont and throughout New England and the Northeast, people are extremely worried that they will not have enough money to afford the price of heating oil next winter.

A newspaper in my State of Vermont, the Stowe Reporter, recently editorialized that the lack of affordable heating oil could turn into New England's version of Hurricane Katrina next winter. We cannot allow that to happen.

According to the Centers for Disease Control, over 1,000 Americans from across the country died from hypothermia in their own homes from 1999 to 2002, the latest figures we have available. In other words, they froze to death because they could not afford to heat their homes. How many of these deaths were preventable? All of them, according to the CDC. We will probably not know for several years how many Americans died last winter because they could not afford to heat their homes—but one death is too many.

And, I want all of my colleagues to understand. This home energy crisis that we are in extends far beyond New England and the Northeast. Today, people in the South and Southwest are struggling to pay for the skyrocketing price of electricity, which has tripled in some parts of the country.

The result is that essential utility services are being cut-off because they cannot afford to pay their bills. What that means is that elderly, frail and sick people trying to stay alive in 110 degree temperatures face a major health crisis if their electricity is shut off.

In other words, whether you are living in the north or the south or the east or the west, our country is facing a national emergency and it is about time that the President of the United States and the Congress treated it as such.

And, while energy prices are soaring, LIHEAP funding is 23 percent less than it was just 2 years ago, completely eviscerating the purchasing power of this extremely important program. In fact, after adjusting for inflation, the Federal Government spent more money on LIHEAP 20 years ago than it is spending today.

To demonstrate how important LIHEAP is right now for southern States dealing with a major heat wave, I want to give you just a few examples of what I am referring to.

Over the past decade, more than 400 people died of heat exposure in Arizona, including 31 in July of 2005 alone. All of these deaths could have been prevented if these people had air conditioning. Without increased support from the Federal Government, Arizona will be out of LIHEAP funding before the end of this month. But, if this bill passes, Arizona will receive an infusion of over $24 million in LIHEAP funding—triple what they currently receive—to keep their residents cool this summer.

Due to a lack of LIHEAP funding, the State of Texas only provides air conditioning assistance to about 4 percent of those who qualify. Recently, I received a letter from Shawnee Bayer from the Community Action Committee in Victoria, TX. In her letter, Ms. Bayer writes:

> The temperatures in our area have been 100 to 110 degrees for 16 consecutive days. I fear it is going to be very tragic at the current pace we are going with so little LIHEAP funding available. . . . There are so many who need our assistance, like the elderly lady in her 80s who recently almost died due to kidney failure; now she doesn't want to use her air conditioner because she is afraid she won't be able to pay the bill. . . . She just called me last Thursday and has pneumonia; she could hardly talk. . . . Last year she was placed in the hospital in the ICU due to a heat stroke as a result of using only a fan, not the air conditioner. I see children every day who have not eaten because the parents, grandparents and in some cases great grandparents are just trying to keep the electricity on . . . . the electric bills in our area have tripled.

That is in Victoria, TX. In addition, I also received an e-mail from DeAndra Baker from the Community Action Agency in Giddings, TX, who said:

> We have a gentleman who is 78 years old and on a fixed income of $770.00 a month. . . . Due to the extremely high temperatures he is unable to afford to keep his home cool. His doctor provided a statement that he must have his air conditioner turned on at a minimum of 80 degrees to avoid congestive heart failure and he is not even able to afford that much. Sadly, he will not continue to run his A/C or fans and will be at serious risk unless LIHEAP funding is increased soon.

That is what is going on in the State of Texas. If this bill is signed into law, Texas will receive over $47 million to help keep their residents cool this summer. But it is not just Texas.

Without additional support from the Federal Government, the State of Georgia will not be able to offer any LIHEAP assistance whatsoever to its residents this summer. Currently, Georgia has a waiting list of 28,000 people hoping to receive some relief from the hot weather this summer. To demonstrate the desperate need for more LIHEAP funding, let me tell you about an e-mail my office received from the executive director of the Community Action Agency in Gainesville, GA, Janice Riley. According to Ms. Riley, their agency has been out of LIHEAP funding since last December. She was particularly distressed about two families in Georgia who she could not help because of a lack of LIHEAP funding. This is what she had to say:

> One family that came in after we ran out of LIHEAP funds was the Jones family. . . .

Mr. Jones, came to our office requesting assistance with his electric bill. He has a wife and five children. . . . They got behind with all their bills when he was injured on the job six months ago. . . . Their daughter is paralyzed from the neck down from a fall she had at six months of age. I wish we could help them. Another participant that did not receive LIHEAP funds and is now facing disconnection or homelessness is Ms. O'Brien, a 33 year old, single parent with 5 children between the ages of 7–16, and a newborn grandchild which she has taken in. . . . Her power was turned off last week because she was unable to pay it. . . . Her need for assistance is based on the high costs of living, not from her lack of work ethic and heroic efforts to maintain her household.

That is what is going on in the State of Georgia. If this bill is signed into law, the State of Georgia would receive over $70 million to make sure their residents stay cool this summer.

In addition, unless S. 3186 is signed into law soon, the State of Kentucky will not be able to keep any of their residents cool this summer through the LIHEAP program. According to the executive director of the Community Action Agency in Kentucky, Kip Bowmar:

February of 2008 marked the first time in the program's history that all 120 Counties in Kentucky ran out of LIHEAP funds, forcing us to close our doors as fuel prices were soaring and people needed help.

If S. 3186 is signed into law, the State of Kentucky will receive nearly $35 million to keep their residents cool this summer and warm in the winter.

In Florida, Hilda Frazier, the State director of the LIHEAP program, has estimated that they will serve 26,000 fewer households this year because of the reduction of available LIHEAP funding and the rising cost of energy. According to Ms. Frazier, thousands of families in Florida are being turned away from LIHEAP offices each and every month because they do not have any money. Of the 2 million LIHEAP eligible households in Florida, they will be able to assist fewer than 4 percent of them.

The State of Arkansas is also rapidly running out of LIHEAP funding. The LlHEAP coordinator in Benton, AR, recently had to deny assistance to over 430 families there because they had no money. If this bill is signed into law, Arkansas would receive nearly $26 million to help keep their residents cool this summer.

Moving on to California, Joan Graham, The deputy director of the Community Action Agency in Sacramento, CA, recently wrote that:

Every day, we are turning away at least 50 families who qualify for LIHEAP because we lack resources. Energy bills have increased 30% over last year, yet our funding has not increased. In 2006, there were 29 heat-related deaths in Sacramento County. One senior who passed away due to extreme heat was afraid to turn on his air conditioner because he knew he would be unable to pay the electric bill. We know there are more like him out there at present.

If this bill is signed into law, California will receive over $100 million to keep their residents cool this summer and warm next winter.

Why is LIHEAP so important in the south in the summertime?

According to the Centers for Disease Control, the annual mortality rate from extreme heat in the U.S. has exceeded the death tolls of floods, tornadoes, and hurricanes combined since 1998. Meanwhile, fewer resources have been allocated to heat-related problems than to other extreme weather events.

In other words, while more people in this country are dying from heat exposure than any other natural disaster in this country combined; the Federal Government spends less money preventing these deaths from occurring than any other natural disaster we face.

From 1999–2003, over 3,400 deaths in this country were due to excessive heat. All of these deaths were preventable and air conditioning is the best way to prevent these deaths, according to the CDC.

How many more heat-related deaths will occur in this country if we do not increase LIHEAP? We cannot wait to find out.

My heart goes out to the people of Iowa and other areas in the Midwest that have been devastated by the recent flooding. I supported the additional Federal resources that were included in the supplemental to help them through this difficult time.

But, let us not forget about senior citizens who will die of heat exposure if we don't help them out this summer. And, let's not wait until it's too late to provide the assistance needed to keep Americans warm in the north this winter.

In addition to these facts, tens of thousands of Americans have had their utility and natural gas services shut off this year and millions more are in danger of having these services shut off because they are at least 1 month late in paying their bills.

Increasing LIHEAP funding will allow these Americans to turn their electricity and other essential utility services back on right now so that they can cool their homes this summer and heat their homes next winter.

According to the National Energy Assistance Directors' Association, a record-breaking 15.6 million American families or nearly 15 percent of all households, are at least 30 days overdue in paying their utility bills.

USA Today recently reported that "Electricity and natural gas shutoffs are up at least 15 percent in several states compared with last year. Totals for some utilities have more than doubled."

The article then goes on to give the following examples:

In Pennsylvania, PPL Electric Utilities disconnected 7,054 customers through April this year, up 168 percent over the same 2007 period.

Duke Energy in North Carolina is averaging about 11,000 shutoffs a month, 14 percent above last year.

Disconnects are up 27 percent for Peoples Gas in Chicago, 14 percent for Southern California Edison and 56 percent for Detroit Edison. In Michigan, where home foreclosures are soaring and the unemployment rate is the USA's highest, more than one in five Detroit Edison customers were behind in their electric bills in May.

"Some help is available," USA Today goes on to report. "The Low-Income Home Energy Assistance Program (LIHEAP) is providing $2.5 billion in fiscal 2008, but funds are depleted."

Due to insufficient funding, the average LIHEAP grant only pays for 18 percent of the total cost of heating a home with heating oil; 21 percent of residential propane costs; 41 percent of natural gas costs; and 43 percent of electricity costs. What this means is that low income families with children; senior citizens on fixed incomes and persons with disabilities will have to make up the remaining costs out of their own pockets.

And, only 16 percent of eligible LIHEAP recipients currently receive assistance with their home energy bills. What that means is that 84 percent of eligible low-income families with children, senior citizens on fixed incomes and persons with disabilities do not receive any LIHEAP assistance whatsoever due to a lack of funding.

Unless we significantly increase LIHEAP funding, two things will happen: fewer and fewer Americans will receive the assistance to keep their homes warm in the winter and cool in the summer; or the grants they receive will become smaller and smaller even as the price of energy soars. We cannot allow that to happen.

No family in our Nation should be forced to choose between paying their home energy bills and putting food on the table. No senior citizen should have to decide between buying life-saving prescriptions and paying utility bills. For individuals and households that may have to face these difficult choices, LlHEAP makes a real difference in their ability to cope with adverse circumstances.

For all of these reasons, I urge my colleagues to support the Warm in Winter and Cool in Summer Act.

There are differences, obviously, in the Senate, differences within the House, on a number of very important energy issues. I understand that. I appreciated the differences. I have my point of view. Other people have different points of view.

There is far less difference of opinion—I think widespread support—among Republicans, Democrats, and Independents that we need to move. We need to move quickly to significantly expand LIHEAP funding. By expanding it, by doubling it, we are doing nothing more than keeping pace with inflation because the price of home heating fuel in my State has doubled so all we are doing is keeping even.

I hope we will come together as a body—progressives conservatives, Republicans, Democrats, Independents—and pass this legislation quickly. There is a companion piece in the House. I

hope we can get that done and bring the two pieces together. We are going to be able to provide some relief to millions of Americans.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. NELSON of Florida. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

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

ENERGY

Mr. NELSON of Florida. Mr. President, it looks as though I am the clean-up hitter tonight, before we close the session. It has been this Senator's privilege to be sitting in the chair while a number of these, our colleagues, have been speaking from their perspective. One of the unique features of this democracy is that there are 50 States, each with two Senators who sometimes have points of view that are different from each other. But out of the collective will, by the give-and-take process—as the Good Book says, ''Come let us reason together''—we try to forge a consensus in which to govern the Nation and to set policy through law and then abide by the rule of law.

What a great privilege it is for this Senator to be a part of that and try to articulate the interests as I see the national interests through the lens as I perceive it, through the interests of my State, as well as the country as a whole.

The fact is, we are in a deplorable condition where we are now importing 66.2 percent of our daily consumption of oil from places such as the Persian Gulf, Nigeria, and Venezuela. These are very unstable parts of the world. The President can certainly appreciate the fact that if we did not have to do that, we would be not only economically a lot better off but just imagine what our defense posture would be if we did not have to protect the sea lines. The U.S. Navy has to protect the sea lines, not only for our interests but a lot of the others of the world's interests in all those areas coming around—out of the Persian Gulf, on the west coast of Africa, and so forth.

It is also true that those sea lines and that flow of oil is increasingly under jeopardy because of terrorist groups such as al-Qaida that can figure it out and strike in undefended oil-producing facilities, as they have tried to do in Saudi Arabia and who knows where else. All of those jitters that ripple throughout the economy come because people think this tight oil supply is going to be cut off—as well it may be.

Back in the early 1970s it was cut off because of a cartel called OPEC, and they decided to cut back on production. You remember in the early 1970s that drove oil from something like $2 a barrel up to $10 a barrel.

This has progressively gotten worse to the point that the United States is now dependent for almost two-thirds of our daily consumption of oil coming from foreign shores. The United States only has 3 percent of the world's oil reserves. Yet the United States consumes 25 percent of the world's oil production.

It does not take a mathematical genius to realize if we want to do something about our vulnerability, if we only have 3 percent of the world's oil reserves but we consume 25 percent of the world's oil production, what is the ultimate solution? We have to wean ourselves from oil. We have to go to alternative fuels. We have to vigorously, through research and development, develop new engines. We have to use renewables, such as solar and wind and geothermal. Indeed, we have to get serious about conservation.

This Nation simply has not done this with great vigor. It is clearly the hope of this Senator that the next President of the United States is going to have this at the top of his agenda. Then, this Congress, combined with the next President, is going to be able to make some major policy shifts about our energy consumption and from where we get our energy. But, in the meantime, the scare, the fright, the pain of $4.11-per-gallon gasoline; the scare, the fright of oil, what normally would be at $55 a barrel, according to an ExxonMobil executive testifying, under normal supply and demand—it is not anywhere close to that. It is way up in the 130s, and it actually got up over $140 a barrel.

Because of that pain right now we have to act. There are those who have trooped in here and over and over their mantra is, as they hold up a big sign—and it is primarily the ones on that side of the aisle who say: ''Drill here. Drill now,'' as if that is the solution. This Senator has no problem with drilling if it is done responsibly and it is done in an area that there is not a prohibitively painful tradeoff.

What do I mean? I want to give you an example. It was this Senator who, 3 years ago, had to start a filibuster to stop a punitive measure against the defense interests of the United States. I had to stop it with a filibuster. That was an attempt to drill oil in the eastern Gulf of Mexico off of Florida. That happens to be the largest testing and training area for the U.S. military in the world. Why do you think we train all of our F–22 pilots at a base in Florida? Why do you think we train the pilots for the still-being-developed F–35 Joint Strike Fighter in Florida? It is because they have all of that unrestricted space over the Gulf of Mexico.

When the U.S. Navy shut down their training facility on the island of Vieques next to the island of Puerto Rico, why did they bring all of that U.S. Naval Atlantic Fleet training to the Gulf of Mexico? It is because it is restricted air space where they can have joint air, sea, and, at Eglin Air Force Base, land exercises in the training of our military.

We are testing new weapons systems that go hundreds of miles. Where? In the testing and training area of the Gulf of Mexico. And this Senator has shared with this Senate a letter from the Secretary of Defense that says: Do not drill for oil and gas in the military mission area of the eastern gulf testing and training area.

So 2 years ago, we put together a compromise. The oil forces wanted to have 2.5 million acres headed on a line straight for the west coast of Florida. This Senator worked it out with Senator LANDRIEU and several others. We arranged not 2.5 million acres to drill in, but 8.3 million acres, four times as much. But we kept it away from the military mission area, the military testing and training area, which also kept it away from the coast of Florida.

So when these folks come up with this mantra: Drill here, drill now, it is not taking into consideration that we have been through this drill before, and we have crafted a compromise. You know, we put that into law, as Senator LANDRIEU has shared, on different parts of the offshore. She showed you where we put that into law. It is prohibited under law, not by Presidential proclamation, it is prohibited by law until the year 2022.

We did that for the reasons I have already said. We thought we balanced the interests, and that was 2 years ago. And do you know what. Not one acre of that 8.3 million acres has been drilled. So this mantra of ''drill here, drill now,'' as if we do not have the area to drill, this Senator worked his fingers to the bone to get a compromise to satisfy all of the interests, including the drilling interests, and not one acre of that has been drilled.

As a matter of fact, not any of the 32 million acres under lease in the Gulf of Mexico has been drilled. This Senator is not opposed to drilling. This Senator wants to drill in the 32 million acres that are already available in the Gulf of Mexico and not harm the preparation and training of the United States military to defend our country.

Now, that is a simple message I want to share, and I had to wait until this hour in order to get the time to come out here and maybe, through the lens of that camera, some of this message is getting shared.

There is one more thing I want to share with the Senate that simply is not true. The folks who come out here with this simple message, drill here, drill now, constantly say: In all the hurricanes that they had there was not any oil spill. That is not true. I want to show you a satellite photo 4 days after Hurricane Katrina had already hit land up here on the Mississippi and the Louisiana coast. I want you to see the oil spills as recorded in a photograph from space. That is what it looked like 4 days after Katrina.

Now, I hope this debunks all of those folks coming up here and saying there

were no oil spills. I think they have gotten a lot safer, but don't come up here and say there are no oil spills. Let's be realistic about it. Let's use the most modern techniques where we are going to drill in those 32 million acres out in the gulf that are leased but not drilled.

After Katrina, 7.5 million gallons of oil were spilled. This satellite image was taken by the National Oceanic and Atmospheric Administration 4 days after Katrina.

If you do not believe me because I am saying it, let me point you to the report that was produced by the Bush administration after Katrina. This is from ''The Federal Response to Hurricane Katrina, Lessons Learned.'' It has the seal of the U.S. Government, written in February 2006. I want to give you the quote on page 8 of this report:

> In fact, Hurricane Katrina caused at least ten oil spills, releasing the same quantity of oil as some of the worst oil spills in U.S. history.
>
> Louisiana reported at least six major oil spills of over 100,000 gallons and four medium spills of over 10,000 gallons. All told, more than 7.4 million gallons poured into the Gulf Coast region's waterways, over two-thirds of the amount that spilled during America's worst oil disaster, the rupturing of the Exxon Valdez tanker off the Alaska coast in 1989.

That is the administration's own report.

In the next hurricane that came a few weeks later, Hurricane Rita, a large vessel struck a submerged oil platform that sank during the storm. Up to 3 million gallons of oil spilled in the gulf because of that, and only half of that oil was recovered.

There have been plenty of technological advances on safety. But it has not ensured the safety of all that oil infrastructure that Senator LANDRIEU showed you an aerial photo of in the Gulf of Mexico.

Listen to what the Bush administration's Minerals Management Service predicts. They predict there will be one oil spill in the Gulf of Mexico of 1,000 barrels of oil each year, and one spill of at least 10,000 barrels of oil every 3 to 4 years in the future. That is their prediction.

And, of course, if we have another Katrina—and remember, Katrina was only a Category 3 storm, which is up to 135 miles per hour. Guess what would happen if you get to a Category 5, which are winds in excess of 146 miles per hour, and the destructive forces of each mile per hour, when you get into that category, go up exponentially.

Well, I think I made my point. More intense hurricanes could mean more big spills and more damage to our fragile coastline and wetlands, our military mission, our gulf coast beaches, and the tourism industry they support, and the ecosystem. It could be devastating and decimated by a huge oil spill.

Now, we have to have balance because we are behind the eight ball since we import two-thirds of our daily consumption of oil. What this Senator wants is for us to balance the approach to this: R&D, alternative fuels, conservation, stretch the envelope, develop new engines, drill for oil, and do it in a responsible way where we have already provided the leases.

COMMEMORATING THE ALPHA KAPPA ALPHA SORORITY, INCORPORATED

Mr. REID. Mr. President, I welcome the women of Alpha Kappa Alpha Sorority, Inc., to Capitol Hill in celebration of its centennial anniversary.

Alpha Kappa Alpha Sorority, Inc. is our Nation's first African-American sorority, and was founded on January 15, 1908. Since then, the sorority has always exemplified its motto of ''being of service to all mankind.''

Over the course of ten decades, Alpha Kappa Alpha Sorority, Inc., has grown its membership to include over 200,000 members throughout the United States, Africa, Asia, Europe, and the Caribbean. Through the years, the sorority has remained committed to improving the lives of countless Americans through its involvement in programs including the Mississippi Health Project, the Job Corps, and the African Village Development Program.

In my home State of Nevada alone, Alpha Kappa Alpha Sorority, Inc.'s Theta Theta Omega Chapter has provided over $100,000 in scholarships to deserving African-American female Clark County high school students, while its Kappa Xi Chapter has a distinguished record of service both on the University of Nevada Las Vegas campus and throughout the community.

In the coming century, I am certain that this illustrious organization will continue to empower communities and respond to the increasingly complex issues facing the world. I commend the women of Alpha Kappa Alpha Sorority, Inc., for their 100 years of distinguished service to our great Nation.

Ms. LANDRIEU. Mr. President, this year we are celebrating Alpha Kappa Alpha, Inc. sorority's 100th birthday. This week, more than 20,000 members from all over the country have come to Washington, DC, to participate in a week-long program of forums and seminars with a focus on leadership, sisterhood and service, known as the Centennial Boulé. The theme of this week's celebration is the ''Centennial Commitment to Leadership.''

The week's events will culminate in today's Unity March where members from the nine African-American Greek fraternities and sororities marched to the Capitol.

AKA's International President, Barbara McKinzie, who has lived in Shreveport, LA, says the qualities that have sustained AKA for a century are ''sisterhood and service.'' Her administration is committed to ESP: Economics, Service and Partnership.

AKA is the first Greek-letter sorority established by African-American women for African-American, college-educated women. It was founded by nine enterprising Howard University women, led by Ethel Hedgeman Lyle, on January 15, 1908.

Now the membership has grown to 975 chapters worldwide and is 200,000-strong. Among the famous AKAs are Maya Angelou, Gladys Knight and Alicia Keys; and Members of the House of Representatives include Eddie Bernice Johnson and Sheila Jackson Lee of Texas, and Diane Watson of California. Powerful women across America both in the private sector and government represent the AKA sisterhood. Three members of my staff are proud to be a part of this sisterhood: my office manager Alicia Williams, acting State director Tari Bradford, and my New Orleans constituent services representative Sheraé Hunter.

The AKA sorority, founded before women had the right to vote by women one generation away from slavery, has been an instrumental group in raising the profile of African-American women and has worked tirelessly to knock down barriers to advancement in our society. The sisterhood has consistently encouraged academic achievement, leadership and service.

Members remain active for their whole lives and are encouraged to contribute to their communities. Each chapter has its own community service focus. The Gamma Eta Omega Alumnae Chapter in Baton Rouge, for instance, raises money through an annual fashion show for scholarships for high school seniors and sorority undergraduates and also sponsors the Leadership Fellows Institute each year to promote leadership among high school students.

The Delta Lamda Omega Chapter in Shreveport gathers for ''A Day On and Not a Day Off,'' where sisters take off work to volunteer in the community. Chapters all over Louisiana are similarly committed to their communities. In the aftermath of Hurricanes Katrina and Rita in 2005, AKAs from all over the country came to the aid of hurricane survivors along the gulf coast and helped with our recovery effort.

It is with great pride that we welcome all AKAs to the birthplace of the sisterhood, Washington, DC, as they embark on another groundbreaking century.

40TH ANNIVERSARY OF SPECIAL OLYMPICS

Mr. REID. Mr. President, today is the 40th anniversary of Special Olympics, an organization that has touched the lives of people with intellectual disabilities in Nevada and throughout the country. This spring, I had the chance to meet with one such Special Olympics athlete: Cari Davis, a resident of Henderson, NV, who has been winning medals since beginning her athletic career in 1988. It is my privilege today to recognize the achievements of all Special Olympics athletes, as well as the

broader impact of their participation in sports.

Forty years ago, Eunice Kennedy Shriver founded Special Olympics with the belief that everyone, regardless of ability or disability, deserves opportunities to participate in sports. What began as Camp Shriver on the lawn of her Maryland home has now grown into an international organization reaching over 180 countries. Through these programs, people with intellectual disabilities can do more than just develop skills in a particular sport or improve their physical fitness. They also get opportunities to form friendships, build self-confidence, learn teamwork, and enjoy the sheer joy of the athletic experience. That is why I was pleased to help enact the Healthy Special Olympics Sport and Empowerment Act of 2004, which enabled Special Olympics to expand its programs and increase the number of athletes served.

In my home State, Special Olympics Nevada provides year-round training and competition opportunities in a variety of sports, including alpine skiing, basketball, swimming, and gymnastics. In addition to providing these activities and sponsoring competitive trials, Special Olympics offers services that promote good health, such as screenings through the Healthy Athletes Program. Larger events are also held, like the Special Olympics Nevada Summer Games that took place this June in Reno.

These events highlight more than the athletes' determination, talents, and spirit. Their participation in sports is also serving to dispel myths and change attitudes, contributing to the greater inclusion, understanding, and acceptance of people with disabilities. In fact, there are Special Olympics initiatives, like its collaboration with the school district in Clark County, NV, that give students with intellectual disabilities and other students the chance to participate in sports together. Perhaps it is these young athletes who best embody this remark by Mrs. Shriver: ''May you overturn ignorance; may you challenge indifference at every turn; and may you find great joy in the new daylight of the great athletes of the Special Olympics.''

Mr. President, I wish Special Olympics all the best as we celebrate its 40th anniversary and look forward to many more years to come.

Mr. HARKIN. Mr. President, today we are celebrating the 40th anniversary of the Special Olympics, an organization that has done an extraordinary job of improving the lives of individuals with intellectual disabilities. This remarkable organization was born in Eunice Kennedy Shriver's backyard, where she used to host a day camp for children with intellectual disabilities. Under her founding leadership—and for the last decade, under the leadership of her son, Tim Shriver—the Special Olympics has grown into a truly amazing enterprise, serving some 2.5 million people in more than 180 countries. It gives individuals with intellectual disabilities the opportunity to improve their health, well-being, social skills, and other skills through competitive sports—and the opportunity to have fun, just like everyone else.

I have been a long-time advocate for people with disabilities. But it was not until the 1980s, when Eunice Kennedy Shriver came to see me and asked me to get involved as an advocate for individuals with intellectual disabilities, that I learned about the unique challenges faced by individuals with intellectual disabilities in our society. Of course, when Eunice Kennedy Shriver asked, I couldn't say no. She invited me to a Special Olympics competition here in Washington, and I immediately became a fan. It was extraordinary to see the athletes' talents, enthusiasm, and courage.

Over the years, thanks largely to Special Olympics, I have developed a better appreciation of the needs of people with intellectual disabilities. They have health problems that many physicians do not know how to address. For example, by and large, individuals with intellectual disabilities have little opportunity for exercise and other physical activity. Too often, they are relegated to the fringes of our society.

The brilliance of the Special Olympics is that it uses sports to help integrate people with intellectual disabilities into our broader society. Special Olympics provides a kind of ideal world for individuals with intellectual disabilities. The accent is on abilities, not disabilities. Athletes have the opportunity to compete and achieve on a level playing field. Special Olympics gives its athletes, like Kyler Prunty, one of my constituents from Marshalltown, IA, the opportunity to compete in swimming and other sports, as all children and young adults want the opportunity to do. Kyler knows that his success is determined by his own hard work, talent, determination, and courage.

Special Olympics helps people overcome their fear and ignorance of individuals with intellectual disabilities. It transforms athletes by empowering them as competitors and leaders. It transforms communities by changing attitudes about people with intellectual disabilities.

Special Olympics includes a number of associated programs. The Unified Sports program provides inclusive sports experiences with individuals with and without intellectual disabilities playing together on the same team.

Special Olympics also improves the lives of individuals with disabilities by looking at health issues. I am a proud supporter of the Healthy Athletes program, which allows athletes to receive a variety of important health screenings and services in conjunction with local, State/Provincial, National, and World Games.

Special Olympics has come a long way since it began 40 years ago. When Special Olympics held its first event in Illinois, my home State of Iowa sent fewer than 100 athletes to the games. Today, more than 13,000 Special Olympics Athletes, and 2,000 certified coaches, from all 99 Iowa counties in Iowa, participate in Special Olympics programs.

I am proud that, in 2006, the first-ever Special Olympics USA National Games were held in Ames, IA. In conjunction with those games, I held a field hearing of my Senate Appropriations Subcommittee focusing on the status of people with intellectual disabilities in the U.S. That hearing taught us a great deal about the health and education needs of individuals with intellectual disabilities.

As a result of the hearing, I introduced S. 1050, the Health and Wellness for Individuals with Disabilities Act. This bill would promote the training of medical and dental professionals to care for individuals with intellectual disabilities. In addition, it would create model wellness programs, and standards for accessibility of medical equipment to further level the playing field for the care of Special Olympics athletes and other individuals with disabilities.

Special Olympics and its emphasis on inclusion of individuals with intellectual disabilities through athletics is now a worldwide movement. It shows what can be achieved when one individual, in the person of Eunice Kennedy Shriver, pursues a cause with passion. Her vision is making a difference in the fabric of our society, where individuals with intellectual disabilities can now participate in sports competitions in Iowa, across the country, and around the world.

I salute the Special Olympics for a brilliant 40 years of service, and I wish the organization even greater success in the decades ahead.

IN REMEMBRANCE OF DOROTHY PHILLIPS

Mr. REID. Mr. President, I rise today in remembrance of Dorothy Phillips, who passed away yesterday at the age of 84.

Born in Utah in 1923, Dorothy was a dedicated mother of 7, grandmother of 15, and great-grandmother of 14. She lived in the small southeastern Nevada town of Caliente for over 70 years and was known to its residents for her active leadership in the community. She was an enthusiastic participant in local, county, and State politics, and her prominence in local Democratic Party matters led many to seek out her support and advice, and one of my best ever campaign volunteers.

Dorothy was also passionate about the needs of Nevada's senior citizens. For her 26 years of service as the director of the Caliente Senior Citizen Center, a senior housing development was named the ''Dorothy Phillips Manor'' in her honor. She was even selected to

represent Nevada's seniors as a delegate to the 1995 White House Conference on Aging.

In addition, Dorothy was a vocal opponent of the proposed nuclear waste dump at Yucca Mountain. The Department of Energy's transportation plan would bring trainloads of nuclear waste right through Caliente. Dorothy spoke out against this plan, fueled by concerns for how it would impact her small town. In part, Dorothy's activism was inspired by tragedy. Dorothy recalled being told that the mushroom clouds created by the testing of atomic weapons at the Nevada Test Site during the 1950s were not harmful. In fact, she said residents were encouraged to go outside and watch. Unfortunately, Dorothy's father and two siblings died of cancer caused by radiation from the test site. It was in their memory that she fought against Yucca Mountain and the Caliente Corridor.

Dorothy will be remembered for her devotion to her family and her community, and she will be missed by those who had the privilege of knowing her. I extend my most heartfelt condolences to her husband Donald and their family. They should all be proud of her legacy of service to Nevada.

THE MATTHEW SHEPARD ACT OF 2007

Mr. SMITH. Mr. President, I rise today to speak about the need for hate crimes legislation. Each Congress, Senator KENNEDY and I introduce hate crimes legislation that would add new categories to current hate crimes law, sending a signal that violence of any kind is unacceptable in our society. Likewise, each Congress I have come to the floor on many occasions to highlight a separate violent, hate-motivated crime that has occurred in our country.

On the evening of July 7, 2008, Rev. Louis Braxton, Jr., was returning to the shelter he runs for transgender and gay youth in Queens, NY, when he witnessed a group of teens attacking some of the shelter's residents. Father Braxton says he shouted at the attackers and they ran off. Four of them returned, however, holding a paint bucket, steel brackets, a miter box, and a belt. According to the Queens district attorney's office, two of the residents argued with the four attackers and were punched in the face and body. Father Braxton, who was also reportedly struck in the face with a metal object in the scuffle, says the assailants were yelling homophobic and antitransgender slurs as they beat the victims. The shelter apparently suffers from weekly attacks from neighborhood teenagers. Father Braxton has met with the Hate Crimes Division of the police department to discuss safety issues for the residents. The district attorney's office has charged Shara Mozie, Tyreek Childs, and Trevaughn Payne with assault and weapons harassment, and the attack is also being investigated as a hate crime.

I believe that the Government's first duty is to defend its citizens, to defend them against the harms that come out of hate. The Matthew Shepard Act is a symbol that can become substance. I believe that by passing this legislation and changing current law, we can change hearts and minds as well.

CENTENNIAL ANNIVERSARY OF THE FBI

Mr. LEAHY. Mr. President, I was privileged to attend the event at the National Building Museum this morning commemorating the FBI's centennial anniversary. It was an extraordinary event honoring the dedicated men and women of the FBI. Four of the six FBI Directors who have guided this agency over the last 84 years were present, and Director Mueller made an inspiring speech to mark the occasion. He spoke about the history of the Bureau, paid tribute to those who have served and are currently serving, and spoke about the elements in the FBI's motto of ''fidelity, bravery and integrity.''

I was especially struck by Director Mueller's description of the values that guide the Bureau, values that are important to effective law enforcement. He said:

> It is not enough to stop the terrorist—we must stop him while maintaining his civil liberties.
>
> It is not enough to catch the criminal—we must catch him while respecting his civil rights.
>
> It is not enough to prevent foreign countries from stealing our secrets—we must prevent that from happening while still upholding the rule of law.
>
> The rule of law, civil liberties, and civil rights—these are not our burdens. They are what make us better. And they are what have made us better for the past 100 years.

I commend the Director for his words and for his service. I congratulate the men and women of the FBI and thank them for all they do every day to keep Americans safe, establish justice, and allow us to secure the blessings of liberty.

I ask that the remarks of Director Mueller be printed in the RECORD.

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

100TH ANNIVERSARY COMMEMORATION, JULY 17, 2008

Good morning to all. It is truly an honor to be here today to mark this significant milestone in the Bureau's history, and to share in the celebration of this occasion—the 100th anniversary of the FBI.

My thanks to Attorney General Mukasey and the many other distinguished guests for joining us today.

My special thanks, also, to Directors Webster, Sessions, and Freeh, for being here with us on this day. Together, they represent three decades at the Bureau in which we saw a strong emphasis on white collar and organized crime, as well as counterintelligence cases. We witnessed innovations in crime-solving technologies, and a dramatic expansion of our international program.

But let's go back a bit further in history.

One hundred years ago, Attorney General Charles Joseph Bonaparte organized a group of investigators under the Justice Department. In July, 1908, the Bureau of Investigation opened its doors.

The first Bureau employees numbered just 34—nine detectives, thirteen civil rights investigators, and twelve accountants. They investigated, among other things, antitrust matters, land fraud, and copyright violations.

Compare that to today's FBI—a threat-based, intelligence-driven, technologically supported agency of over 30,000 employees—employees who are working in 56 field offices here in the U.S., and 61 Legal Attache offices overseas.

Employees who are combatting crimes as diverse as terrorism, corporate fraud, cyber crime, human trafficking, and money laundering. J. Edgar Hoover would indeed be proud.

Today's FBI is often, and I believe accurately, described as one of the world's few intelligence and law enforcement agencies combined.

The culture of the FBI is now, and for the past 100 years has been, a culture of hard work and dedication to protecting the United States, no matter what the challenges.

In the wake of the September 11 attacks, it became clear that the FBI's number one priority must be the prevention of another terrorist attack. We refocused our mission, revised our priorities, and realigned our work force.

We strengthened lines of communication between the Bureau and our partners in the global intelligence and law enforcement communities.

And we are now stronger, and better equipped to confront the threats we face today.

Today's FBI continues to reflect and to embody its motto—Fidelity, Bravery, and Integrity. It is a motto emblazoned on the FBI Seal. And it is worth its weight in gold.

For the past 100 years, the men and women of the FBI have lived out their commitment to Fidelity, Bravery, and Integrity. And it is precisely because they have done so that the Bureau has the reputation that it has today.

Even so, these are qualities that need to be constantly burnished by the men and women of the Bureau, to ensure that they do not rust for lack of use.

For most of us, fidelity is faithfulness to an obligation, trust or duty.

For the men and women of the FBI, fidelity also means fidelity to country. It means fidelity to justice and to the law, fidelity to the Constitution, fidelity to equality and liberty.

Bravery is the quality of being willing to face danger, pain, or trouble; to remain unafraid.

Bravery is not merely the act of rushing in where others flee. It is the quiet, diligent dedication to facing down those who would do us harm and to bring them to justice.

The well-known tennis champion and social humanitarian, Arthur Ashe, once said, ''True heroism is remarkably sober, very undramatic. It is not the urge to surpass all others at whatever cost, but the urge to serve others at whatever cost.''

Bravery is the capstone in the stories of Special Agents Rodney Miller, John O'Neill, and Lenny Hatton. On September 11, Miller and O'Neill went up, not down, the stairs of the North Tower of the World Trade Center to help others to get out.

Rodney Miller went all the way up to the 86th floor, offering assistance to fire and police personnel on the scene.

Through radio transmissions, Lenny Hatton reported the crash of the second plane, and then assisted with evacuation efforts. Neither he nor John O'Neill survived.

And we will never know how many lives were saved as a result of their and the other first responders' extraordinary bravery on that day.

Although their stories are unique, their bravery is repeated by the men and women of the FBI working each and every day around the country, and around the world.

Whether cracking down on public corruption or white collar crime that corrodes the public trust. Or capturing criminals who exploit children on the Internet, or commit violent crime, hate crime, organized crime, espionage, or terrorism.

Such bravery can be seen in the story of Jay Tabb, a member of our Hostage Rescue Team. Tabb received the FBI Star after being shot and seriously wounded during the arrest of a wanted fugitive.

Just months later, during a search of a terrorist safe-house in Iraq, he was injured again, this time by a suicide bomber. Despite his own injuries he rescued four wounded soldiers. After each incident his first question was, how soon can I get back to work with my team?

Bravery can be seen in the stories of our Task Force Officers like Port Authority Police Detective Tom McHale, who has served on our Newark Joint Terrorism Task Force since 1995.

The morning of September 11th, McHale was blocks away from the World Trade Center when he heard the first plane fly overhead. He raced to the scene to assist with evacuations and rescues. He was caught in both building collapses, and was injured.

And yet as a trained ironworker, McHale spent the next weeks in the rubble cutting through steel recovering bodies. He worked at Ground Zero for 12 hours a day, before reporting for duty on the Joint Terrorism Task Force to help with thousands of leads.

Bravery can be seen in the work of Jennifer Keenan, the first female Special Agent to be stationed in Pakistan and in Yemen, and who helped carry out dangerous missions in both of those countries.

Along with Tom McHale, Keenan was part of the FBI team in Pakistan who captured Al Qaeda suspect Abu Zubaidah.

Bravery can be seen in the story of Special Agent Bruce Bennett and three other Agents, who, as John mentioned, were seriously wounded just last March in a terrorist bombing, also in Pakistan.

And it can be seen in the story of Walter Walsh, our oldest retired Special Agent, who survived shootouts with gangsters in the 1930s.

And it so happens that several of these individuals are with us today. Would you all please stand so we can recognize you?

And yet there is no shortage of heroes in the FBI. I am certain there are also many unsung heroes with us here in the audience today—heroes whose stories may never be told.

And we honor them as well.

For the men and women of the FBI, bravery is reflected not only in the physical courage often necessary in the job. It can be seen in the courage of conviction, in the courage to act with wisdom in the face of fear, and in the courage it takes to admit mistakes and to move forward.

This brings us to the third quality that defines the Bureau, and that is integrity. It is the quality of being of sound moral principle; uprightness, honesty, and sincerity.

For the men and women of the FBI, integrity is reflected in all that we say and we do—in honesty, in keeping promises, in fairness, in respect to others, and in compassion.

Integrity is, in some ways, the most important of the three words that make up our motto. Integrity is the fire by which fidelity and bravery are tested.

Fidelity, Bravery, and Integrity set the expectations for behavior; they set the standard for our work.

More than just a motto, for the men and women of the FBI, Fidelity, Bravery, and Integrity is a way of life.

And it has always been so. It has been said of FBI employees that they stand on the shoulders of their predecessors. Indeed, we do.

And while it is a time of change in the Bureau, our values will never change.

It is not enough to stop the terrorist—we must stop him while maintaining his civil liberties.

It is not enough to catch the criminal—we must catch him while respecting his civil rights.

It is not enough to prevent foreign countries from stealing our secrets—we must prevent that from happening while still upholding the rule of law.

The rule of law, civil liberties, and civil rights—these are not our burdens. They are what make us better. And they are what have made us better for the past 100 years.

The men and women of the FBI today are part of history in the making. We understand that we have been passed a legacy and that it remains our responsibility to both build on and to pass on that legacy to those who will succeed us.

John F. Kennedy once said, ''. . . when at some future date the high court of history sits in judgment on each of us, . . . our success or failure, in whatever office we hold, will be measured by the answers to four questions: First, were we truly men of courage . . . Second, were we truly men of judgment . . . Third, were we truly men of integrity . . . Finally, were we truly men of dedication?''

The men and women of the FBI, here and around the world, past and present, can resoundingly answer yes to each of these questions. That is because they live our motto each and every day.

Fidelity, Bravery, and Integrity remain the attributes of an organization with a proud. history of distinguished service to the nation. And each of us is indeed honored to be part of that.

With Fidelity, Bravery, and Integrity defining every FBI employee, we stand fully ready to face the challenges of the next century.

Thank you all again for being here with us today and God bless.

CONQUER CHILDHOOD CANCER ACT

Mr. REED. Mr. President, I am very pleased by the Senate's actions last night to pass bipartisan legislation that I introduced, the Conquer Childhood Cancer Act.

Recently, through the leadership of Representative PRYCE, the House passed its version of this legislation by an overwhelming vote of 416–0. The bill was renamed after Representative PRYCE's daughter, Caroline Pryce Walker, who died of neuroblastoma at a young age.

Ben Haight of Rhode Island also died of neuroblastoma. But Caroline and Ben shared more than this terrible disease. They inspired their families to turn tragedy into hope. They and others also inspired many of us in Congress to work on this legislation.

The bill invests $30 million a year to expand pediatric cancer research. It also creates a national childhood cancer registry to track pediatric cancer. Researchers would be able to contact patients within weeks, enroll them in research studies, and follow up with them over time. In Europe, similar registries are already yielding results to research questions.

Again, I am pleased that our many efforts to overcome objections to the bill have finally succeeded, and that the bill is on its way to the President's desk to be signed into law.

IDAHOANS SPEAK OUT ON HIGH ENERGY PRICES

Mr. CRAPO. Mr. President, in mid-June, I asked Idahoans to share with me how high energy prices are affecting their lives, and they responded by the hundreds. The stories, numbering over 1,000, are heartbreaking and touching. To respect their efforts, I am submitting every e-mail sent to me through energy_prices@crapo.senate.gov to the CONGRESSIONAL RECORD. This is not an issue that will be easily resolved, but it is one that deserves immediate and serious attention, and Idahoans deserve to be heard. Their stories not only detail their struggles to meet everyday expenses, but also have suggestions and recommendations as to what Congress can do now to tackle this problem and find solutions that last beyond today. I ask unanimous consent to have today's letters printed in the RECORD.

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

DEAR SENATOR CRAPO: You asked that I send a paragraph or two about how I or my family are impacted by the constantly rising gas prices. At first, I thought that I had nothing to share, other than the usual issues you mention: no choice, I have to drive that far. Then I realized that I do indeed have a story to share.

I am an amateur radio operator, and I love helping my community by volunteering my services at various events. However, with the rising cost of fuel, I am being slowly forced to pick and choose what events I am willing to help with. That means that many local and distant events that rely on amateur radio operators (hams) to provide them with communications are finding it not only more and more expensive to put on the events, but also finding that it is not as easy to get enough communication volunteers. Without enough hams there, the people putting on the events have to space what resources they do have further and further apart. This provides an extra risk for the event participants in some cases. With hams spaced increasingly further apart, there are areas of, for example, parades, fairs, bike races and tours, long distance runs, and other outdoor events that have no safety net in case something goes wrong.

Sometimes we are partially reimbursed for our fuel, other times we aren't. For some hams who may be retired, this can be the only way they are able to afford to volunteer. Others of us, myself included, will attempt to cut something else to still volunteer but even so there are so many events and only so many fuel dollars that I can volunteer. For those of us that function as brooms and sweeps at races and tours we still drive more miles than the gas we are reimbursed for.

As long as we can, we'll volunteer for these events, but even so there comes a time when we simply cannot afford it, much as we'd like to volunteer.

Respectfully,

BILL.

SENATOR CRAPO: The ever-increasing fuel prices have forced me and my family to make significant changes in our lifestyle. My wife is a stay-at-home mother, taking care of our two boys; so, consequently, we live on a fixed income like most Americans. To keep our fuel costs at our budgeted amount, we've been forced to purchase a motorcycle for commuting to and from work. This decision comes with a certain level of risk, but it is a choice we have made in order for my wife to continue to stay at home and raise our boys. Should fuel prices continue to increase, we may be forced to have my wife return to the workforce, which, I hope you would agree, is not what this country needs. With fuel prices soaring, it is very aggravating to hear that China and India are 50 miles off the coast of Florida, slant drilling for oil in the continental shelf but yet it is illegal for us to do the same. It is aggravating to hear that the last refinery was built in this country over thirty years ago! I understand this is because of all the regulatory legislation. It is aggravating to hear politicians complaining about big oil profits when their profit margins are only around 8%! It is aggravating to hear politician's discussing windfall profit taxes when it is profits that have built this country! I hope you would agree that it is profits that drive innovation and technology! If the politicians were working on the country's business and not discussing the use of performance enhancing drugs in baseball, cheating in football, writing letters to Rush Limbaugh, etc. . . . the energy crisis in this country would most likely have been solved years ago!

Thank you for the opportunity to provide you with my thoughts on energy prices and how it has impacted our family as well as allowing me to vent my frustration with some of the leadership of this country. I applaud you on your recent fight on the ''climate change legislation.'' I believe the climate change and global warming is a huge myth, and I pray we never implement cap and trade; which, I believe will be the beginning of the end. Keep up the good fight & God Bless!

Respectfully yours,

SCOTT.

Like many others, I am concerned about the rise in energy costs—for me it has a great deal to do with my health. I was diagnosed with MS a few years ago. One of the most difficult times for me is the summer. MS makes the heat pretty much unbearable, so the air-conditioner runs most of the time—especially through May to October. I also must use the air-conditioner in my car when I drive. When the heat strikes, I become fatigued so much so that I cannot move. This makes it hard to be with friends and family, especially my 13 year old son—who is very active. I do hope that we can find some alternatives to gas and oil, and look forward to hearing how you can help.

Thank you,

KIM, *Boise*.

It may seem as though it will take a holy cow to get our legislature to think ''oil independence,'' but as I am sure you realize, we have over 100 years of oil independence at our fingertips; that's right here at home in Utah, Montana, and the Dakotas, this is not counting the offshore oil available off both coasts, OR do we need to help China find our oil. It is about time for a wake-up call. I do support your logical and commonsense approach to the energy crisis we have at hand and support your direction.

Keep up the good fight; let us stop sending our dollars overseas. Oil independence—that is the ticket! Thanks for listening.

JOHN.

MR. CRAPO: Perhaps you should read the Idaho State Journal, the ''Your Letters'' in the first section of the paper dated June 16, 2008. Side with big oil, as it clearly looks as you did, and then expect your constituents to write in to you and give heartbreaking stories seems a bit ludicrous. Opening up wilderness for drilling is a 10+ year detour as that is the estimate as to when we would actually see any of that oil in the system.

If you want to help:

1. Find ways to help the average home owner to install solar panels on rooftops or in backyards to help offset the rising electrical rates. This needs to be through low interest easy to obtain loans and even grants for low income homeowners, not tax breaks, as the initial investment is large and out of range for home owners such as myself. This would result in lower electrical bills and maybe even a money-generating opportunity for the homeowner as they can sell excess back to Idaho Power.

2. Help establish more wind farms and make sure that the end product stays in Idaho, not transmitted out of state. The outlandish approval hearings and appeals need to be stopped.

3. Nuclear was never and is never the answer; the end product of such is a disaster waiting to happen.

4. It is time to come to grips with the fact that oil prices will never come down. We have created this dragon, and now it has come to burn our villages. Do we really need Hummers, large SUVs, NASCAR? I think not. The automobile makers in this country need to be held to higher standards and take the lead on producing vehicles that actually make respectable gas mileage. This country put men on the moon, but we cannot produce a vehicle that actually makes a respectable MPG, and I am not talking 30 MPG but 50MPG+.

5. Yes, it is time to crack down on big oil. The profits that these companies have been posting are insane. The arguments that production costs have risen, etc., are a slap in the face to anyone listening to these numbers. These are profits, not gross income.

Best Wishes,

MATTHEW.

My wife and I are in our mid-sixties, my wife on Social Security. The spiraling fuel prices are beginning to wreak havoc on our conservative budget. I am on the verge of riding a bicycle to work, nine miles each way. I know that we, as a country, have the ability to produce all the energy we need for generations, but [no solutions are forthcoming]!

I hate to think I have worked my entire adult life just to have prohibitive fuel prices keep us from doing many of the things we have looked forward to.

For a change we can believe in, do something about it! Let us start by tapping the massive resources we have available to us here at home. Americans like myself will not be quiet forever.

ALAN, *Meridian*.

Thank you for this opportunity to provide feedback. I have many friends who are retired from the military and police. [Most,] like me, are conservatives.

As we e-mail each other, the same theme and thoughts continue to be repeated. Why [does it seem there are no answers from our Congress regarding energy prices? There have been plenty of hearings on issues like baseball, impeaching the President and grilling oil executives, but nothing that actually fixes the problem.]

The lesson of history [appears to be lost by many people]. The oil embargo was the first shot fired in this global war. The Saudis are not our friends, and the entire Middle East is [a consistently unstable area], yet we have done nothing for over 30 years!!!

Why would or should our President seek additional production [from that area] when this country has known reserves that could be effectively used to deflate the cost of oil, gas and diesel. I am not a lawyer, but even I, as well as most commonsense thinking people, have figured this out.

The very removal of the current restrictions on drilling of our currently known resources would drive the costs down almost overnight. This would take courage and leadership.

This is not considered to be a long-term plan for energy independence. However, if used as a bridge, it would allow for the needed technical expertise to develop higher efficiency engines and alternate transportation choices. This would serve this country better than the current so-called energy policies currently in place.

With China drilling for oil just off the coast of Florida, how can you guarantee that they will not use current technology to ''poach'' our oil reserves in this area?

Given the track record of [action so far], I do not have much confidence in anything getting done.

RONALD, *Council*.

I am a single parent. I work hard and also go to school as a full-time student. It is a 30-mile drive to my school one-way, and 77 miles to work one-way. The cost of gas is not my idea of fun. Thankfully my primary vehicle gets 40 miles to the gallon, which helps to take the sting out of it a bit, but not much. I am having to curtail a lot of the activities that I do with my children that include taking them swimming and such, due to the fact that I need to get to work or school and cannot afford much else. I have been watching the prices go up, oil companies and their executives [receiving record] profits and no relief in site. Most Americans are suffering while [a small group] are building bigger bank accounts. I believe in capitalism completely, but not [at the expense of] the common American. It does not take a rocket scientist to figure out who is behind all of this, and that there are most likely a few traders out there and maybe even others driving the price of fuel up too to further pad their pockets. I never understood why some wanted to cut off the supply to the strategic reserve as that is such a small drop in the bucket that it will never do any good in the long run. Food costs are going up due to rising fuel costs, which means now I do not get some of the things my kids used to enjoy as often. We do not even go out to dinner or even a movie as that small amount of fuel could make the difference in getting to work or class for me. And trust me in saying, [my family relationships have suffered] because I cannot afford things we used to do that they want to do. When the time comes that they say the cost of satellite TV needs to go up due to fuel costs I will have had it. I am watching way too many companies use that excuse to raise prices when fuel has nothing to do with their goods and or services. This has got to stop, and the oil companies get reigned in and severely penalized for what they are doing. Open the Alaskan and Gulf reserves and slap major government regulation on the oil companies like was done to

Ma Bell in the 70's. That will teach them and smash their monopolies.

ED.

SENATOR CRAPO: I have a serious concern about energy prices. I live in Blackfoot, and work in Pocatello and Idaho Falls (ISU). At this rate, I may have to find a job in Blackfoot. Gas prices are affecting us more than in most states due to our rural status. I think you should continue to represent our concerns about high gas prices. Can we get the corporate officers from Chevron, Exxon, etc., to testify in Congress as to why our prices are so high? Can we convince the Middle Eastern oil barons to bring their prices down? I have supported you on many issues. I was especially thankful for your support of the Dia del Nino program at the Sixth Grade School in Blackfoot when your office donated hundreds of books to the kids. Please continue to support us on our concerns about the exorbitant energy prices, especially the high cost of gasoline at the pump. Somebody has to be held accountable for these skyrocketing prices. Thanks for all you do!

AMANDO.

DEAR SENATOR: Thanks for asking, but there is no real point in more words and stories and talking. [The auto industry has received special treatment for many years, including avoiding] significant increases in fleet mileage standards. Congressional-supported research for alternative energy sources was removed from the most recent energy bill. [Oil company executives are making exorbitant salaries, and many other rumors and concerns have surfaced about job losses and energy research]. I like Senator McCain's ideas for instituting an entire new green energy industry in the U.S. That would support your ideas for alternatives. Heaven—and Mother Nature—knows that Idaho, with geothermal and biomass and hydro and enough solar and wind, is conveniently at the crossroads and on the power grid to score big time on this. But that takes a federal government commitment toward schools [similar to what] the Sputnik shock created. I am afraid the libertarian/conservative ''get government out of our lives'' mentality will end that.

Is not $4 gas really America's best energy policy? That this is what it will take to change thinking on mass transit, improved mileage vehicle design and purchases, ridesharing, central city dwelling, buy local and regional food?

So, our stories? Well, trip-chaining to reduce shopping trips, [supporting efforts to improve community transit systems which will also improve inversion and air quality concerns.] Staying home rather than flying or driving on vacation.

This exercise of providing anecdotes is a waste of time. The issue and solutions have been [around for many years, but not implemented. Too often, we, the people, feel ignored by those who simply talk about solving the problems, but do not take any substantive action. We are all working for the American Dream, but there are so many issues that are ignored—]roads and bridges deteriorating, borders and ports unsecured, financiers unregulated, food and drug operations poorly monitored, military qualities diminishing, public school standards disappearing.

On this one issue, [everyone is affected—] getting to work, emergency vehicles, cross country 18-wheelers, sales trips, plane trips and freight, school buses.

Thanks for your attention.

RICHARD, *Boise*.

Being 18, maybe I do not have the full perspective on issues, but the correct energy policy seems too simple to be wrong. As an American, what I demand is action! Something needs to be done already! Nothing has been done for 30+ years, so there has been plenty of time to talk and argue. Now is the time when action is needed. Congress needs to just listen to the men and woman in energy-related fields for the solution. Do not listen to those who do not know what they are talking about. I have grown up in the 'hub' city for the Idaho National Lab and have full faith that if you let the men and women who work there, and similar places throughout the country, ''attack'' the energy problems that they can and will solve the problems promptly and efficiently; they have the ability, so please just give them the funding, initiative, and faith to get the job done!

As for how energy prices affect Idahoans differently than the majority of the country is that everything here is so spread out. A trip to the next town can be 60 miles, and the only way to travel is by vehicle. Also, in our area, many people drive trucks, but, unlike other areas, the people who drive those type of vehicles here do so because they have to, meaning it is central to their business, which maybe hard to imagine for those who are used to riding in taxis and subways but is absolutely true.

Thank you, Senator Crapo; out of all of our politicians, I feel like you are actually trying to do good for the country!

BOBBY, *Idaho Falls*.

SENATOR: In all of your e-mails on this subject of energy, I have yet to read about any active support for the trillion or so recoverable BBIs of oil that are locked up in shale in the Green River area. It was approved for some exploration, and then it disappeared off of the energy screen.

Why are we not doing anything or very little in the way of federal support for the source? I believe that one of the oil companies developed a method for extraction in situ which gets rid of the problem of shale exploding like popcorn when it is mined and retorted. This source was explored in the seventies and was found to have been economical to produce until oil went back to 10–15 a barrel after the last crisis.

KEN, *Sandpoint*.

DEAR SENATOR CRAPO: As an answer about how the price of gas affects here in Oldtown, you might say we are in the center of being anywhere. Any major shopping that my wife and I want to do, we must travel a minimum of 50 miles, to either Spokane, Washington, or to Coeur d'Alene, Idaho. Using my wife's car for those trips is no great hardship, but still I am out at least 20 dollars for fuel. If it is something I need to haul and drive my pickup, I can figure, about $50 for the round trip. All well and good about getting a more fuel-efficient vehicle, but being retired and living on my SS, puts a crimp on any major purchases.

ROSS, *Oldtown*.

RECOGNIZING NELSON MANDELA

Mr. FEINGOLD. Mr. President, today, I am pleased to recognize a man whose work has touched so many people in Africa and beyond, and whose life has demonstrated the power of transformation. Tomorrow, former South African President Nelson Mandela will celebrate his 90th birthday and I would like to send him my very best wishes.

As I have traveled across Africa, I have witnessed the respect Mandela commands and the pride he evokes in all Africans, across borders and boundaries. It is nearly unmatched. He is a symbol of the enduring truth that even the most intractable systems of repression and violence can be overcome with courage and persistence.

The lessons of Mandela's leadership are made that much more remarkable when juxtaposed with another African liberation leader, Robert Mugabe. Upon being released from jail after 27 years, Mandela chose to pursue a path of reconciliation rather than retaliation. When he became President in 1994, he continued that approach and worked to unite the country around his vision of a ''rainbow nation.'' After one term, he stepped aside as President, realizing that institutions must take precedence over individuals in building a stable democracy. Though South Africa certainly had its share of problems since—including a skyrocketing rate of HIV, increasing political turmoil and a recent wave of xenophobic attacks against immigrants—Mandela continues to be a voice for peace and stability, a voice of and for all people of South Africa. The contrast with the continued bloodshed and repression in neighboring, Zimbabwe is stark.

President Mandela's vision for South Africa not only sought peace within its borders, but also beyond them. In 1993, he famously said that human rights would be ''the light that guides our foreign affairs.'' After leaving office, Mandela continued to embody that vision in South Africa and across the continent as he focused on building support for this critical principle—whether with civil society groups or government officials. He has been actively involved in peace processes around the world and a leading advocate for global action to address HIV/AIDS. His willingness to speak out against injustice wherever it festers has inspired and challenged all of us.

I am gravely concerned that the current South African leadership is moving away from this vision. Its unwillingness to publicly criticize recent abuses in Zimbabwe or allow for an expanded mediation is undermining pressure on the Mugabe regime to accept a transitional government. In addition, the announcement by the South African Government that it will oppose the International Criminal Court's indictment of Sudanese President Al-Bashir is deeply disappointing. I have deep respect for the leadership South Africa demonstrates on the continent and that is precisely why I challenge its leaders to play a more active and constructive role in efforts to promote peace, security, and democracy.

Mandela's legacy challenges not only South Africa, but all of us who care about the future of Africa. There is a tendency to look for easy answers or quick fixes to the challenges facing the continent today. Mandela's life is testament to the reality that sustainable peace and democracy require continued investment and long-term vision. They

are not static and cannot be taken for granted. As we celebrate his 90th birthday tomorrow, I hope we will take seriously that challenge and commit ourselves to the hard work of standing up for freedom and justice. For the people of Sudan, Zimbabwe and so many other parts of the world, the stakes have never been higher.

RETIREMENT OF DON MITCHELL

Mr. ROCKEFELLER. Mr. President, you and I and all of our colleagues know that the Senate could not function without the superb work of the Senate staff. These dedicated men and women work day in and day out, often logging long hours, working under pressure, and performing extremely sensitive jobs, not for high pay, but because of their dedication to their country.

All of these individuals deserve our praise and our thanks. But occasionally one of them deserves to be singled out. Today I rise to pay tribute to one such individual, Mr. Don Mitchell, professional staff of the Senate Select Committee on Intelligence.

Don is retiring soon after 24 years of government service, 22 of them here in the Senate. In 1984, the same year I was first elected to the Senate, Don began his career as a legislative assistant for national security in the office of his home State Senator, John Glenn. In 1989, Senator Glenn moved Don to the staff of the Intelligence Committee. His association with Senator Glenn and the committee lasted until 1999 when Don left to become Director of Intelligence Programs for the National Security Council.

After spending 2 years at the National Security Council, the Intelligence Committee was lucky enough to lure Don back to the committee staff. And I have been fortunate that he has stayed throughout my tenure on the committee.

While on the committee, Don has worked on a wide range of issues. He has handled the budgets of the FBI, and the Departments of State, Energy and Treasury and he has been responsible for counter intelligence programs. In addition to Senator Glenn he provided liaison support to Senators Richard Bryan and DICK DURBIN. For the past few years he has overseen all covert action activities, the most sensitive programs within the intelligence community.

Throughout this time, Don has done his job with a professionalism that has earned the respect of his colleagues and Members on both sides of the aisle.

While Don's professional accomplishments are impressive, they are far from the sum of who Don is. Don is an accomplished author, having published works on one of his political heroes, Adlai Stevenson, and most recent, a biography of his first boss, Senator Glenn.

Don's true passion though is his family. His wife Grace, his son Logan, and his daughter Ella know well of his devotion to them. They also know of his dedication to his work here in the Senate, having supported him for so many years and having endured the many late nights and weekends he has sacrificed for the Senate.

Don is the type of staffer who does not seek glory or recognition for himself. He does not look for ways to insert himself into issues in order to be noticed. He knows what is important and he works toward that goal. He shuns the limelight, but he has made deep and lasting contributions to the process of intelligence oversight. His steady presence, his solid advice, and his devastating wit will be missed.

I wish him well in his coming endeavors and hope that our paths cross again.

ADDITIONAL STATEMENTS

BROIN FAMILY GENEROSITY

• Mr. JOHNSON. Mr. President, today I rise to recognize the Todd and Linda Broin family of Sioux Falls, SD, and applaud their generosity. Through a charitable gift to the Sanford Project, the Broins have made a major contribution in the global effort to cure type 1 diabetes.

The Sanford Project, an initiative of one of South Dakota's health care systems, seeks to focus research efforts on one critical health care issue with the goal of making significant process toward curing or otherwise eliminating the disease. Last month, Sanford Project leaders announced their focus on curing type 1 diabetes, with a specific emphasis on beta cell regeneration.

Type 1 diabetes, also called juvenile diabetes, is a severe disease with no known cause or cure that affects nearly 3 million Americans and their families. Linda Broin's own experience with type 1 diabetes, stemming from her diagnosis with the disease at age 12, makes this contribution all the more personal, and inspirational. The Broins' generosity will allow for the establishment of the Todd and Linda Broin, chair, of the Sanford Project, and their gift will be used to support the salary and related expenses of the person who leads the campaign to cure type 1 diabetes. I am extremely pleased the Sanford Project is dedicating health research resources to cure type 1 diabetes, and, like so many others, I am grateful that the Broins' gift will advance the recruitment of top researchers to lead this project.

Diabetes is a severe disease that can result in a range of disabilities, including blindness, amputations, and kidney failure. Given the cost of diabetes not only to Americans' health, but also to our personal finances and our economy, it is clear that funding for diabetes research and prevention needs to be a priority. Biomedical research is the key to solving unanswered questions regarding this disease and holds the potential to impact millions of lives. While government funding clearly plays an important role in fueling research, the Broins' private contribution provides vital flexibility and garners even greater interest for the project.

I am pleased the Sanford Project's efforts have been amplified and I commend the Broin family's generosity in their gift and efforts to increase awareness about this disease.•

TRIBUTE TO PHIL ROBBINS

• Mr. STEVENS. Mr. President, I wish to remember the life of Philip Austin Robbins III, of Kodiak, AK.

Phil was born on June 28, 1943, in Anacortes, WA, where he spent his youth. After graduating from high school, he set out on an adventure that would take him around the globe. With little money, Phil hitchhiked, took odd jobs, slept where he could find shelter, enjoyed the hospitality of strangers, and made many new friends, as he traveled through Europe, the Middle East, and Asia.

Upon returning home, Phil was drafted into service during the Vietnam war. As fate would have it, though, he was not sent to Vietnam but instead stationed in Heidelberg, Germany, where he worked as a code-breaker in the U.S. Army.

After serving in the Army, Phil lived for a few years in Makaha, HI. He attended the University of Hawaii in Honolulu, and married Lisa Gayle Tatsumi.

Not long after this, Phil would embark on another adventure, moving with his wife and newborn son to Kodiak Island in Alaska. Here, the young family would live in a log cabin in the woods of Island Lake, and Phil would pursue a career as a commercial fisherman. It was a career that would span 40 years. During this time, Phil would see firsthand the boom and bust of the lucrative Kodiak king crab industry from the 1960s to the early 1980s as well as the recordbreaking salmon prices of the late 1980s. He would participate in the cleanup efforts that followed the disastrous Exxon Valdez oil spill of 1989 and the frantic derby-style halibut seasons that were phased out in the 1990s. Phil was one of the pioneers of the potcod fishery in Kodiak. Cod fishing had previously been dominated by large trawlers. Over the years, Phil saw fortunes made and friends perish in dangerous waters. He owned three fishing boats at different times during his career, all of which he named the ''Lisa Gayle'' after his wife.

Phil had a tireless work ethic, a great sense of humor, and a warm heart. He was a modest man and the last to expect his life story would be told on the floor of the U.S. Senate. His bold spirit is emblematic of that of many Alaskans who come to our State with big dreams and a taste for adventure.

Phil lost his battle to cancer earlier this month at the age of 65. He is survived by his loving wife Lisa and proud sons Philip Junior and Mark. Philip Junior is a computer engineer and Mark, a member of my staff.

May you find calm seas and beautiful new horizons, Phil. You will be missed.●

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 printed at the end of the Senate proceedings.)

MESSAGE FROM THE HOUSE

At 4:00 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 bills, in which it requests the concurrence of the Senate:

H.R. 415. An act 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.

H.R. 5959. An act to authorize appropriations for fiscal year 2009 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes.

The message also announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 295. Concurrent resolution expressing the deepest appreciation of Congress to the families of members of the United States Armed Forces.

The message further announced that the House insists upon its amendment to the bill (S. 2062) to amend the Native American Housing Assistance and Self-Determination Act of 1996 to reauthorize that Act, and for other purposes, and requests a conference with the Senate on the disagreeing votes of the two Houses thereon, and appoints the following Members as managers of the conference on the part of the House: Mr. FRANK of Massachusetts, Ms. WATERS, Mr. WATT, Mr. AL GREEN of Texas, Mr. CLEAVER, Mr. BACHUS, Mrs. CAPITO, and Mr. PEARCE.

The message also announced that the House has agreed to the amendment of the Senate to the text of the bill (H.R. 3890) to amend the Burmese Freedom and Democracy Act of 2003 to impose import sanctions on Burmese gemstones, expand the number of individuals against whom the visa ban in applicable, expand the blocking of assets and other prohibited activities, and for other purposes, with amendments, in which it requests the concurrence of the Senate.

MEASURES REFERRED ON JULY 16, 2008

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 3032. An act to amend the Federal Election Campaign Act of 1971 to permit candidates (for election for Federal office to designate an individual who will be authorized to disburse funds of the authorized campaign committees of the candidate in the event of the death of the candidate; to the Committee on Rules and Administration.

H.R. 6296. An act to extend through 2013 the authority of the Federal Election Commission to impose civil money penalties on the basis of a schedule of penalties established and published by the Commission; to the Committee on Rules and Administration.

The following concurrent resolutions were read, and referred as indicated:

H. Con. Res. 299. Concurrent resolution supporting the goals and ideals of National Cystic Fibrosis Awareness Month; to the Committee on Health, Education, Labor, and Pensions.

H. Con. Res. 385. Concurrent resolution condemning the attack on the AMIA Jewish Community Center in Buenos Aires, Argentina, in July 1994, and for other purposes; to the Committee on Foreign Relations.

MEASURES REFERRED

The following concurrent resolution was read, and referred as indicated:

H. Con. Res. 295. Concurrent resolution expressing the deepest appreciation of Congress to the families of members of the United States Armed Forces; to the Committee on Armed Services.

MEASURES PLACED ON THE CALENDAR

The following bills were read the first and second times by unanimous consent, and placed on the calendar:

H.R. 415. An act 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.

H.R. 5959. An act to authorize appropriations for fiscal year 2009 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–7137. A communication from the Principal Deputy Under Secretary of Defense (Policy), transmitting, pursuant to law, a 2008 Annual Report on the threats posed by weapons of mass destruction, ballistic missiles and cruise missiles; to the Committee on Armed Services.

EC–7138. A communication from the Assistant Secretary of the Navy (Installations and Environment), transmitting notification of the Department's decision to cancel the public-private competitions for the Naval Supply Systems Command's Fuels Services in Jacksonville, Florida, Puget Sound, Washington, and Pearl Harbor, Hawaii; to the Committee on Armed Services.

EC–7139. A communication form the Deputy Chief of Legislative Affairs, Department of the Navy, transmitting notification of the Department's decision to cancel the public-private competitions for the Naval Supply Systems Command's Fuels Services in three locations; to the Committee on Armed Services.

EC–7140. A communication from the Chairman, Board of Governors of the Federal Reserve System, transmitting, pursuant to law, its semiannual Monetary Policy Report; to the Committee on Banking, Housing , and Urban Affairs.

EC–7141. A communication from the Deputy Assistant Administrator for Operations, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Final Rule for Amendment 30A to the Fishery Management Plan for the Reef Fish Resources of the Gulf of Mexico'' (RIN0648-AV34) received on July 15, 2008; to the Committee on Commerce, Science, and Transportation.

EC–7142. A communication from the Deputy Chief, Consumer and Governmental Affairs Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities; E911 Requirements for IP-Enabled Service Providers'' (FCC 08-151) received on July 15, 2008; to the Committee on Commerce, Science, and Transportation.

EC–7143. A communication from the Chief of Regulations and Administrative Law, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone Regulations (including 2 regulations beginning with USCG-2008-0065)'' (RIN1625-AA00) received on July 15, 2008; to the Committee on Commerce, Science, and Transportation.

EC–7144. A communication from the Chief of Regulations and Administrative Law, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Security Zone; Patapsco River, Middle Branch, Baltimore, MD'' ((RIN1625-AA87)(USCG-2008-0272)) received on July 15, 2008; to the Committee on Commerce, Science, and Transportation.

EC–7145. A communication from the Chief of Regulations and Administrative Law, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone Regulations: Annual Events Requiring Safety Zones in the Captain of the Port Detroit Zone'' ((RIN1625-AA00)(USCG-2008-0218)) received on July 15, 2008; to the Committee on Commerce, Science, and Transportation.

EC–7146. A communication from the Chief of Regulations and Administrative Law, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Security Zone Regulation: Waters Adjacent 10th Avenue Marine Terminal, San Diego, CA'' ((RIN1625–AA87)(USCG–2008–0569)) received on July 15, 2008; to the Committee on Commerce, Science, and Transportation.

EC–7147. A communication from the Chief of Regulations and Administrative Law, U.S.

Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Shipping; Technical, Organizational, and Conforming Amendments'' ((RIN1625–ZA18)(USCG–2008–0394)) received on July 15, 2008; to the Committee on Commerce, Science, and Transportation.

EC–7148. A communication from the Chief of Regulations and Administrative Law, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone Regulations (including 9 regulations beginning with USCG–2008–0146)'' (RIN1625–AA00) received on July 15, 2008; to the Committee on Commerce, Science, and Transportation.

EC–7149. A communication from the Chief of Regulations and Administrative Law, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Drawbridge Operation Regulations (including 13 regulations beginning with USCG–2008–0048)'' (RIN1625–AA09) received on July 15, 2008; to the Committee on Commerce, Science, and Transportation.

EC–7150. A communication from the Director, Regulatory Management Division, Office of Policy, Economics and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Colorado; Affirmative Defense Provisions for Malfunctions; Common Provisions Regulation'' (FRL No. 8573–5) received on July 15, 2008; to the Committee on Environment and Public Works.

EC–7151. A communication from the Director, Regulatory Management Division, Office of Policy, Economics and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Oxirane, 2-methyl-, polymer with oxirane, mono [2–[2–(2–butoxymethylethoxy) methylethoxy] methylethyl] ether; Tolerance Exemption'' (FRL No. 8371–7) received on July 15, 2008; to the Committee on Environment and Public Works.

EC–7152. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''National Emission Standards for Hazardous Air Pollutants: Organic Liquids Distribution'' ((RIN2060–AO99)(FRL No. 8693–9)) received on July 15, 2008; to the Committee on Environment and Public Works.

EC–7153. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Bacillus thuringiensis Modified Cry1Ab Protein; Exemption from the Requirement of a Tolerance'' (FRL No. 8371–6) received on July 15, 2008; to the Committee on Environment and Public Works.

EC–7154. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Section 110(a)(1) 8–Hour Ozone Maintenance Plan and 2002 Base-Year Inventory for the Snyder County Area'' (FRL No. 8692–9) received on July 15, 2008; to the Committee on Environment and Public Works.

EC–7155. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Pennsylvanian; Section 110(a)(1) 8–Hour Ozone Maintenance Plan and 2002 Base-Year Inventory for the Lawrence County Area'' (FRL No. 8693–1) received on July 15, 2008; to the Committee on Environment and Public Works.

EC–7156. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Section 110(a)(1) 8-Hour Ozone Maintenance Plan and 2002 Base-Year Inventory for the Northumberland County Area'' (FRL No. 8693–3) received on July 15, 2008; to the Committee on Environment and Public Works.

EC–7157. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Section 110(a)(1) 8-Hour Ozone Maintenance Plan and 2002 Base-Year Inventory for the Juniata County Area'' (FRL No. 8693–4) received on July 15, 2008; to the Committee on Environment and Public Works.

EC–7158. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Maryland; Reasonably Available Control Technology Requirements for Marine Vessel and Barge Loading'' (FRL No. 8693–5) received on July 15, 2008; to the Committee on Environment and Public Works.

EC–7159. 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 ''REMIC Residual Interests—REMIC Net Income (Including Any Excess Inclusions) (Foreign Holders)'' ((RIN1545–BB84)(TD 9415)) received on July 15, 2008; to the Select Committee on Ethics.

EC–7160. 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 ''Update to Rev. Proc. 2007–72'' (RP–127833–08) received on July 15, 2008; to the Committee on Finance.

EC–7161. 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 ''Elections Regarding Start-up Expenditures, Corporation Organizational Expenditures, and Partnership Organizational Expenses'' ((RIN1545–BE78)(TD 9411)) received on July 15, 2008; to the Committee on Finance.

EC–7162. A communication from the Acting Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, certification of a proposed agreement for the export of defense articles, including technical data, and defense services to the Government of Singapore to support the Singapore Air Force F–16 Block 52C/D Aircraft Program; to the Committee on Foreign Relations.

EC–7163. A communication from the Acting Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, certification involving the export of defense articles to the Royal Thai Navy; to the Committee on Foreign Relations.

EC–7164. A communication from the Acting Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, certification of the export of defense articles, including technical data, and defense services to Canada and the Republic of South Korea to support the manufacture of Printed Wiring Boards; to the Committee on Foreign Relations.

EC–7165. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, which requires that international agreements other than treaties entered into by the United States be transmitted to the Congress within sixty days after the agreement has entered into force with respect to the United States (List 2008–104—2008–115); to the Committee on Foreign Relations.

EC–7166. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, an annual performance report for fiscal year 2007 relative to the collection of user fees from manufacturers who submit certain applications to market medical devices; to the Committee on Health, Education, Labor, and Pensions.

EC–7167. A communication from the Secretary, Department of Health and Human Services, transmitting, pursuant to law, the fiscal year 2007 Performance Report from the Office of Combination Products; to the Committee on Health, Education, Labor, and Pensions.

EC–7168. A communication from the Secretary, Department of Health and Human Services, transmitting, pursuant to law, a report entitled ''Report to Congress on Head Start Monitoring for Fiscal Year 2006''; to the Committee on Health, Education, Labor, and Pensions.

EC–7169. A communication from the White House Liaison, Department of Education, transmitting, pursuant to law, the report of a vacancy and designation of acting officer in the position of Office of Inspector General, Department of Education, received on July 15, 2008; to the Committee on Health, Education, Labor, and Pensions.

EC–7170. A communication from the Director, Office of Congressional and Legislative Affairs, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Law and Order on Indian Reservations/Courts of Indian Offenses and Law and Order Code'' (RIN1076–AE67) received on July 15, 2008; to the Committee on Indian Affairs.

EC–7171. A communication from the Director, Administrative Office of the United States Courts, transmitting, pursuant to law, a report on Applications for Delayed-Notice Search Warrants and Extensions; to the Committee on the Judiciary.

EC–7172. A communication from the Director of Regulations Management, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled ''Supplemental Statement of the Case'' (RIN2900–AM49) received on July 15, 2008; to the Committee on Veterans' Affairs.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. INOUYE, from the Committee on Commerce, Science, and Transportation, with an amendment in the nature of a substitute:

S. 2507. A bill to address the digital television transition in border states (Rept. No. 110-424).

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. SCHUMER (for himself, Mr. KOHL, and Mr. SMITH):

S. 3278. A bill to amend the Internal Revenue Code of 1986 to provide that no loan may be made from a qualified employer plan using a credit card or other intermediary

and to limit the number of loans that may be made from a qualified employer plan to a participant or beneficiary; to the Committee on Finance.

By Mr. GREGG (for himself and Mr. SUNUNU):

S. 3279. A bill to provide funding for the Low-Income Home Energy Assistance Program, and to amend the Internal Revenue Code of 1986 to deny the deduction for income attributable to domestic production of oil, gas, or primary products thereof for major integrated oil companies; to the Committee on Finance.

By Mr. INHOFE:

S. 3280. A bill to increase refining capacity and the supply of fuel, to open and preserve access to oil and gas, and for other purposes; to the Committee on Finance.

By Mr. INHOFE:

S. 3281. A bill to improve air quality by expanding the use of low-emission natural gas as a transportation fuel; to the Committee on Finance.

By Ms. SNOWE (for herself and Mr. KERRY):

S. 3282. A bill to amend the Energy Policy Act of 2005 to provide assistance to States to establish and implement response plans to address rising heating oil, natural gas, diesel, and other energy costs, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. TESTER (for himself, Mr. BAUCUS, and Mr. ENZI):

S. 3283. A bill to award a congressional gold medal to Dr. Joseph Medicine Crow, in recognition of his especially meritorious role as a warrior of the Crow Tribe, Army Soldier in World War II, and author; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. CARPER (for himself, Mr. VOINOVICH, and Mr. LEAHY):

S. 3284. A bill to amend the Internal Revenue Code of 1986 to permanently extend the estate tax as in effect in 2009, and for other purposes; to the Committee on Finance.

By Ms. LANDRIEU:

S. 3285. A bill to ensure that, for each small business participating in the 8(a) business development program that was affected by Hurricane Katrina of 2005 or Hurricane Rita of 2005, the period in which it can participate is extended by 24 months; to the Committee on Small Business and Entrepreneurship.

By Mr. BROWN:

S. 3286. A bill to amend the Dayton Aviation Heritage Preservation Act of 1992 to add sites to the Dayton Aviation Heritage National Historical Park, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. DURBIN:

S. 3287. A bill to amend the Truth in Lending Act to establish a national usury rate for consumer credit transactions; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. ROCKEFELLER (for himself, Mr. BAUCUS, Ms. SNOWE, Mr. DOMENICI, Mr. LAUTENBERG, Mr. MENENDEZ, Mr. KENNEDY, Mrs. DOLE, Mr. SCHUMER, Ms. MIKULSKI, Mr. BINGAMAN, Mr. SMITH, Ms. CANTWELL, Mr. WHITEHOUSE, Mrs. MCCASKILL, Mr. KERRY, Mr. HARKIN, Mr. BROWN, Mr. CARDIN, Mrs. MURRAY, Mr. AKAKA, Mr. DURBIN, Mr. CASEY, Mr. SANDERS, Mr. DODD, Ms. LANDRIEU, Mrs. CLINTON, Mr. REED, Mrs. LINCOLN, Mr. INOUYE, Mr. OBAMA, Mr. KOHL, Mr. LEAHY, Mr. WYDEN, Mrs. BOXER, Mr. BIDEN, Mr. LEVIN, Ms. STABENOW, Mr. SALAZAR, Mr. SUNUNU, Mr. BYRD, Ms. KLOBUCHAR, and Mr. TESTER):

S.J. Res. 44. A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule set forth as requirements contained in the August 17, 2007, letter to State Health Officials from the Director of the Center for Medicaid and State Operations in the Centers for Medicare & Medicaid Services and the State Health Official Letter 08-003, dated May 7, 2008, from such Center; to the Committee on Finance.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. MENENDEZ (for himself, Ms. SNOWE, Mr. BIDEN, and Mr. CARDIN):

S. Res. 615. A resolution urging the Government of Turkey to respect the rights and religious freedoms of the Ecumenical Patriarchate of the Orthodox Christian Church; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 211

At the request of Mrs. CLINTON, the name of the Senator from Illinois (Mr. OBAMA) was added as a cosponsor of S. 211, a bill to facilitate nationwide availability of 2-1-1 telephone service for information and referral on human services, volunteer services, and for other purposes.

S. 223

At the request of Mr. FEINGOLD, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 223, a bill to require Senate candidates to file designations, statements, and reports in electronic form.

S. 439

At the request of Mr. REID, the name of the Senator from New Hampshire (Mr. SUNUNU) was added as a cosponsor of S. 439, a bill to amend title 10, United States Code, to permit certain retired members of the uniformed services who have a service-connected disability to receive both disability compensation from the Department of Veterans Affairs for their disability and either retired pay by reason of their years of military service or Combat-Related Special Compensation.

S. 604

At the request of Mr. LAUTENBERG, the names of the Senator from North Dakota (Mr. DORGAN) and the Senator from New York (Mr. SCHUMER) were added as cosponsors of S. 604, a bill to amend title 10, United States Code, to limit increases in the certain costs of health care services under the health care programs of the Department of Defense, and for other purposes.

S. 661

At the request of Mrs. CLINTON, the name of the Senator from Delaware (Mr. BIDEN) was added as a cosponsor of S. 661, a bill to establish kinship navigator programs, to establish guardianship assistance payments for children, and for other purposes.

S. 803

At the request of Mr. ROCKEFELLER, the name of the Senator from Delaware (Mr. BIDEN) was added as a cosponsor of S. 803, a bill to repeal a provision enacted to end Federal matching of State spending of child support incentive payments.

S. 911

At the request of Mr. REED, the name of the Senator from North Dakota (Mr. CONRAD) was added as a cosponsor of S. 911, a bill to amend the Public Health Service Act to advance medical research and treatments into pediatric cancers, ensure patients and families have access to the current treatments and information regarding pediatric cancers, establish a population-based national childhood cancer database, and promote public awareness of pediatric cancers.

S. 935

At the request of Mr. NELSON of Florida, the names of the Senator from New Hampshire (Mr. SUNUNU) and the Senator from Massachusetts (Mr. KENNEDY) were added as cosponsors of S. 935, a bill to repeal the requirement for reduction of survivor annuities under the Survivor Benefit Plan by veterans' dependency and indemnity compensation, and for other purposes.

S. 1048

At the request of Mr. FEINGOLD, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 1048, a bill to assist in the conservation of cranes by supporting and providing, through projects of persons and organizations with expertise in crane conservation, financial resources for the conservation programs of countries that activities of which directly or indirectly affect cranes and the ecosystems of cranes.

S. 1232

At the request of Mr. DODD, the names of the Senator from Massachusetts (Mr. KERRY) and the Senator from Maryland (Ms. MIKULSKI) were added as cosponsors 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. 1243

At the request of Mr. KERRY, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 1243, a bill to amend title 10, United States Code, to reduce the age for receipt of military retired pay for nonregular service from 60 years of age to 55 years of age.

S. 1577

At the request of Mr. KOHL, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 1577, a bill to amend titles XVIII and XIX of the Social Security Act to require screening, including national criminal history background checks, of direct patient access employees of skilled nursing facilities, nursing facilities, and other long-term care facilities and providers, and to provide

for nationwide expansion of the pilot program for national and State background checks on direct patient access employees of long-term care facilities or providers.

S. 1942

At the request of Mr. HARKIN, the names of the Senator from Washington (Mrs. MURRAY) and the Senator from Michigan (Mr. LEVIN) were added as cosponsors of S. 1942, a bill to amend part D of title V of the Elementary and Secondary Education Act of 1965 to provide grants for the renovation of schools.

S. 2035

At the request of Mr. SPECTER, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 2035, a bill to maintain the free flow of information to the public by providing conditions for the federally compelled disclosure of information by certain persons connected with the news media.

S. 2042

At the request of Ms. STABENOW, the name of the Senator from New York (Mrs. CLINTON) was added as a cosponsor of S. 2042, a bill to authorize the Secretary of Health and Human Services to conduct activities to rapidly advance treatments for spinal muscular atrophy, neuromuscular disease, and other pediatric diseases, and for other purposes.

S. 2092

At the request of Mr. DURBIN, the name of the Senator from Iowa (Mr. HARKIN) was added as a cosponsor of S. 2092, a bill to amend title 11, United States Code, to improve protections for employees and retirees in business bankruptcies.

S. 2303

At the request of Mr. BURR, the name of the Senator from Connecticut (Mr. DODD) was added as a cosponsor of S. 2303, a bill to amend section 435(o) of the Higher Education Act of 1965 regarding the definition of economic hardship.

S. 2561

At the request of Mr. REID, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 2561, a bill to require the Secretary of the Interior to conduct a theme study to identify sites and resources to commemorate and interpret the Cold War.

S. 2795

At the request of Mr. DURBIN, the name of the Senator from Missouri (Mr. BOND) was added as a cosponsor of S. 2795, a bill to amend the Public Health Service Act to establish a nationwide health insurance purchasing pool for small businesses and the self employed that would offer a choice of private health plans and make health coverage more affordable, predictable, and accessible.

S. 2836

At the request of Mr. CHAMBLISS, the name of the Senator from South Dakota (Mr. THUNE) was added as a cosponsor of S. 2836, a bill to amend title 10, United States Code, to include service after September 11, 2001, as service qualifying for the determination of a reduced eligibility age for receipt of non-regular service retired pay.

S. 2920

At the request of Mr. KERRY, the name of the Senator from Wisconsin (Mr. KOHL) was added as a cosponsor of S. 2920, a bill to reauthorize and improve the financing and entrepreneurial development programs of the Small Business Administration, and for other purposes.

S. 2932

At the request of Mrs. MURRAY, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 2932, a bill to amend the Public Health Service Act to reauthorize the poison center national toll-free number, national media campaign, and grant program to provide assistance for poison prevention, sustain the funding of poison centers, and enhance the public health of people of the United States.

S. 2942

At the request of Mr. CARDIN, the name of the Senator from Nebraska (Mr. NELSON) was added as a cosponsor of S. 2942, a bill to authorize funding for the National Advocacy Center.

S. 3021

At the request of Mr. LAUTENBERG, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 3021, a bill to amend title 49, United States Code, with respect to length and weight limitations for buses, trucks, and other large vehicles on Federal highways, and for other purposes.

S. 3068

At the request of Ms. SNOWE, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 3068, a bill to require equitable coverage of prescription contraceptive drugs and devices, and contraceptive services under health plans.

S. 3070

At the request of Mr. SESSIONS, the name of the Senator from Illinois (Mr. OBAMA) was added as a cosponsor of S. 3070, a bill to require the Secretary of the Treasury to mint coins in commemoration of the centennial of the Boy Scouts of America, and for other purposes.

S. 3083

At the request of Mr. BROWN, the name of the Senator from West Virginia (Mr. BYRD) was added as a cosponsor of S. 3083, a bill to require a review of existing trade agreements and renegotiation of existing trade agreements based on the review, to set terms for future trade agreements, to express the sense of the Senate that the role of Congress in trade policymaking should be strengthened, and for other purposes.

S. 3142

At the request of Mr. REID, the name of the Senator from Nebraska (Mr. HAGEL) was added as a cosponsor of S. 3142, a bill to amend the Public Health Service Act to enhance public health activities related to stillbirth and sudden unexpected infant death.

S. 3155

At the request of Mr. LEAHY, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 3155, a bill to reauthorize and improve the Juvenile Justice and Delinquency Prevention Act of 1974, and for other purposes.

S. 3164

At the request of Mr. MARTINEZ, the name of the Senator from South Carolina (Mr. DEMINT) was added as a cosponsor of S. 3164, a bill to amend title XVIII of the Social Security Act to reduce fraud under the Medicare program.

S. 3186

At the request of Mr. SANDERS, the names of the Senator from North Dakota (Mr. DORGAN), the Senator from Maryland (Ms. MIKULSKI), the Senator from Delaware (Mr. BIDEN), the Senator from Wisconsin (Mr. KOHL) and the Senator from Missouri (Mrs. MCCASKILL) were added as cosponsors of S. 3186, a bill to provide funding for the Low-Income Home Energy Assistance Program.

S. 3223

At the request of Mr. KERRY, the name of the Senator from Wisconsin (Mr. KOHL) was added as a cosponsor of S. 3223, a bill to establish a small business energy emergency disaster loan program.

S. 3248

At the request of Mr. LIEBERMAN, the name of the Senator from Missouri (Mr. BOND) was added as a cosponsor of S. 3248, a bill to amend the Commodity Exchange Act to clarify the treatment of purchases of certain commodity futures contracts and financial instruments with respect to limits established by the Commodity Futures Trading Commission relating to excessive speculation, and for other purposes.

S. 3268

At the request of Mr. REID, the names of the Senator from Ohio (Mr. BROWN), the Senator from Maryland (Mr. CARDIN), the Senator from Vermont (Mr. LEAHY) and the Senator from New Jersey (Mr. MENENDEZ) were added as cosponsors of S. 3268, a bill to amend the Commodity Exchange Act, to prevent excessive price speculation with respect to energy commodities, and for other purposes.

S. RES. 273

At the request of Ms. MIKULSKI, the name of the Senator from North Carolina (Mrs. DOLE) was added as a cosponsor of S. Res. 273, a resolution expressing the sense of the Senate that the United States Postal Service should issue a semipostal stamp to support medical research relating to Alzheimer's disease.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. GREGG (for himself and Mr. SUNUNU):

S. 3279. A bill to provide funding for the Low-Income Home Energy Assistance Program, and to amend the Internal Revenue Code of 1986 to deny the deduction for income attributable to domestic production of oil, gas, or primary products thereof for major integrated oil companies; to the Committee on Finance.

Mr. GREGG. I want to talk about the specific reason I have come to the floor, which is to talk about the fear, quite honestly, in colder States in this country about how we are going to get through the winter. The price of home heating oil, which is the dominant form of energy in our State, the way people keep their houses warm and habitable in the winter, has tripled. People who are working for a living, and low-income individuals, have no idea how they are going to meet the cost of their energy bill this winter. It is going to overwhelm us as a region. We need to do something about it. There are a couple of levels where we need to act. We do need to increase significantly the funding for low-income energy assistance. This is a crisis. The simple fact is we should increase that funding.

At the same time, we do need to do that in a responsible way, by paying for that increase in funding so we do not end up putting the cost of buying energy to heat homes today on our children and our children's children tomorrow. That is not fair to them. So we ought to come forward with a proposal. What I am going to do today is introduce a bill which increases home heating oil assistance by $2.5 billion, which will double that program, but pays for it in a reasonable way, essentially by repealing the section 199 regulation that gives certain deductions to energy production companies which they no longer need with oil being at $130 a barrel.

It is a significant increase in funding. It is a level that Senator SANDERS has introduced in a bill, freestanding, that is not paid for, which I have also cosponsored, because I hope when that bill comes forward, I will be able to offer my pay-fors to it. But it is the number we need and we clearly have to have in order to have any chance this winter of making sure that low-income people in New Hampshire and throughout the Northeast and the country can survive this winter in a reasonable way.

Secondly, we need to address the issue of middle-income Americans, people in New Hampshire who are working for a living and who do not meet these low-income thresholds, who have an equal amount of fear about how they are going to pay for the energy to heat their home, when they see the cost of their energy bill double or triple or maybe even quadruple.

I hope to have next week a tax credit that will be available to those working families who are of moderate income, who have an income which they cannot adjust enough in order to be able to absorb the huge cost of this event of the runup in the cost of energy. I hope to be able to introduce that in the near future. But today I am introducing this bill, which increases home heating assistance, the LIHEAP program, by $2.5 billion and pays for it, which is the responsible way to do it. In addition, I am strongly supporting Senate initiatives which will increase our commitment to the production as a nation and conservation. Because by doing that, we will draw down, we will significantly reduce the price of gasoline and the price of oil in our country. Because that speculation, which is legitimate, which is based off the projected demands and the lack of supply, will adjust to the fact that greater supply is going to come into the market. That will reduce the forces which are forcing the price demands up and as a result have a positive impact on reducing the cost of a barrel of oil.

We need to do a lot around here. We do need to address speculation when it is there and when it is inappropriate and when it is driving up the price in an arbitrary and unfair way. We also need to address the issue of more production and create more production. We are looking for energy where we can do it safely and energy efficiently and also in an environmentally sound way, such as offshore or with oil shale.

We have more oil shale reserves than Saudi Arabia—three times Saudi Arabia's reserves we have in three States: Wyoming, Idaho, and Colorado. And we should not be sending our hard-earned money to countries, which in many instances do not even like us to purchase their oil products. We should be buying it here in the United States where we can produce it. In addition, of course, we need to aggressively pursue a course of conservation and renewables.

I wish to note that the title of this bill is the Home Energy Assistance Today Act, or HEAT. Obviously, the purpose of this bill is to make it possible for citizens throughout the country, but especially in New England, who are of low income, to be able to heat their homes this winter and to afford the cost of the energy it takes to heat their homes.

By Mr. INHOFE:

S. 3280. A bill to increase refining capacity and the supply of fuel, to open and preserve access to oil and gas, and for other purposes; to the Committee on Finance.

Mr. INHOFE. Mr. President, I am introducing two pieces of legislation today, S. 3280 and S. 3281. In one bill I join with my colleagues in proposing legislation to open new development in ANWR, offshore, the Rocky Mountain oil shale, and preserves access to development in the Canadian tar sands. It also contains my Gas PRICE Act, which streamlines, implements deadlines, and offers EDA grants to communities to encourage development of refineries involved in coal liquification or coal to liquids processing, renewable fuels, and crude oil and other petroleum products. It also includes accelerated depreciation for cellulosic biofuel plant property for facilities and equipment used to produce switchgrass and other dedicated energy crop seed for the developing cellolosic biofuels industry. Finally, it includes a third title which I am also introducing as a free standing bill, the Drive America on Natural Gas Act.

The Drive America on Natural Gas Act expands RFS Definitions.

The bill expands the definition in the Renewable Fuels Standard to allow the use of CNG and LNG fuels to meet the mandates.

The current corn based ethanol mandate is overly aggressive with mounting questions surrounding ethanol's effects on world food prices, livestock feed prices, its economic sustainability, its transportation and infrastructure needs, its water usage, and numerous other environmental issues.

By broadening the scope of the Renewable Fuels Standard to include natural gas, we encourage the use of a proven, clean, and economical alternative fuel and also make the current RFS mandates achievable.

Additionally, it sends a signal to the Nation's automakers and fuels industries that natural gas is a competitive option as a mainstream transportation fuel.

GM, Ford, and Chrysler already make natural gas powered vehicles, yet they don't sell them in the States. GM alone already makes 18 different NGV models. But, Honda is the only current manufacturer which sells a natural gas vehicle in America—the Honda Civic GX.

Broadening the RFS will encourage more auto manufacturers to sell these vehicles domestically which will help our struggling auto manufacturing industry.

The bill broadens the Alternative Vehicle Tax Credit to include bi-fuel vehicles.

Currently only ''dedicated'' vehicles or vehicles which solely run on natural gas qualify for this credit. This narrow definition actually discourages the sale of bi-fuel vehicles—those which can run on both conventional fuels and natural gas fuels.

Americans need the flexibility to use conventional gasoline as a back-up if there are no natural gas refueling stations in a given area.

By encouraging bi-fuel natural gas vehicles, less gasoline and diesel would be consumed. How?

Today, the largest hurdle facing the NGV industry is the lack of natural gas refueling stations available to the public. However, a device is now manufactured and sold, called the Phill, which allows a person to fill up their natural gas powered cars at home.

Installed in one's garage, the Phill is connected to a home's natural gas line.

Once plugged into a CNG car, it slowly compresses natural gas into the car's tank.

Similar to the idea of plug-in hybrids, the Phill allows consumers to refuel at home. Unlike plug-in hybrids, this technology is not a few years away—it is here today.

By encouraging bi-fuel vehicles, more Americans will be comfortable purchasing natural gas powered cars which can also run on conventional gasoline for that occasional long distance trip from home.

Expanding the Alternative Vehicle Tax Credit to include bi-fuels will greatly incentivize the use of NGV's and give consumers the flexibility they require.

The bill establishes a Natural Gas Vehicle Research, Development, and Demonstration program.

Several years ago, the Department of Energy had a robust Natural Gas Vehicle Research Development and Demonstration program. This bill once again establishes that program to research, improve and develop the use of natural gas engines and vehicles.

The program will assist manufacturers in emissions certification, will develop and improve nationally recognized safety codes and standards, will examine and improve the reliability and efficiency of natural gas fueling station infrastructure, and will study the use of natural gas engines in hybrid vehicles.

Additionally, it requires the Department of Energy and the EPA to coordinate with the private sector to carry out the program.

The bill directs the EPA to establish a State demonstration program to streamline the regulations and certifications currently required for the conversion of vehicles to natural gas.

Today's regulatory burdens are daunting for those in the business of converting vehicles to run on CNG or LNG. Currently, the EPA imposes virtually the same certification requirements on NGV aftermarket conversion systems as they require on automakers.

Since NGV systems are inherently cleaner than gasoline systems, these regulations impose huge unnecessary costs on these conversion system makers.

This bill directs EPA to establish a State demonstration program to streamline the current certification process for NGV conversions. It also directs EPA to waive unnecessary requirements for the continual recertification of conversion kits and to waive emission certification for conversion of older vehicles.

Most importantly, the Drive America on Natural Gas Act doesn't dictate that consumers, businesses, or States must use natural gas as a transportation fuel.

To the contrary, this bill actually adds more flexibility to the current RFS mandates.

It removes the disincentives for auto manufacturers to produce bi-fuel vehicles.

It streamlines and eliminates the government bureaucracy and red tape on the conversion of vehicles to operate on natural gas.

The Drive America on Natural Gas Act will allow natural gas to compete on its own merits. Americans can ultimately choose whether natural gas powered vehicles are right for their own individual and business needs.

The promise of natural gas as a mainstream transportation fuel is achievable today, not 15 or 20 years from now.

Currently, over 25 different manufacturers produce nearly 100 models of light-, medium- and heavy-duty vehicles and engines for the U.S. market. However, only Honda sells a domestically available CNG car.

Over 10,000 transit buses in the U.S. are natural gas powered and the market is growing; nearly one-in-five new transit buses on order is specified to be natural gas powered.

There are over 7.5 million NGVs on the road worldwide—more than double the number in 2003. The International Association of NGVs forecasts that, by 2020, there will be 65 million NGVs worldwide.

In April, the Department of Energy reported that the average nationwide price of a gallon of gas equivalent of CNG was just $2.04 per gallon.

In some regions of the country prices are even lower—CNG costs in Rocky Mountain states average just a $1.26 per gallon.

Many state and local governments, businesses, and consumers have cut their fuel bills by more than half when utilizing natural gas as a transportation fuel.

In my hometown of Tulsa, OK a person can refuel their CNG powered cars for just 90 cents per gallon. Regular gas currently costs $3.95. That's more than a $3 savings per gallon.

Just last month I was pleased to visit Tom Sewall of Tulsa Natural Gas Technologies, Inc. As a small business owner who installs natural gas refueling stations, he is one of the most knowledgeable and vocal leaders in this growing industry.

America has a huge natural gas supply base. In 13 of the last 14 years, the amount of new natural gas discovered in the U.S. has exceeded the amount that has been extracted.

Raymond James Equity Research recently reported a ''bearish outlook for U.S. natural gas prices.'' After examining the future supply of domestic production, they released a May 19, 2008 energy report which concluded ''we continue to see unprecedented growth in U.S. gas production that will eventually overwhelm the U.S. gas markets.''

Thanks to advancements in oil and gas exploration, drilling, and production technologies, America is producing huge amounts of natural gas from tight shales, coalbed methane and tight gas plays, in areas such as: The Barnett Shale in North Central Texas; the Marcellus and Huron Shales, which run through West Virginia, Pennsylvania, Ohio, and New York; the Haynesville Shale in Northwest Louisiana; the Fayetteville Shale in central Arkansas; the Woodford Shale in southern Oklahoma; the Pinedale Anticline and Jonah field in Wyoming; and the San Juan Basin CoalBed Methane play in northern New Mexico.

These and numerous other emerging gas plays promise to deliver decades of abundant domestic natural gas supply.

From compressed natural gas—CNG—powered cars, to 18-wheelers running on liquefied natural gas—LNG—no other commercially viable fuel burns cleaner.

The American Council for an Energy Efficient Economy has rated the natural gas powered Honda Civic GX as ''America's Greenest Car'' for the past 5 consecutive years—even greener than any available hybrid.

On a well-to-wheels basis, NGVs produce 22 percent less greenhouse gas than comparable diesel vehicles and 29 percent less than gasoline vehicles.

In 2007, NGVs displaced 250 million gallons of petroleum in the U.S. In the next 17 years, the industry's goal is to grow that to 10 billion gallons.

NGVs are the pathway to a hydrogen transportation system. Every NGV fueling station is a potential hydrogen fueling station. Every auto garage or maintenance facility that has been made NGV-compatible can quickly and cheaply be made hydrogen-compatible.

The medium-germ solution to today's gas price crisis is to explore and produce oil from ANWR, the Outer Continental Shelf, the Rocky Mountain oil shales, and preserve our access to the Canadian oil sands. That is why my comprehensive bill includes opening all these areas for exploration, along with a program to increase our refining capacity.

But, in the mean time the best way to bring down the price at the pump immediately is to pass this bill and run more cars on natural gas. Of course, the democrats have objected to increasing supplies of oil and gas for decades. They don't want more supply. There should be no objection from the democrats, and frankly I cannot think of any justification for opposing my Drive America on Natural Gas Act.

By Ms. LANDRIEU:

S. 3285. A bill to ensure that, for each small business participating in the 8(a) business development program that was affected by Hurricane Katrina of 2005 or Hurricane Rita of 2005, the period in which it can participate is extended by 24 months; to the Committee on Small Business and Entrepreneurship.

Ms. LANDRIEU. Mr. President, I come to the floor today to speak on behalf of some of our most in need gulf coast residents. Everyone around the country is familiar with the impact of Hurricanes Katrina and Rita on the New Orleans area and the southwest

part of our State. Images from the devastation following these storms, and the subsequent Federal levee breaks, were transmitted around the country and around the world. This is because Katrina was the deadliest natural disaster in United States history, with 1,800 people killed—1,500 alone in Louisiana. Katrina was also the costliest natural disaster in United States history with over $81.2 billion in damage.

Everyone is familiar with the images and the cost, but they may not be too familiar with the impact on individual businesses. In particular, I am speaking about the affects of Hurricanes Katrina and Rita on minority firms in the gulf coast. As a result of these storms, many minority firms in the gulf coast were disrupted and thus lost valuable time for participating in the 8(a) program. The 8(a) business development initiative, created under the Small Business Administration, helps minority entrepreneurs access Federal contracts and allows companies to be certified for increments of 3 years. These contracts are vital to the revival of these impacted areas. However, as currently structured the program allows businesses to participate for a limited length of time, 9 years, after which they can never reapply nor get back into the program. It is imperative that we provide contracting assistance to our local minority businesses.

Today I am proud to sponsor legislation that will help these businesses recover from the effects of these storms. This bill, the Disadvantaged Business Disaster Eligibility Act would tackle this problem in three important ways. First, the bill extends 8(a) eligibility for program participants in Katrina/Rita-impacted areas in Louisiana, Mississippi, and Alabama by 24 months. Next, the bill would apply to any areas in the state of Louisiana, Mississippi and Alabama that have been designated by the Administrator of the Small Business Administration as a disaster area as a result of Hurricanes Katrina or Rita. Lastly, the bill would require the Administrator of the Small Business Administration to ensure that every small business participating in the 8(a) program before the date of enactment of the act is reviewed and brought into compliance with this Act. This requirement would ensure that any eligible previous 8(a) participants will be allowed back into the program. As such, these key provisions would ensure that these businesses continue to play a vital role in rebuilding their communities. I note that a similar bill has already passed the House of Representatives, with the strong support of the Louisiana House delegation. I would note though that my legislation differs from the House-passed bill in that my bill also covers businesses impacted by Hurricane Rita. While I support the House-passed bill, I feel that we must also cover businesses impacted by Hurricane Rita—particularly those in southwest Louisiana. For this and other reasons, I look forward to championing this bill here in the Senate.

Although recovery has been slow, it is my belief that great progress brings great change. The Small Business Administration has come a long way in correcting its failed practices. Congress recently stepped up and enacted wide-ranging SBA disaster reforms as part of the Farm Bill. I note that many of these reforms, such as the increases in loan limits and collateral requirements, were immediately helpful to disaster victims in the Midwest. It is my sincere hope that we can keep up this momentum by also passing the Disadvantaged Business Disaster Eligibility Act. To these ends, I will work with my colleagues on the Senate Small Business Committee, including Senators KERRY and SNOWE, respectively chair and ranking member of the committee.

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. 3285

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 ''Disadvantaged Business Disaster Eligibility Act of 2008''.

SEC. 2. EXTENSION OF PARTICIPATION TERM FOR VICTIMS OF HURRICANE KATRINA OR HURRICANE RITA.

(a) RETROACTIVITY.—If a small business concern (within the meaning given that term in section 3 of the Small Business Act (15 U.S.C. 632)), while participating in any program or activity under the authority of paragraph (10) of section 7(j) of the Small Business Act (15 U.S.C. 636(j)), was located in a parish or county described in subsection (b) of this section and was affected by Hurricane Katrina of 2005 or Hurricane Rita of 2005, the period during which that small business concern is permitted continuing participation and eligibility in that program or activity shall be extended for 24 months after the date such participation and eligibility would otherwise terminate.

(b) PARISHES AND COUNTIES COVERED.—Subsection (a) applies to any parish in the State of Louisiana, or any county in the State of Mississippi or in the State of Alabama, that has been designated by the Administrator of the Small Business Administration as a disaster area by reason of Hurricane Katrina of 2005 or Hurricane Rita of 2005 under disaster declaration 10176, 10177, 10178, 10179, 10180, 10181, 10205, or 10206.

(c) REVIEW AND COMPLIANCE.—The Administrator of the Small Business Administration shall ensure that the case of every small business concern participating before the date of enactment of this Act in a program or activity covered by subsection (a) is reviewed and brought into compliance with this section.

By Mr. DURBIN:

S. 3287. A bill to amend the Truth in Lending Act to establish a national usury rate for consumer credit transactions; to the Committee on Banking, Housing, and Urban Affairs.

Mr. DURBIN. Mr. President, today I am introducing the Protecting Consumers from Unreasonable Credit Rates Act. The bill establishes a Federal usury cap of 36 percent on all consumer credit transactions, in an effort to eliminate the unconscionable interest rates that some consumers have been charged for payday loans, car title loans, and other forms of credit.

The bill protects all borrowers by establishing the same annual percentage rate cap already in place for military personnel and their families. That rate is similar to the usury caps already enacted in many states.

Specifically, the bill establishes a maximum interest rate of 36 percent on all consumer credit transactions, taking into account all interest, fees, defaults, and other finance charges.

The bill clarifies that this cap does not preempt any stricter State laws.

It applies civil penalties for violations, including nullification of the transaction, fines, and prison.

It empowers attorneys general to take action for up to three years after a violation.

Previous attempts to curb payday lending have often been evaded due to the challenges of defining what constitutes a predatory loan. This bill overcomes this challenge by setting a relatively high interest rate as the cap, and then applying that cap to all credit transactions of any kind.

With the economy in decline and consumer debt skyrocketing, it is vitally important that strong protections against predatory lending be enacted to protect consumers against unscrupulous lenders. The financial security of many working families depends on 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 placed in the RECORD, as follows:

S. 3287

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 ''Protecting Consumers from Unreasonable Credit Rates Act of 2008''.

SEC. 2. NATIONAL MAXIMUM INTEREST RATE.

Chapter 2 of the Truth in Lending Act (15 U.S.C. 1631 et seq.) is amended by adding at the end the following:

''SEC. 140. MAXIMUM RATES OF INTEREST.

''(a) IN GENERAL.—Notwithstanding any other provision of law, no creditor may make an extension of credit to a consumer with respect to which the annual percentage credit rate, as defined in subsection (b), exceeds 36 percent.

''(b) ANNUAL PERCENTAGE CREDIT RATE DEFINED.—For purposes of this section, the annual percentage credit rate includes all charges payable directly or indirectly incident to, ancillary to, or as a condition of the extension of credit, including—

''(1) any payment compensating a creditor or prospective creditor for an extension of credit or making available a line of credit, or any default or breach by a borrower of a condition upon which credit was extended, including fees connected with credit extension

or availability, such as numerical periodic rates, late fees, excessive creditor-imposed not sufficient funds fees charged when a borrower tenders payment on a debt with a check drawn on insufficient funds, over limit fees, annual fees, cash advance fees, and membership fees;

''(2) all fees which constitute a finance charge, as defined by rules of the Board in accordance with this title;

''(3) credit insurance premiums, whether optional or required; and

''(4) all charges and costs for ancillary products sold in connection with or incidental to the credit transaction.

''(c) RELATION TO STATE LAW.—Nothing in this section may be construed to preempt any provision of State law that provides greater protection to consumers than is provided in this section.

''(d) CIVIL LIABILITY AND ENFORCEMENT.—In addition to remedies available to the consumer under section 130(a), any payment compensating a creditor or prospective creditor, to the extent that such payment is a transaction made in violation of this section, shall be null and void, and not enforceable by any party in any court or alternative dispute resolution forum, and the creditor or any subsequent holder shall promptly return to the consumer any principal, interest, charges, and fees, and any security interest associated with such transaction. Notwithstanding any statute of limitations or repose, a violation of this section may be raised as a matter of defense by recoupment or set off to an action to collect such debt or repossess related security at any time.

''(e) VIOLATIONS.—Any person that violates this section, or seeks to enforce an agreement made in violation of this section, shall be subject to, for each such violation, 1 year in prison and a fine in an amount equal to the greater of—

''(1) 3 times the amount of the total accrued debt associated with the subject transaction; or

''(2) $50,000.

''(f) STATE ATTORNEYS GENERAL.—An action to enforce this section may be brought by the appropriate State attorney general in any United States district court or any other court of competent jurisdiction within 3 years from the date of the violation, and may obtain injunctive relief.''.

By Mr. ROCKEFELLER (for himself, Mr. BAUCUS, Ms. SNOWE, Mr. DOMENICI, Mr. LAUTENBERG, Mr. MENENDEZ, Mr. KENNEDY, Mrs. DOLE, Mr. SCHUMER, Ms. MIKULSKI, Mr. BINGAMAN, Mr. SMITH, Ms. CANTWELL, Mr. WHITEHOUSE, Mrs. MCCASKILL, Mr. KERRY, Mr. HARKIN, Mr. BROWN, Mr. CARDIN, Mrs. MURRAY, Mr. AKAKA, Mr. DURBIN, Mr. CASEY, Mr. SANDERS, Mr. DODD, Ms. LANDRIEU, Mrs. CLINTON, Mr. REED, Mrs. LINCOLN, Mr. INOUYE, Mr. OBAMA, Mr. KOHL, Mr. LEAHY, Mr. WYDEN, Mrs. BOXER, Mr. BIDEN, Mr. LEVIN, Ms. STABENOW, Mr. SALAZAR, Mr. SUNUNU, Mr. BYRD, Ms. KLOBUCHAR, and Mr. TESTER):

S.J. Res. 44. A joint resolution providing for congressional disapproval under chapter 8 of ''title 5, United States Code, of the rule set forth as requirements contained in the August 17, 2007, letter to State Health Officials from the Director of the Center for Medicaid and State Operations in the Centers for Medicare & Medicaid Services and the State Health Official Letter 08–003, dated May 7, 2008, from such Center; to the Committee on Finance.

Mr. ROCKEFELLER. I rise in solidarity with the chairman of the Senate Finance Committee, Senator BAUCUS, as well as Senator SNOWE, Senator LAUTENBERG, Senator MENENDEZ, and many others, to wit, 41 other people who are cosponsores, and to introduce a resolution of disapproval, that is the name on it, of the August 17 CHIP directive.

The directive jeopardizes health care coverage for hundreds of thousands of children, which is reason enough to nullify the August 17 directive. But it also undermines the authority and the prerogatives of the legislative branch of Government.

I would caution those who would otherwise vote against this to think about the precedence for the future and the next administration. We have not been treated well. It is not necessary that we will be treated well or with proper respect in the next administration. We need to exert our privileges where they are legitimate. It is further evidence of this administration's, in my regard, this Senator's regard, blatant disregard for the rule of law.

As many of my colleagues may remember, on August 17, 2007, I referred to it as a domestic health care day of infamy, the Center for Medicare and Medicaid Services, otherwise known as CMS, issued a ''guidance letter'' to the States, ostensibly to clarify existing policies and requirements for States seeking to expand the Children's Health Insurance Program, otherwise known as CHIP, coverage to more children, which is what we are meant to be doing here.

However, the practical effect of the letter will be to drastically increase the number of uninsured children, children who should rightfully be covered by CHIP and who otherwise could benefit from the program. The directive has already taken a substantial toll on State coverage initiatives for uninsured children. Since it was issued, the directive has caused a diverse array of States, including Indiana, Louisiana, Ohio, and Oklahoma, that had planned to provide affordable coverage options for uninsured children through CHIP or Medicaid, in fact, to delay or scale back, or State fund their initiatives, if they can afford to so do.

As a result, tens of thousands of children have already missed out on coverage. By August, the directive will affect at least 22 States, including my own State of West Virginia. Hundreds of thousands of children, in red and blue States alike, will lose coverage immediately, if this directive goes into effect.

The directive goes directly against the will of the Congress. It was an act by a Cabinet officer or one of his minions, and it is not legal.

In addition to harming innocent children, the August 17 directive also undermines congressional authority. I am very sensitive about that after these last 7½ years. In 1996, Congress passed what is called the Congressional Review Act, to protect the integrity of the legislative branch from the whims of Federal agencies or midlevel bureaucrats or upper level bureaucrats. The Congressional Review Act requires Federal agencies—requires Federal agencies—to submit any rules covered by the act to Congress and the Comptroller General of the United States before that rule can take affect. Both the Congressional Research Service and the Government Accountability Office have determined that the August 17 CHIP directive constitutes a rule—a rule—as defined in the Congressional Review Act.

Therefore, CMS has to submit the August 17 rule to each House of Congress and the Comptroller General before it can take effect. We are exactly 1 month from implementation of this harmful policy, and CMS has repeatedly failed to comply with the statutory requirements of the Congressional Review Act.

It is an outrage. It is embarrassing. It is pathetic policy, damaging policy to innocent children who do not start wars and only need to start off in life healthy. If CMS is so convinced that the policy is justifiable, then they should take the required steps suggested by the GAO and the CRS in their review and abide by the law.

Not all my colleagues may agree with me on the substance of this issue. Some may believe that the August 17 policy CMS put forth in this guidance letter is perfectly acceptable. That is fine. That is up to them. On that we disagree.

But we should all be able to agree—in fact, we have no choice but to agree, all of us—that CMS violated the proper process required by law. They did not submit to the proper agencies or to the Congress what they intended to do surreptitiously and devastatingly.

If you respect Congress, as an institution, which I know all my colleagues do, then I urge you to support this formal resolution of disapproval. The health care coverage of millions of children depends on what we do on this.

This is not a sense-of-the-Senate resolution. This is a motion of disapproval and it will cause things to happen or to be ignored and it will have consequences. But we can reverse the August 17 decision and allow children to get health insurance as the Congress intended if we simply vote for this at the proper time.

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

Mr. LAUTENBERG. Mr. President, I thank you, and I commend the Senator from West Virginia, Mr. ROCKEFELLER, for his leadership in this matter.

I rise in strong support of the resolution that was introduced by myself, Senators ROCKEFELLER, BAUCUS, MENENDEZ, SNOWE, and others. Our resolution has a simple message: We have

to ensure that children across this country continue to get the health care they presently carry.

The Bush administration is conducting an assault on their health insurance. It is pitiful. Last year, the President and his supporters went around Congress and issued a set of rules that would take this critical health care coverage away from thousands of children across this country.

In my State of New Jersey alone, 10,000 children are at risk of losing their health insurance under this new Bush plan. Across this country, 250,000 children will be stripped of their health care, have it taken away from them.

In August, with nearly 50 million Americans without health insurance, this administration has made a further decision to add tens of thousands more children to the ranks of the uninsured. It is almost impossible to conceive.

Well, this resolution would put a stop to the dangerous plan. The Bush administration's plan is not just morally bankrupt, it is, as we heard from Senator ROCKEFELLER, according to the Government's watchdog agency, the GAO, the Government Accountability Office, a violation of Federal law. They are committing a violation of Federal law.

But, nevertheless, unless Congress acts, the President's plan is going to remove health insurance from these children in the next month. I have twice offered amendments in the Senate Appropriations Committee on this issue. Both times in the full committee, both Democrats and Republicans have gone on record to oppose President Bush's attempt to take away children's health care.

It does not matter whether it is Republican or Democratic, it is the wrong thing to do at the wrong time in our society, when things are so uncertain for people, home ownership, jobs, living costs, gasoline costs. This is not a very wise decision at any time, but during these tough economic times, the last thing we should do is take away health insurance from our children.

I urge my colleagues to stand up to this sustained and shameless effort to prevent children from seeing a doctor, getting medicine, overcoming sickness, and to support this resolution.

Once again, I express my gratitude to the Senator from West Virginia, Mr. ROCKEFELLER, and his leadership and those who have joined in to say: No, Mr. President, do not do this. It is unkind. It is unfair. It is illegal, according to the rules. Please, do not do it.

I ask my colleagues to stand and support our resolution.

Mr. LAUTENBERG. I yield the floor.

The PRESIDING OFFICER. The Senator from West Virginia is recognized.

Mr. ROCKEFELLER. Mr. President, I note a number of my colleagues are on the floor to speak in favor of the resolution. I ask unanimous consent that the full text of the resolution be printed in the RECORD immediately following all these statements on the resolution.

There being no objection, the text of the joint-resolution was ordered to be placed in the RECORD, as follows:

S.J. RES. 44

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That Congress disapproves the rule submitted by the Secretary of Health and Human Services relating to requirements set forth in the State Health Official Letter 07–001, dated August 17, 2007, issued by the Director of the Center for Medicaid and State Operations in the Centers for Medicare & Medicaid Services and the State Health Official Letter 08–003, dated May 7, 2008, from such Center, requiring States that expand the income eligibility level for children under the State Children's Health Insurance Program (SCHIP) above 250 percent of the Federal poverty level to adopt the 5 crowd-out strategies described in the August 17, 2007, letter with the components identified therein, and to provide certain assurances described in such letter, and such rule shall have no force or effect.

Mr. MENENDEZ. I wish to join my distinguished colleague from West Virginia, Senator ROCKEFELLER, who has been a champion on this issue from its creation and continues to be a champion to preserve the health care for some of the most vulnerable children in our society.

I appreciate his leadership, and I am privileged to join with him in this effort along with Senator BAUCUS, the chairman of the Senate Finance Committee; my colleague from New Jersey, Senator LAUTENBERG, who has tried time and time again through the appropriations process; Senator SNOWE, who has been a champion on this issue as well. We understand the consequences.

Eleven months ago today, the Bush administration decided to jeopardize health coverage for hundreds of thousands of children across the country. The Centers for Medicare and Medicaid Services sent a letter to all State health officials announcing that 1 month from today, States will be pressured to cover a much narrower range of families. They based their directive on an unfair financial standard that would exclude hundreds of thousands of children in the most difficult economic circumstances of our time. The result of that directive would be unconscionable. It would mean hundreds of thousands of terrible stories—a child with diabetes that goes undiagnosed, a child with a cleft palate she has to live with for the rest of her life, missed tetanus shots, untreated allergies, asthma, and hundreds of thousands of small, painful situations that would add up to a wave of tragedy too immense to imagine.

Many of us in this Chamber decided we were not going to sit back and watch this happen. We sent letters. We introduced legislation. We shouted as loudly as we could. But the President did his best to ignore us and keep his back turned on these children.

In 1 month, this unbelievably harmful rule is set to come into effect. In 1 month, States will have to overcome seemingly insurmountable hurdles if they want to cover children above 250 percent of the poverty level. In 1 month, the strength of our values will be seriously called into question.

If it weren't for this program, these children would fall between the cracks. They are not in dire enough poverty to qualify for Medicaid, but their working parents still don't have enough to afford private coverage. The families we seek to cover work hard every day, in some of the toughest jobs, but they work at jobs that offer no health care. These families certainly don't make enough money to afford private coverage. The State Children's Health Insurance Program is their last resort. That is why I am still shocked at the nerve of this administration when they unilaterally issued this harmful, cold-hearted directive on children's health. Where are those values I have heard the administration talk about? This really boils down to a different set of priorities. It is yet another example of placing some of the wealthiest above our working families.

If the President's directive takes effect, he is effectively saying tough luck to these families; go ahead and roll the dice with your daughter's health care. Let's think about what that says about our values. That kind of sentiment is completely out of line.

But that is not the only reason this directive should be overturned. The directive is not just a violation of our values, it is a violation of the law. The administration bypassed Congress and violated the Congressional Review Act when issuing this directive. The Government Accountability Office and the Congressional Research Service have issued legal opinions stating as much. The opinions conclude that the directive is not merely a clarification of existing SCHIP rules, as CMS has maintained, but, rather, a marked departure from well-settled policy that first should have been reviewed by Congress. That is why we are introducing this resolution of disapproval regarding the August 17 CHIP directive.

The President cannot be allowed to get away with this destructive backdoor policy. If we can't convince him on moral grounds, if we can't make him see the benefits of providing health care to children—and by the way, in New Jersey we have letters from the administration that not only gave us the authority to do this in the first place, to cover these children, but then also lauded our program and said it should be a model for the country; if it is a model for the country and you gave us the legal authority, how can you just take all those children off the rolls—then we call him out on procedural grounds. And the administration's procedure was, quite simply, illegal.

When this resolution passes into law, the August 17 directive will be nullified. That is my ultimate goal, to protect the health of our Nation's children and, certainly, the many children in New Jersey affected by this directive. The goal we strive for should be to

cover more, not fewer, children. I believe we have a responsibility, a moral, financial, and professional responsibility to ensure that in the greatest country in the world, no child goes to bed at night without proper health care and treatment. That means we must provide them with health coverage. If we don't, what are these families supposed to do? In these tough economic times, now more than ever, we need to support States that offer options for affordable coverage to hard-working parents and their children.

It is not just the health of our Nation's children but the health of our values that is at stake. I hope our colleagues, when this resolution comes up for a vote, will give it an overwhelming level of support, and we will send the right set of messages as to our values as well as how much we appreciate our children as the future of our country and the health that is associated with them that will be necessary for them to achieve their God-given potential.

Mr. BAUCUS. Mr. President, today, Senator ROCKEFELLER and I, along with many of our colleagues, are introducing a joint resolution disapproving of an administrative rule related to the State Children's Health Insurance Program, known as CHIP. I urge my colleagues to support the joint resolution.

I spent a lot of time talking about CHIP last year. We tried to expand and improve the program, so that it could help millions more kids across America. I remain disappointed that the President vetoed both of the reauthorization packages that Congress sent him. But I also remain committed to fighting for CHIP and the families whom it serves.

That is why I am here today. Last summer, while House and Senate Democrats and Republicans were crafting reauthorization legislation, the administration issued what is known as the August 17th CHIP directive. The directive imposes significant new requirements on States wishing to expand eligibility for CHIP to kids from families with incomes above 250 percent of the Federal poverty line.

The directive was viewed as overly restrictive and severe. It imposes unrealistic hurdles on States wishing to cover more kids under CHIP. The timing of the directive's release was seen as unfair, given that work on reauthorization was well underway. The process surrounding issuance of the directive also caused concern. Congressional reaction to the directive was so negative that we included in the CHIP reauthorization legislation a more reasonable alternative policy that would have supplanted the directive.

The administration issued the directive in the form of a letter to State health officials. While the administration has the authority to use sub-regulatory letters for some things, it exceeded its authority on August 17, 2007. The CHIP directive letter was actually a rule. And the administration should have promulgated it as a rule. Both the Government Accountability Office and the Congressional Research Service determined that the directive is a rule.

That the directive is a rule is significant, because of the Congressional Review Act. Congress passed the Congressional Review Act to protect and empower Congress. Congress meant for the law to keep Congress informed of the administrative rulemaking process. Congress meant for the law to provide an opportunity for Congress to review rules before they take effect.

The Congressional Review Act requires an agency, prior to publishing a rule, to submit a copy of the rule to both Houses of Congress and to the Comptroller General. In this instance, the agency did not submit its rule to either House of Congress or to the Comptroller General. So Congress was deprived of its opportunity for review.

This was a violation of fair process. We should not tolerate it. Members of Congress should stand up for themselves and the institution by supporting this joint resolution. The Congressional Review Act imposes specific obligations on agencies and vests Congress with certain powers.

On August 17, 2007, one agency attempted to ignore its obligations and Congress. The agency attempted to circumvent the process established by the Congressional Review Act. And the agency should not be rewarded.

Congress should disapprove of this rule because the substance is so overreaching and detrimental to America's kids. And Congress should also disapprove of this rule because it was issued in a way that was inconsistent with the law.

This resolution is a way to tell low-income American families that they matter. This resolution is a way to say that Congress is willing to fight for them.

I know that my home State of Montana is trying to expand its eligibility for CHIP. I support that effort. For me, this joint resolution is another way to show how important CHIP is to Montana's kids.

The resolution is also a way for Congress to send the message that it expects agencies to comply with the law. Congress should stand up for itself and disapprove of this rule, because it was, not promulgated properly.

I urge my colleagues to support this joint resolution.

Mr. CASEY. Mr. President, I rise to speak in favor of a joint resolution of which I am a cosponsor, the joint resolution disapproving the rule requirements in the CMS letter that was sent in August of 2007, sent on a Friday during recess. It earned the nickname ''the midnight massacre'' because of the nature of the way that was sent. But I think a better way to describe this, in terms of the impact it has on children, is a ''thief in the night.''

What we are talking about is an effort by a Federal agency to deny health coverage for children under the guise of some bureaucratic inside-the-beltway rationale. What this directive does is set unfairly high bars for States, which the Federal Government knows they cannot reach, and is purposefully, I think, denying children health care. It also sets a waiting period for children and their families in States. At the same time, when the Federal Government makes all kinds of accommodations for the powerful, they let children and their families wait for health care coverage.

This directive bypassed Congress and violated the law. It excluded States, and it is not any kind of clarification, as the administration has asserted. Hundreds of thousands of children will lose their health insurance coverage. Several States have already been affected. In my home State of Pennsylvania at least—if not more—2,000 children will lose their health insurance coverage. It also undercuts an agreement in Congress to do something about this and to keep this Children's Health Insurance Program in place until March of 2009.

This is very simple. We are talking about children who are poor, who come from poor families or middle-income families. Children's health insurance is a program that works. We have had a decade of experimentation. It works very well. It is efficient. It is effective. It delivers health insurance for children, and there are a lot of families out there, a lot of mothers out there, who can do everything for their children; they can provide nurture and care and safety. One thing a mother cannot provide for her child is health care, unless she gets some help, just a little bit of help from the Federal Government, with all the power.

So I would say to the administration, turn back against this bureaucratic, inside baseball, ''thief in the night'' and make sure these children get the coverage they deserve, just like the rest of us in Congress. We get pretty good health care coverage. It is about time more people in the Senate, in the House, and down the street in the administration stood up for children and did away with this directive.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 615—URGING THE GOVERNMENT OF TURKEY TO RESPECT THE RIGHTS AND RELIGIOUS FREEDOMS OF THE ECUMENICAL PATRIARCHATE OF THE ORTHODOX CHRISTIAN CHURCH

Mr. MENENDEZ (for himself, Ms. SNOWE, Mr. BIDEN, and Mr. CARDIN) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 615

Whereas the Government of Turkey has sought membership in the European Union and maintains strong bilateral relations with the United States Government;

Whereas the accession of Turkey to the European Union will depend on its adherence

to the Copenhagen criteria that require candidate countries to have achieved stability of governmental institutions that guarantee human rights and that respect and protect minorities, including religious minorities such as Orthodox Christians;

Whereas, on August 2, 2007, European Union Enlargement Commissioner Olli Rehn indicated that Turkey must achieve ''concrete results in areas of fundamental freedoms such as . . . religious freedom'';

Whereas the Ecumenical Patriarchate and its Sacred See is the spiritual head for tens of millions, a valuable place of great historic significance to hundreds of millions where much of the New Testament and sacred creeds, including the Nicene Creed, were codified, and as the head of the largest Christian Church headquartered in a majority Muslim country, a critical link between Christians and Muslims;

Whereas the United States was founded on the concept of religious freedom and has maintained its support for such freedom throughout its history;

Whereas the practice of religious freedom of millions of Orthodox Christians in the United States is dependent on the religious freedom of the spiritual head of their faith;

Whereas the United States Government has expressed its emphatic support for full religious freedom for the Ecumenical Patriarchate through numerous statements by both Democratic and Republican Presidents, in letters signed by the extraordinary number of 73 of 100 United States Senators and 42 of 50 members of the Foreign Affairs Committee of the House of Representatives, and in reports of the Department of State, the Helsinki Commission, and other government agencies;

Whereas Ecumenical Patriarch Bartholomew gathered international religious leaders soon after the September 11, 2001, terrorist attacks on the United States, and produced the first condemnation of the attacks as ''anti-religious'';

Whereas the Ecumenical Patriarch Bartholomew was awarded the Congressional Gold Medal, the highest civilian award bestowed by Congress;

Whereas the international community places particular importance on safeguarding and promoting religious freedom as is expressed in the creation of a Special Rapporteur on Freedom of Religion or Belief in the Office of the High Commissioner for Human Rights of the United Nations, in the ''Declaration of Principles Guiding Relations between Participating States'' principle VII, paragraph I of the Helsinki Commission, and in most highly regarded international organizations;

Whereas the Government of Turkey does not recognize the Ecumenical Patriarch as ecumenical, interferes with the process of selecting the Ecumenical Patriarch by requiring that the Patriarch be a citizen of Turkey, thereby restricting candidates due to the gradual disappearance of eligible Orthodox Christians who are citizens of Turkey; and

Whereas the Government of Turkey has confiscated without compensation significant quantities of property belonging to the Ecumenical Patriarchate and closed its seminary at Halki: Now, therefore, be it

Resolved, That the Senate—

(1) expresses its view that the Government of Turkey should move expeditiously to meet the criteria set forth by the European Council in Copenhagen;

(2) calls on the European Union to focus on the elimination of all forms of discrimination in Turkey, particularly with regard to the Ecumenical Patriarchate, while continuing accession negotiations;

(3) calls on the Government of Turkey to remove an obstacle in its relations with the United States Government by taking positive steps to provide full religious freedom for the Ecumenical Patriarchate; and

(4) calls on the Government of Turkey to immediately—

(A) recognize the right to the title of ''Ecumenical Patriarch'';

(B) grant the Ecumenical Patriarch appropriate international recognition and ecclesiastic succession;

(C) grant the Ecumenical Patriarch the right to train clergy of all nationalities, not just Turkish nationals; and

(D) respect property rights and human rights of the Ecumenical Patriarchate.

NOTICE OF HEARING

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Subcommittee on National Parks. The hearing will be held on Wednesday, July 30, 2008, at 2:30 p.m., in room SD–366 of the Dirksen Senate Office Building.

The purpose of the hearing is to receive testimony on the following bills: S. 1816, to authorize the Secretary of the Interior to establish a commemorative trail in connection with the Women's Rights National Historical Park to link properties that are historically and thematically associated with the struggle for women's suffrage, and for other purposes; S. 2093, to amend the Wild and Scenic Rivers Act to designate a segment of the Missisquoi and Trout Rivers in the State of Vermont for study for potential addition to the National Wild and Scenic Rivers System; S. 2535, to revise the boundary of the Martin Van Buren National Historic Site, and for other purposes; S. 2561, to require the Secretary of the Interior to conduct a theme study to identify sites and resources to commemorate and interpret the Cold War; S. 3011, to amend the Palo Alto Battlefield National Historic Site Act of 1991 to expand the boundaries of the historic site, and for other purposes; S. 3113, to reinstate the Interim Management Strategy governing off-road vehicle use in the Cape Hatteras National Seashore, North Carolina, pending the issuance of a final rule for off-road vehicle use by the National Park Service; S. 3148, to modify the boundary of the Oregon Caves National Monument, and for other purposes; S. 3158, to extend the authority for the Cape Cod National Seashore Advisory Commission; S. 3226, to rename the Abraham Lincoln Birthplace National Historic Site in the State of Kentucky as the Abraham Lincoln Birthplace National Historical Park; S. 3247, to provide for the designation of the River Raisin National Battlefield Park in the State of Michigan; and H.R. 5137, to ensure that hunting remains a purpose of the New River Gorge National River.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send it to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510–6150, or by email to rachel_pasternack@energy.senate.gov.

For further information, please contact David Brooks at (202) 224–9863 or Rachel Pasternack at (202) 224–0883.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Ms. KLOBUCHAR. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition, and Forestry be authorized to meet during the session of the Senate on Thursday, July 17, 2008 at 1 p.m. in room 328A of the Russell Senate Office Building.

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

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Ms. KLOBUCHAR. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the sessions of the Senate on July 17, 2008, at 10 a.m.

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

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Ms. KLOBUCHAR. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on Thursday, July 17, 2008, at 9 a.m., in room SD–G50 of the Dirksen Senate Office Building.

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

COMMITTEE ON FINANCE

Ms. KLOBUCHAR. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on Thursday, July 17, 2008, at 10 a.m., in room 215 of the Dirksen Senate Office Building.

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

COMMITTEE ON FOREIGN RELATIONS

Ms. KLOBUCHAR. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Thursday, July 17, 2008, at 2:30 p.m.

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

PRIVILEGES OF THE FLOOR

Mr. CRAIG. Mr. President, I ask unanimous consent that Colin Jones, a fellow from the Idaho National Laboratory, be granted the privilege of the floor for the duration of the Energy bill, S. 3268.

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

IN SUPPORT OF THE VERY ENERGETIC RADIATION IMAGING TELESCOPE ARRAY SYSTEM (VERITAS)

Mr. NELSON of Florida. Mr. President, I ask unanimous consent that the Rules Committee be discharged from further consideration of S.J. Res. 35, and the Senate proceed to its immediate consideration.

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

The clerk will report the joint resolution by title.

The assistant legislative clerk read as follows:

A joint resolution (S.J. Res. 35) to amend Public Law 108–331 to provide for the construction and related activities in support of the Very Energetic Radiation Imaging Telescope Array System (VERITAS).

There being no objection, the Senate proceeded to consider the joint resolution.

Mr. NELSON of Florida. Mr. President, I ask unanimous consent that the joint resolution be read a third time and passed, the motion to reconsider be laid upon the table, with no interviewing 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 joint resolution (S.J. Res. 35) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S.J. RES. 35

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. LOCATION OF VERITAS PROJECT.

Public Law 108–331 (118 Stat. 1281) is amended—

(1) in the long title, by striking ''on Kitt Peak near Tucson, Arizona'' and inserting ''in Arizona''; and

(2) in section 1, by striking ''on Kitt Peak near Tucson, Arizona'' and inserting ''at the Fred Lawrence Whipple Observatory Base Camp on Mount Hopkins, Arizona, or other similar location''.

UNANIMOUS-CONSENT AGREEMENT—S. 3268

Mr. NELSON of Florida. Mr. President, I ask unanimous consent that after the Senate convenes on Tuesday, July 22, the hour prior to the cloture vote on the motion to proceed to S. 3268 be equally divided and controlled between the leaders or their designees; that upon the use or yielding back of that time, the Senate proceed to vote on the motion to invoke cloture; further, that the mandatory quorum be waived.

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

ORDERS FOR MONDAY, JULY 21, 2008

Mr. NELSON of Florida. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in recess until 3 p.m., Monday, July 21; that following the prayer and the pledge, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and the Senate resume consideration of the motion to proceed to S. 3268, the energy speculation bill.

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

PROGRAM

Mr. NELSON of Florida. Mr. President, there will be no rollcall votes on Monday. The next vote will occur Tuesday morning. That vote will be on the motion to invoke cloture on the motion to proceed to the energy speculation bill.

RECESS UNTIL MONDAY, JULY 21, 2008, AT 3 P.M.

Mr. NELSON of Florida. If there is no further business to come before the Senate, I ask unanimous consent that it stand in recess under the previous order.

There being no objection, the Senate, at 7:29 p.m., recessed until Monday, July 21, 2008, at 3 p.m.

NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF STATE

JOHN A. SIMON, OF MARYLAND, TO BE REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE AFRICAN UNION, WITH THE RANK AND STATUS OF AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY.

THE JUDICIARY

ANTHONY JOHN TRENGA, OF VIRGINIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF VIRGINIA, VICE WALTER D. KELLEY, JR., RESIGNED.

CONFIRMATIONS

Executive nominations confirmed by the Senate Thursday, July 17, 2008:

THE JUDICIARY

PAUL G. GARDEPHE, OF NEW YORK, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF NEW YORK.

KIYO A. MATSUMOTO, OF NEW YORK, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF NEW YORK.

EXTENSIONS OF REMARKS

A PROCLAMATION HONORING THE 50TH ANNIVERSARY OF EMMANUEL CHURCH

HON. ZACHARY T. SPACE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 17, 2008

Mr. SPACE. Madam Speaker:

Whereas, Emmanuel Church is celebrating its 50th anniversary; and

Whereas, the congregation of Emmanuel Church continue to be active, enthusiastic members of our community; and

Whereas, the 50th anniversary of Emmanuel Church has drawn new and old congregation members to New Philadelphia, Ohio to celebrate the life of their church; now, therefore, be it

Resolved that along with the residents of the 18th Congressional District, I commend Emmanuel Church and its congregation for their unwavering commitment, dedication and contributions to their community and country in recognition of their 50 years.

IN MEMORY OF THE LATE SENATOR BILL JENNER ON THE OCCASION OF HIS 100TH BIRTHDAY

HON. MIKE PENCE

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 17, 2008

Mr. PENCE. Madam Speaker, I rise today to honor what would have been the 100th birthday of a great Hoosier legislator and American patriot, Senator William Jenner.

Born in Crawford County, Indiana, Senator Jenner graduated with a law degree from Indiana University in 1930 and began a career practicing law in Paoli, Indiana. In the meantime, he quickly rose through the ranks of Indiana politicians, becoming Majority Leader and President Pro Tempore of the Indiana State Senate less than ten years after graduating from college. In a selfless act that placed the defense of freedom above political ambition, Senator Jenner resigned his seat in the Indiana Senate to serve as a captain in the Army Air Corps during World War II.

In 1944, Senator Jenner returned from service overseas to fill a vacancy in the U.S. Senate resulting from the death of Frederick Van Nuys. He would later be elected for two complete terms, serving until 1959.

As chair of the Internal Security Subcommittee of the Senate Judiciary Committee, Jenner spent much of his time in the Senate promoting American values while guarding against the spread of communist ideals during a fragile period of American history. A conservative and a proponent of equality, Senator Jenner laid out a plan that led to the inclusion of all races within the Republican Party.

During his tenure as a politician, Senator Jenner believed in the ideals of the Senate as a forum for free-flowing discussion and a body that protected the viewpoints of the minority. As he famously said on January 4th, 1957, ''Jesus Christ was killed by a majority; Columbus was smeared; and Christians have been tortured. Had the United States Senate existed during those trying times, I am sure these people would have found an advocate. Nowhere else can any political, social, or religious group, finding itself under sustained attack, receive a better refuge.''

Following his retirement from the Senate, Jenner returned to law practice in Bedford, Indiana until his death in 1985 at the age of seventy-six. Gone but not forgotten, Madam Speaker, the legacy of this great Hoosier legislator lives on as a model of courage and patriotism for all members of Congress and indeed, all Americans as well.

CELEBRATING THE 40TH ANNIVERSARY OF SPECIAL OLYMPICS

HON. PETE SESSIONS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 17, 2008

Mr. SESSIONS. Madam Speaker, today, I have the honor of recognizing the 40th anniversary of Special Olympics. For four decades Special Olympics has been encouraging and empowering individuals with intellectual disabilities to become active and physically fit in athletics. Special Olympics have dedicated its efforts to provide productive and respected members of society through sports training and competition. With 30 Olympic-type summer and winter sports, Special Olympics offer children and adults with intellectual disabilities year round training.

Special Olympics currently serve 2.5 million people with intellectual disabilities in over 180 countries. Special Olympics give these individuals the gift of friendship and allow each of them to discover a talent of their own. One of Special Olympics main goals is to empower individuals with intellectual disabilities to realize their full potential and become productive members of their families and their communities.

As the father of a young man with Down syndrome who competes in Special Olympics, I have learned firsthand the endearing and valuable contributions Special Olympics have on these individuals. Special Olympics develop improved physical fitness and motor skills, greater self-confidence and a more positive self-image. Additionally, Special Olympics allow for individuals to grow socially and mentally through their activities, while exhibiting endless enthusiasm and joy throughout the games.

I am inspired by the dedication and enthusiasm for life that these individuals bring to Special Olympics. Once again, it is an honor to recognize the 40th anniversary of Special Olympics. Congratulations to all of the athletes who have competed over the past 40 years.

IN REMEMBRANCE OF AUDREY SUSANNE CHAPMAN

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 17, 2008

Mr. KUCINICH. Madam Speaker, I rise today in remembrance of Audrey Susanne Chapman, and in recognition of her tremendous contributions to the community through her writing and journalism.

Audrey graduated from Hudson High School in 1983 and went on to earn her degree in journalism from Ohio University in 1987. Her exceptional writing talents led her to work in several local publishing companies including Penton Publishing and Cleveland Magazine. Audrey's contributions to Cleveland Magazine received honors from the Society of Professional Journalists of the Cleveland Press Club.

Audrey is survived by her mother, Rumrill Chapman, her two sisters, Heather Chapman and Lesley Chapman and her brother, Brian Chapman. She will be remembered not only for her work as a gifted writer and journalist, but also for her kindness and ability to create connections with everyone she met.

Madam Speaker and colleagues, please join me in remembrance of Audrey Susanne Chapman, and in recognition of her dedication to her work, the community, and her family.

IN RECOGNITION OF ANTONIO YSURA

HON. BILL SALI

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 17, 2008

Mr. SALI. Madam Speaker, I rise today in recognition of Antonio Ysura, winner of the National Federation of Independent Business (NFIB) Young Entrepreneur Awards.

Antonio encompasses the goal of the NFIB Young Entrepreneur Foundation (YEF) which encourages young people to consider careers in small business and entrepreneurship and to help further the education of these students. Antonio started his own photography business in Boise. In light of his successful business operation he was awarded a scholarship for higher education. He is only one of 416 high school seniors across the country to receive this distinguished award.

YEF has encouraged and supported the entrepreneurial dreams of 1,900 students with scholarships totaling $2,200,000. I commend NFIB and YEF for this outstanding accomplishment and commitment to our youth.

I am honored to take this opportunity to congratulate a leader of our next generation of small business owners. Antonio, I wish you much success in your future endeavors.

THE DAILY 45: MAY EBONY AND HER MOTHER REST IN PEACE

HON. BOBBY L. RUSH

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 17, 2008

Mr. RUSH. Madam Speaker, the Department of Justice tells us that, every day, 45 people, on average, are fatally shot in the United States. The indiscriminate level of violence knows no bounds as I mark the passing of Miss Ebony Jefferson, 31, who was shot to death 48 hours ago.

Ebony's death violates all standards of human decency. She was, literally, on the porch of her aunt's home, in a quiet Cleveland neighborhood, where she and her family were grieving the death of her mother, 55-year-old Lorena Jefferson, who died last Sunday of breast cancer.

In a brief moment of respite, while sharing a laugh and playing cards to fight back the tears, early Tuesday evening a man dressed in black, carrying a gun, threatened Ebony and her family, telling them to lay on the floor. Bravely, some of her family members told the assailant to leave and, briefly, he did. But, in a senseless instant, he turned around and fired nine shots, one of which struck Ebony. She died a short time later at a local hospital.

Ebony was a caring health care worker who was grieving the loss of her mother. She and her mother will now be buried, together, this Saturday while the gunman remains at large.

Americans of conscience must come together to stop the senseless death of "The Daily 45." When will we say "enough is enough, stop the killing!"

A PROCLAMATION HONORING KARISSA MARTIN FOR WINNING THE TITLE OF MISS OHIO 2008

HON. ZACHARY T. SPACE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 17, 2008

Mr. SPACE. Madam Speaker:

Whereas, Karissa Martin was crowned Miss Ohio 2008; and

Whereas, Ms. Martin won a talent preliminary award and a swimsuit preliminary award at the Miss Ohio contest; and

Whereas, Karissa Martin will use her new title to raise skin cancer awareness; now, therefore, be it

Resolved that along with her friends, family, and the residents of the 18th Congressional District, I commend and thank Miss Ohio 2008, Karissa Martin for her contributions to her community and country.

MEDICARE IMPROVEMENT FOR PATIENTS AND PROVIDERS ACT OF 2008

SPEECH OF

HON. TODD TIAHRT

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 15, 2008

Mr. TIAHRT. Madam Speaker, I rise today in opposition to President Bush's veto of H.R. 6331. This legislation is a critical bill to ensure that our seniors have access to health care and so I will again vote in its favor. I am disappointed with the President's decision and am compelled to make a stand in support of our seniors.

By the nature of our democratic process, almost no bill considered in Congress is perfect, and H.R. 6331 is no exception. We cannot, however, "let the perfect be the enemy of the good." H.R. 6331 is a good compromise that will help preserve our health care delivery system. This bill will increase investment in preventive and quality care, expand programs in rural communities, expand the patient centered medical home, and begin to transform the health care delivery system through the adoption of electronic prescribing. This investment will yield generations of healthier adults, improved quality of life, and long-term health care savings.

One of the most important pieces of this bill is the physician reimbursement rate fix—which is really an access issue. Perhaps the most critical situation facing our seniors in the coming decades will be access to physicians. Due to the paltry reimbursement rates for their services, more and more doctors are unable to take on new Medicare patients, or even serve any Medicare patients. They simply cannot pay the bills. The formula that CMS uses to determine the reimbursement for physician services is not based on cost accounting standards. No one seems to understand why CMS adopted this formula decades ago, yet no one at the agency seems willing to overhaul it. The result is decreasing reimbursement for physicians. When they cannot cover their own costs, they have to stop seeing Medicare patients and this is a grave concern. We are not only concerned that our parents will not be able to see a physician when in need, but also that there won't be adequate health care access when the baby boomers and our children become Medicare eligible. I'm for a permanent fix, which this House voted for in 2004 as part of the Medicare Modernization Act before the Senate stripped it, but until we get there, preventing the annual cuts must be our priority. This bill prevents a reimbursement rate cut and helps physicians continue to see their senior patients.

I strongly disagree with the President—and even my own leadership—on his position. Access to healthcare is one of the greatest issues facing our seniors—along with rising fuel costs—and it is irresponsible to stand in the way of providing that access. I urge my colleagues to join me in overriding the veto of H.R. 6331.

PROVIDING FOR CONSIDERATION OF H.R. 5959 INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2009

SPEECH OF

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 16, 2008

Ms. LEE. Mr. Chairman, I thank Chairman REYES and Ranking Member HOEKSTRA for their work on this bill and their commitment to protecting the security of our Nation.

Madam Speaker, recently Americans have read media reports that taxpayer funds are being used to destabilize or overthrow governments of other countries.

Regardless of the truth of these reports, the perception that they may be true undermines public confidence in U.S. foreign policy and harms the reputation of the U.S. abroad.

That is why I offered an amendment to the bill providing that the United States will not engage in covert activities to undermine or overthrow member nations of the U.N., including democratically elected governments. Such conduct is antithetical to democracy and the rule of law.

Unfortunately, my amendment was not made in order. Consequently, we lost an opportunity to repair some of the damage done to America's international reputation by the conduct of this Administration during the last seven years.

RECOGNIZING THE 60TH ANNIVERSARY OF THE INTEGRATION OF THE UNITED STATES ARMED FORCES

SPEECH OF

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 14, 2008

Mr. HASTINGS of Florida. Mr. Speaker, I rise today to honor the 60th anniversary of the integration of the United States Armed Forces.

On July 26, 1948, President Harry Truman signed Executive Order 9981 which stated that the Armed Services must extend equal opportunity to everyone who served in the military. Although the true fulfillment of this vision finally occurred 15 years after President Truman signed this Executive Order, July 26, 1948 remains a defining moment in our Nation's history because the leader of the Free World made it known that a united Nation needed a united military.

This extraordinary document was signed shortly after World War II when American troops and their allies restored hope, justice, and life to millions of people who were suffering under horrific dictatorship and terror. In the deadliest and most wide spread war in human history, the world had seen the valor, fortitude, and humility of the American military. Upon returning home, however, more than 400,000 African American World War II veterans were faced with the bitter reminder that they did not receive equal rights in the military in which they served and in the country that they loved.

Mr. Speaker, from the Revolutionary War to the present wars in Iraq and Afghanistan, blacks and other people of color have fought and died. In the years prior to desegregation, many black soldiers fought with the hope that if they demonstrated their bravery and dedication in battle, they could obtain the respect and opportunity in the military and civilian sector. Unfortunately, formal and informal practices of segregation and discrimination in the military and in our country prevented this hope from becoming and reality.

In the years leading to an unprecedented time of prosperity, growth, and development in the United States, President Truman dared to sign a document that would position our military and country in a new direction. At last, America would have laws that would ensure

that people would have the right to serve their country and be treated equally regardless of their race, color, religion, or national origin.

Sixty years after Executive Order 9981 was signed and 45 years after the proclamations in this document were implemented, the U.S. military now includes the full spectrum of our great country. More than 1.4 million men and women make up America's active and reserve forces. They can serve with the knowledge that there are laws to ensure that they receive the same rights and liberties that they fought to secure for others.

Mr. Speaker, as we celebrate the 60th anniversary of the initial call to integrate our nation's Armed Forces, we must remember to continue the legacy of eliminating discrimination and bigotry from the institutions that represent our country and make it great. I urge my colleagues to cosponsor this resolution and demonstrate our continued commitment to laws that promote liberty, equality and justice in every sector of our society.

INTRODUCTION OF THE SANCTUARY ENHANCEMENT ACT OF 2008

HON. MADELEINE Z. BORDALLO

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 17, 2008

Ms. BORDALLO. Madam Speaker, today I have introduced a bill to reauthorize and amend the National Marine Sanctuaries Act, which was first enacted by the 92nd Congress as Title III of the Marine Protection, Research and Sanctuaries Act of 1972 (Public Law 92–532).

The Nation's first national marine sanctuary was designated in 1975 off the Outer Banks of North Carolina to protect the wreck of a famous Civil War ironclad, the U.S.S. *Monitor*. Since then, 12 other national marine sanctuaries and one national marine monument have been designated. The various sites, ranging from Fagatele Bay in American Samoa to Thunder Bay in Lake Huron, protect deep ocean gardens, near shore coral reefs, whale migration corridors, deep sea canyons, and underwater archeological sites.

These marine sites are managed by the National Oceanic and Atmospheric Administration (NOAA) and activities like shipping, commercial and recreational fishing, boating, scuba diving, and marine tourism are allowed within such sites where determined to be compatible with resource protection. However, drilling, mining, dredging, dumping waste and removing artifacts are generally prohibited in the sanctuaries and considered to be activities inconsistent with the purposes of the National Marine Sanctuaries Act.

Congress last reauthorized the National Marine Sanctuaries Act in 2000 with the passage of the National Marine Sanctuaries Amendments Act of 2000 (Public Law 106–513). The overall purpose of the legislation enacted in 2000 was to reauthorize the National Marine Sanctuaries Act through fiscal year 2005 and to make substantive changes to the management of existing sanctuaries and the designation of additional marine sanctuaries.

The Subcommittee on Fisheries, Wildlife, and Oceans has held two oversight hearings to date in this Congress to receive testimony from stakeholders regarding reauthorization of the National Marine Sanctuaries Act. The Subcommittee first convened for this purpose at a field hearing in Santa Barbara, California on November 3, 2007, and more recently in Washington, DC on June 18, 2008. It is generally agreed that the national marine sanctuaries are fulfilling statutory set missions to protect nationally significant areas of the marine environment and are collectively serving as a useful model demonstrating ecosystem-based management. However, since Congress last reauthorized the Act several concerns have emerged and have been raised by stakeholders and the Administration. These issues have been examined by the Subcommittee during both of its oversight hearings. The legislation I have introduced today attempts to address many of these issues.

First, over the past decade the science and theory behind the concept of marine protected areas and marine reserves (MPAs) has developed, and the use of MPAs as a management tool is much more prevalent today than it was at the time the National Marine Sanctuaries Act was last reauthorized. Supporters of the concept consider the existing statutory limitation on new sanctuary designations at odds with current thinking and practice, as well as contrary to the purposes of the Act. The bill I have introduced today, the Sanctuary Enhancement Act of 2008, would repeal the limitation on new sanctuary designations and require the Secretary of Commerce to develop a site selection report for potential new sanctuaries.

Second, despite NOAA's best intentions, the agency has been unable to complete management plan reviews for all sanctuaries within the statutorily-required 5-year period, resulting in a virtually never-ending planning cycle. Furthermore, critics question whether the statutory established timeframe allows adequate time for NOAA to properly evaluate the effectiveness of management plans. In order to allow adequate time for quality reviews, under the Sanctuary Enhancement Act the first management plan review timeframe would be expanded from 5 years to 7 years, and the period for subsequent reviews would be expanded to 10 years.

Another area of focus has been on regulating fishing within marine sanctuaries. Section 304(a)(5) of the National Marine Sanctuaries Act formally incorporates Regional Fisheries Management Councils into the process for developing fishing regulations within marine sanctuaries. Various interests believe there continues to be a lack of clarity with respect to such authorities and such lack of clarity has created tensions within some sectors of the fishing community. In an effort to reduce some of that tension, the Sanctuary Enhancement Act would authorize the Secretary to include fishing regulations in the designation documents if the regulations are compatible with the purposes of the sanctuary, the mission of the entire system of sanctuaries and the National Marine Sanctuaries Act. The Sanctuary Enhancement Act also clarifies the role and actions of the Secretary in approving or disapproving draft fishing regulations requested from Regional Fishery Management Councils.

Finally, critics contend that the text of the National Marine Sanctuaries Act is misinterpreted and that NOAA's implementation of the Act as a "multiple-use" authority is misguided. Such critics advocate that the Act be amended to prioritize the protective missions of the sanctuaries and to strengthen the Act in comparison to other laws that authorize activities in the marine environment. To resolve this problem, the Sanctuary Enhancement Act would formally establish a National Marine Sanctuary System and insert a mission statement for the System to "protect, conserve, preserve, restore and recover the biodiversity, ecological integrity, and cultural legacy of the living and nonliving resources within the system for the benefit of present and future generations."

I believe the bill I have introduced today enhances the network of sanctuaries by establishing a unified structure and system for their management and by amending the National Marine Sanctuaries Act to address a variety of concerns raised by stakeholders since its last reauthorization. I am joined today in introducing this bill by Ms. ILEANA ROS-LEHTINEN, a co-chair of the National Marine Sanctuaries Caucus, and ten other colleagues, including Mr. KILDEE, Mr. FALEOMAVAEGA, and Mr. ABERCROMBIE of the Subcommittee on Fisheries, Wildlife and Oceans. I invite all of my colleagues to join us in the effort to reauthorize and strengthen this essential marine conservation law. Working together we can strive to leave our children and grandchildren a sanctuary system that can grow as a vibrant, healthy and sound system of marine environments.

HONORING FORMER MAYOR BOB JEHN OF CLOVERDALE, CALIFORNIA

HON. LYNN C. WOOLSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 17, 2008

Ms. WOOLSEY. Madam Speaker, together with my colleague MIKE THOMPSON, I rise today to recognize my good friend, Bob Jehn, who retired from public office on July 4, 2008 after serving 14 years on the city council of Cloverdale, California.

During Mr. Jehn's tenure on the council, he served four times as its mayor. He was also a three-term member of the board of directors on the League of California Cities, past chairman and the longest serving member of the Sonoma County Transportation Authority, past chairman and member of the North Coast Rail Authority and chairman and member of the Sonoma-Marin Area Rail Transit Authority.

He was the driving force behind the establishment of Cloverdale River Park, a 70-acre public access area along the Russian River, and led the successful effort to secure a permanent conservation easement for 250 acres of hillside overlooking Cloverdale.

His other civic duties included service on the Cloverdale Planning Commission and former chair of the Cloverdale Economic Development Commission. He was an active member of the Cloverdale Rotary Club, the Cloverdale Chamber of Commerce, the Cloverdale Historical Society and the North Coast Association of Health Underwriters. He was honored by his community as volunteer of the year in 1994.

Mr. Jehn and his wife of 30 years, Nancy, moved to California in 1977 and to Cloverdale

in 1990. He is a graduate of the University of Texas and a Navy veteran, serving aboard the USS *Force*, MSO 445, an ocean mine sweeper, from June 1963 through May 1965.

Mr. Jehn plans to devote his time and his energies to his health insurance business and to his family, focusing and doting on his three grandchildren, Grace, 8, Billy, 6 and Sophia, 3.

Madam Speaker, Bob Jehn, has been an exceptional public servant. He has served the people of Cloverdale and Sonoma County well and it is fitting at this time that we honor him today and wish him well as he enters the next phase of his life.

INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2009

SPEECH OF

HON. MARK UDALL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 16, 2008

The House in Committee of the Whole House on the State of the Union had under consideration of the bill (H.R. 5959) to authorize appropriations for fiscal year 2009 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes:

Mr. UDALL of Colorado. Mr. Chairman, I support this bipartisan bill, which is designed to strengthen and improve America's intelligence capabilities.

The bill strengthens intelligence by adding funding to enhance human intelligence collection, strengthening research and development in advanced technologies, and improving signals intelligence. Importantly, the bill also includes strong provisions to promote accountability, including prohibiting the use of CIA contractors to interrogate detainees, requiring a report on compliance with the Detainee Treatment Act of 2005, and creating a statutory, Senate-confirmed Inspector General for the entire Intelligence community.

I am disappointed in what the bill doesn't include—a provision included in last year's authorization bill that would have prohibited interrogation techniques not authorized by the Army Field Manual on Interrogation.

Despite White House claims that the United States does not torture prisoners, we continue to learn about Administration actions that seem to condone the use of coercive techniques in questioning prisoners.

Last year, we learned about a classified Justice Department memo from February 2005 allowing waterboarding and other coercive techniques. Then there was the Executive Order signed last year that effectively opened a loophole for the CIA to practice interrogation techniques that go beyond those allowed by the U.S. military.

Reports of destroyed interrogation tapes showing CIA operatives using waterboarding and other ''enhanced'' techniques are deeply disturbing, and suggest a double standard, whereby these techniques are approved for use by the CIA but not by the Department of Defense and its intelligence agencies. All this points to the need for a common standard for humane and effective interrogation techniques across the government, which is what the provision called for in last year's bill.

Sen. JOHN MCCAIN has called the Army Field Manual techniques ''humane and yet effective.'' In my view, there is no reason why interrogation techniques that work effectively and humanely for our military interrogators cannot also work effectively and humanely for CIA and other intelligence agency interrogators.

Mr. Chairman, I urge passage of this legislation, though I hope that the provision prohibiting interrogation techniques not authorized by the Army Field Manual on Interrogation is included in the conference report. I believe it sends a message that the United States believes no part of its government is above the law, and that no interrogation method is acceptable that could not also be used on Americans in enemy custody.

IN REMEMBRANCE OF STEPHEN MULLOY

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 17, 2008

Mr. KUCINICH. Madam Speaker, I rise today in remembrance of Stephen Mulloy, who dedicated his life to serving as a community organizer on behalf of Irish-Americans in the Greater Cleveland Area.

Stephen Mulloy was born in Keel, County Mayo, Ireland and immigrated to Cleveland in 1954. Just a few short weeks after settling into his new home in Cleveland, he became active in numerous Irish-American community organizations in which he would remain active for over fifty years. His participation, dedication, and leadership made him an invaluable member not only to the Irish-American community, but also to the Greater Cleveland community. Many in the Greater Cleveland Community were familiar with Mr. Mulloy as it was his voice that kicked off the annual St. Patrick's Day Parade in downtown Cleveland. Each year he beautifully sang both the Irish and U.S. national anthems, and in 2007, he served as the grand marshal of the Parade.

Mr. Mulloy was a member of several organizations including the West Side Irish-American Club, in which he served four one-year terms as President; the United Irish Societies, the Cleveland branch of the Irish National Caucus, and the St. Jarlath Gaelic Football Club, which he also played with for several years. He also was the founding member of the Mayo Society of Cleveland and served as past officer of the Irish Northern Aid organization. In addition to singing the national anthems at Cleveland's annual St. Patrick's Day Parade, he was a renowned bag pipe player in the Shamrock Pipe Band. Mr. Mulloy also arranged several tours to Ireland for a local theatrical company, the Cleveland Irish Players and once in 2004, organized and led a trip for Mayor Jane Campbell and several Clevelanders to Achill Island.

Mr. Mulloy's leadership and personable demeanor allowed him to connect with many of Cleveland's diverse communities and he was recognized several times for his dedication and work in the Greater Cleveland Community. Earlier this year, he was the recipient of the Mayo Society of Cleveland Man of the Year Award. In 2000 he was honored with the Man of the Year Award by the first group he joined after immigrating from Ireland, the West Side Irish-American Club.

Madam Speaker and colleagues, please join me in celebrating the life of Stephen Mulloy, who dedicated his life to serving his family and his community.

HONORING FORMER MAYOR BOB JEHN OF CLOVERDALE, CALIFORNIA

HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 17, 2008

Mr. THOMPSON of California. Madam Speaker, together with my colleague LYNN WOOLSEY, I rise today to recognize my good friend, Bob Jehn, who retired from public office on July 4, 2008 after serving 14 years on the city council of Cloverdale, California.

During Mr. Jehn's tenure on the council, he served four times as its mayor. He was also a three-term member of the board of directors on the League of California Cities, past chairman and the longest serving member of the Sonoma County Transportation Authority, past chairman and member of the North Coast Rail Authority and Chairman and member of the Sonoma-Marin Area Rail Transit Authority.

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Mr. Jehn and his wife of 30 years, Nancy, moved to California in 1977 and to Cloverdale in 1990. He is a graduate of the University of Texas and a Navy veteran, serving aboard the USS *Force,* MSO 445, an ocean mine sweeper, from June 1963 through May 1965.

Mr. Jehn plans to devote his time and his energies to his health insurance business and to his family, focusing and doting on his three grandchildren, Grace, 8, Billy, 6 and Sophia, 3.

Madam Speaker, Bob Jehn, has been an exceptional public servant. He has served the people of Cloverdale and Sonoma County well and it is fitting at this time that we honor him today and wish him well as he enters the next phase of his life.

RIGHTING THE INJUSTICE AT FORT LAWTON

HON. DAVID G. REICHERT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 17, 2008

Mr. REICHERT. Madam Speaker, I rise today in recognition of a military ceremony taking place in Seattle, Washington, from July 24–26. This ceremony will finally mark the official end to an injustice thrust upon 28 members of an African American unit at Seattle's Fort Lawton in 1944.

On August 14, 1944, an Italian prisoner of war was lynched at Fort Lawton following a nighttime confrontation between members of three all-black Army port companies, a company of prisoners in an Italian Service Unit and many other Army personnel. Subsequently, 28 of the 43 African-American soldiers charged in the melee were convicted of rioting; two soldiers were also found guilty of manslaughter. Although the sloppiness of the investigation, coupled with clear racial discrimination, tainted the entire court-martial proceeding, the ruling and the dishonorable discharge of the 28 convicted soldiers stood for more than six decades.

However, following the publication of a scrupulously researched account of the clash and courts-martial by a Seattle author, and the interest of my colleague on the other side of the aisle, Congressman JIM MCDERMOTT, the U.S. Army overturned the convictions of the 28 soldiers and granted them honorable discharges. Although the wheels of justice turned painfully slow for 28 African-American veterans, July 24–26 will be a wonderful celebration of their dedicated service to our country and the final corrections of their military records.

Unfortunately, only two of the original 28 soldiers are alive today, meaning 26 Army veterans passed away before an extreme personal injustice was rectified. My hope is that the families of the deceased veterans can find some kind of peace knowing their loved ones service is truly appreciated and honored.

SUNSET MEMORIAL

HON. TRENT FRANKS

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 17, 2008

Mr. FRANKS of Arizona. Madam Speaker, I stand once again before this House with yet another Sunset Memorial.

It is July 17, 2008 in the land of the free and the home of the brave, and before the sun set today in America, almost 4,000 more defenseless unborn children were killed by abortion on demand. That's just today, Mr. Speaker. That's more than the number of innocent lives lost on September 11 in this country, only it happens every day.

It has now been exactly 12,960 days since the tragedy called Roe v. Wade was first handed down. Since then, the very foundation of this Nation has been stained by the blood of almost 50 million of its own children. Some of them, Madam Speaker, cried and screamed as they died, but because it was amniotic fluid passing over the vocal cords instead of air, we couldn't hear them.

All of them had at least four things in common. First, they were each just little babies who had done nothing wrong to anyone, and each one of them died a nameless and lonely death. And each one of their mothers, whether she realizes it or not, will never be quite the same. And all the gifts that these children might have brought to humanity are now lost forever. Yet even in the glare of such tragedy, this generation still clings to a blind, invincible ignorance while history repeats itself and our own silent genocide mercilessly annihilates the most helpless of all victims, those yet unborn.

Madam Speaker, perhaps it's time for those of us in this Chamber to remind ourselves of why we are really all here. Thomas Jefferson said, "The care of human life and its happiness and not its destruction is the chief and only object of good government." The phrase in the 14th Amendment capsulizes our entire Constitution. It says, "No State shall deprive any person of life, liberty or property without due process of law." Madam Speaker, protecting the lives of our innocent citizens and their constitutional rights is why we are all here.

The bedrock foundation of this Republic is the clarion declaration of the self-evident truth that all human beings are created equal and endowed by their Creator with the unalienable rights of life, liberty and the pursuit of happiness. Every conflict and battle our Nation has ever faced can be traced to our commitment to this core, self-evident truth.

It has made us the beacon of hope for the entire world. Madam Speaker, it is who we are.

And yet today another day has passed, and we in this body have failed again to honor that foundational commitment. We have failed our sworn oath and our God-given responsibility as we broke faith with nearly 4,000 more innocent American babies who died today without the protection we should have given them.

So Madam Speaker, let me conclude this Sunset Memorial in the hope that perhaps someone new who heard it tonight will finally embrace the truth that abortion really does kill little babies; that it hurts mothers in ways that we can never express; and that 12,960 days spent killing nearly 50 million unborn children in America is enough; and that it is time that we stood up together again, and remembered that we are the same America that rejected human slavery and marched into Europe to arrest the Nazi Holocaust; and we are still courageous and compassionate enough to find a better way for mothers and their unborn babies than abortion on demand.

Madam Speaker, as we consider the plight of unborn America tonight, may we each remind ourselves that our own days in this sunshine of life are also numbered and that all too soon each one of us will walk from these Chambers for the very last time.

And if it should be that this Congress is allowed to convene on yet another day to come, may that be the day when we finally hear the cries of innocent unborn children. May that be the day when we find the humanity, the courage, and the will to embrace together our human and our constitutional duty to protect these, the least of our tiny, little American brothers and sisters from this murderous scourge upon our Nation called abortion on demand.

It is July 17, 2008, 12,960 days since Roe versus Wade first stained the foundation of this Nation with the blood of its own children; this in the land of the free and the home of the brave.

PERSONAL EXPLANATION

HON. HILDA L. SOLIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 17, 2008

Ms. SOLIS. Madam Speaker, during rollcall vote No. 504, on the Shuler Amendment to H.R. 415, I was unavoidably detained.

Had I been present, I would have voted "yes."

INTRODUCTION OF THE NATIONAL WOMEN'S HISTORY MUSEUM

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 17, 2008

Mrs. MALONEY of New York. Madam Speaker, today, I proudly join in a bipartisan effort with Congresswomen ROSA DELAURO, DEBORAH PRYCE, MARCY KAPTUR, and ELEANOR HOLMES NORTON in introducing the National Women's History Museum, NWHM. This bill directs the General Services Administration, GSA, to house a National Women's History Museum in one of their properties in Washington, DC. NWHM must pay fair market value for the property and reasonable timeframes are included for the transfer of the property and for construction to begin. NWHM will be built and maintained with private funds.

Women's history is largely missing from textbooks, memorials, museum exhibits and many other venues. In contrast, men have hundreds of years of written and available history to reflect upon and use for inspiration. Of the 210 statues in the United States Capitol, only 9 are of female leaders. Less than 5 percent of the 2,400 national historic landmarks chronicle women's achievement and according to a survey of 18 history textbooks, only 10 percent were dedicated to women.

The museums and memorials in our Nation's Capital demonstrate what we value. We have museums dedicated to flight, postage stamps, law enforcement and many other important people and issues of interest, but not to women. This bill would provide women, comprising 53 percent of our population, a long overdue home on our National Mall to honor their many contributions that are the very fabric of our country.

I urge my colleagues to join me in filling this void and honoring our Nation's foremothers by becoming cosponsors of the National Women's History Museum Act of 2008.

RECOGNIZING RWA SLOVAKIA AND HFPJC–AVOYSEINU FOR THE PRESERVATION OF THE MARCELOVA CEMETERY

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 17, 2008

Mr. ENGEL. Madam Speaker, I rise to call to the attention of the House of Representatives the work of Heritage Foundation for Preservation of Jewish Cemeteries, HFPJC-Avoyseinu in preserving Jewish cemeteries in Europe and to offer recognition to RWA Slovakia for their humanitarian contribution to the protection of a Jewish cemetery in Marcelova, Slovakia.

I have the highest respect for HFPJC and its efforts to preserve Jewish cemeteries throughout Europe. The Nazis not only destroyed the Jewish population of Europe during the Holocaust, but they left Jewish cemeteries in ruin. The fall of the iron curtain and

the brutal rule of the communists in Eastern Europe only further desecrated the final resting places of millions of Jews. HFPJC is trying to right the wrongs of the preceding decades by working with communities throughout Europe to preserve the graves of their ancestors.

In my work with HFPJC on preservation of cemeteries in Slovakia, I have learned about the Marcelova Jewish Cemetery Project and the role the RWA Slovakia company played in enabling the cemetery's preservation. I would like to share this important story of generosity and interfaith understanding with the House.

The Marcelova Jewish cemetery site, after the Holocaust, became a deserted wasteland and passed from community to municipal to private ownership. RWA corporation owned the Marcelova Jewish cemetery lot for at least the past decade. As a burial ground, the Marcelova cemetery is sacred to people of the Jewish faith. HFPJC, acting on behalf of some highly concerned Marcelova descendants, attempted to secure the return and appropriate preservation of the cemetery before it is accidentally desecrated through construction or development.

After individual meetings between both the Marcelova mayor and several managing officers of RWA, in which all displayed exceptional courtesy, consideration, and understanding of the humanitarian significance of the issue, RWA agreed to allow the fencing and preservation of the cemetery site, adjoining their office complex. I have seen photographs of the restoration of the cemetery and would like to offer my highest commendation to RWA Slovakia for their work with HFPJC to preserve the Marcelova Jewish cemetery.

Madam Speaker, this is a generous and humane gesture on the part of RWA Slovakia, and is worthy of public recognition. Therefore, with this statement in the CONGRESSIONAL RECORD of the House of Representatives of the United States, I officially commend the RWA Corporation of Slovakia for its preservation of the Marcelova Jewish cemetery.

PERSONAL EXPLANATION

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 17, 2008

Ms. EDDIE BERNICE JOHNSON of Texas. Madam Speaker, on Tuesday, November 6, 2007, I could not be present for rollcall votes 500 to 508, due to a previous commitment to a distinguished constituent of mine.

Had I been present, I would have cast the following votes: ''yes'' on rollcall vote 500, 501, 504, 505, 507, 508 and ''nay'' on rollcall vote 502, 503, 506.

A PROCLAMATION HONORING THE 80TH ANNIVERSARY OF PEARL VALLEY CHEESE

HON. ZACHARY T. SPACE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 17, 2008

Mr. SPACE. Madam Speaker:

Whereas, Pearl Valley Cheese in Fresno, Ohio is celebrating 80 years of business since 1928; and

Whereas, Pearl Valley Cheese has developed a fund raising program for local 4–H, FFA, church and nonprofit community groups; and

Whereas, Pearl Valley Cheese has won a number of coveted awards, including a silver medal at the World Cheese Competition for their smoked Swiss and a number of awards at the Ohio State Fair: Now, therefore, be it

Resolved, That along with the residents of the 18th Congressional District, I commend Pearl Valley Cheese for their unwavering commitment, dedication and contributions to their community and country in recognition of their 80 years.

HONORING DOCTOR RALPH MESSO

HON. VITO FOSSELLA

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 17, 2008

Mr. FOSSELLA. Madam Speaker, I rise today to pay tribute to a constituent who has faithfully served the people of Staten Island for many years, Dr. Ralph Messo.

Born on Staten Island in 1961, Dr. Messo was inspired by the compassion and caring nature of the physicians he encountered as a young boy. After graduating from Wagner College, Dr. Messo pursued and was awarded a degree in Osteopathic Medicine from the University of New England in 1989. Dr. Messo was drawn to osteopathic medicine and its holistic approach to treatment—care that extended beyond the patient to his or her entire family.

After medical school, Dr. Messo returned to New York to care for the residents of Staten Island. Over the years, he has earned the respect and gratitude of my constituents across the Island through his generous spirit, his caring nature and unyielding commitment to health care in the borough. Dr. Messo's gentle demeanor and reassuring tone provide comfort to all his patients—the new mothers and fathers struggling to navigate the sometimes choppy waters of parenthood . . . and seniors who may need extra reassurance and a sympathetic ear.

He is currently the president of the Richmond County Medical Society, serves as councilor to the American College of Physicians, is an attending faculty member at both of Staten Island's medical centers, and sits on the Medical Advisory Board of the Juvenile Diabetes Research Foundation. He served as the assistant director of the Internal Medicine/Pediatric residency program at Staten Island University Hospital from 1993–2007 and was recently appointed Adjunct Clinical professor at Tourocom, a new medical school in Harlem, New York. In addition, Dr. Messo has been given The Consumer's Research Council of America's ''Top Physician'' award, the Peter Barbero Humanitarian Award, and was named ''America's Top Pediatrician'' in 2007 and 2008.

Dr. Messo continues to give back to his profession, lending his years of experience to young medical students and residents—the physicians of tomorrow who work alongside him, share in his knowledge and learn that caring for a patient is as much about listening as it is about treating.

For his decades of service to the Staten Island community, I ask that my colleagues join with me in honoring Dr. Ralph Messo and thanking him for his dedication to health care.

CONGRATULATING JAKE DEITCHLER FOR MAKING THE 2008 U.S. OLYMPIC WRESTLING TEAM

HON. MICHELE BACHMANN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 17, 2008

Mrs. BACHMANN. Madam Speaker, I rise to congratulate Jake Deitchler of Anoka County, Minnesota for qualifying for the 2008 U.S. Olympic Wrestling team. Jake is a three-time State champion from Anoka High School and will be attending the University of Minnesota in the fall.

Jake's path to joining the Olympic team was certainly not an easy one. Competing in the 2008 Olympic Team Trials in the Greco-Roman style, Jake defeated a two-time World Bronze medalist in the semifinals and was then victorious in a hard fought final to earn a spot on the team. Just 18 years old, only two other high school wrestlers have ever qualified for the U.S. Olympics, and even more remarkably, not one wrestler his age has qualified since 1976.

Jake's success in the Olympic Trials carries on Minnesota's proud tradition of Greco-Roman wrestling. Since 1968, at least one man has made the U.S. Olympic Wrestling team from the North Star state. Jake will be one of 16 wrestlers representing the United States in the Beijing Games taking place in China in August.

Congratulations, Jake, and America looks forward to you bringing home the gold. We are all proud of your tremendous accomplishment and our Nation wishes you and your teammates the best of luck in Beijing.

H.R. 6307, SUPPORTING THE ''FOSTERING CONNECTIONS TO SUCCESS ACT''

HON. DANNY K. DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 17, 2008

Mr. DAVIS of Illinois. Madam Speaker, the House of Representatives recently passed H.R. 6307, the Fostering Connections to Success Act, sponsored by Representatives JIM MCDERMOTT and JERRY WELLER. This bill is a strong first step in reforming the foster care system, and it includes provisions supporting kinship caregivers that I have championed for years. Specifically, the bill includes the 3 core elements of my bill, H.R. 2188, the Kinship Caregiver Support Act, which I introduced with Representative TIM JOHNSON: (1) it allows states to use Federal funds to support family caregivers raising relatives in the foster care system; (2) it provides funding to establish kinship navigator programs; and (3) it requires notification of relatives when a child enters the foster care system.

These provisions are critical to supporting our children and youth. Nationwide, almost 19 percent of kinship care providers live in poverty, and 30 percent to 40 percent of children

in foster care have chronic medical problems. Subsidized guardianship, like the Federal adoption assistance program, provides needed support to these kinship caregivers to afford appropriate care for these vulnerable children.

Further, kinship navigator programs serve as critical supports to the millions of grandparent caregivers who preventively took on the care of their grandchildren to keep them out of the foster care system. According to the U.S. Census Bureau, there are approximately 2.1 million children living with grandparents or other relatives with no parent present; however, only about 145,000 children in the foster care system live with kinship caregivers. This means that just under 2 million children are being cared for outside of the system and do not have access to subsidized guardianship payments. We must promote kinship navigator programs to help these caregivers understand and access supports to support our youngest citizens.

Research clearly shows that kinship foster care families are safer, more stable placements that are more likely to keep children connected with their siblings and communities than non-relative placements. Further, these placements are cost effective. In Illinois, cost studies found a projected savings of approximately $48 million over 10 years compared to a matched control group that did not have this option. For these reasons, it is imperative that we promote kinship caregiving within the foster care system, and required notification to relatives is an important step to this end.

The issue of grandparents raising grandchildren is very significant for Illinois and for Chicago specifically. My Congressional District has the highest percentage of children living with kinship caregivers in the U.S., with two other Chicago districts following closely behind. The legislation promises critical financial support to family members raising relatives in foster care. We have more to do, but I applaud the House of Representatives for passing this bill that will do so much for so many.

COMMENDING THE FIREFIGHTERS FROM CALIFORNIA AND THROUGHOUT THE UNITED STATES FOR THEIR COURAGEOUS ACTIONS AND SACRIFICES IN FIGHTING THE CALIFORNIA WILDFIRES

SPEECH OF

HON. LYNN C. WOOLSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 9, 2008

Ms. WOOLSEY. Mr. Speaker, I rise in recognition of the brave firefighters from across California and around the country who have courageously risked their lives to halt the spread of wildfires that continue to devastate California. The dedication and determination of our Nation's first responders and firefighters have helped dramatically contain the nearly 1,800 wildfires that have burned over 829,000 acres, or 1,300 square miles, across California.

These fires have been the most intense and widespread in California's history, and thousands of brave men and women have honored the call to protect our state from these fires. More than 150 firefighters from Sonoma County, in my Congressional District have responded to the fires, and firefighters from Santa Rosa served more than 22 days each, totaling 4,000 hours of their time in June. More than 80 Marin firefighters and other support personnel have been dispatched to fight fires throughout Northern California. In addition to the unrivaled contributions of the California's firefighters, Governor Arnold Schwarzenegger called up 2,400 National Guard troops join the fire crews. Furthermore, firefighters from 41 states, Puerto Rico, Mexico, Canada, Australia, and New Zealand have all offered their support, resources, and manpower during this crisis.

The bravery of these committed first responders and the tremendous sacrifices they made to help fight California's fires have not gone unnoticed. Our firefighters deserve the highest commendation for putting themselves in the line of danger. That's why I am proud to support H. Res. 1322, a resolution honoring the firefighters from California and throughout the United States for their heroism and sacrifices in fighting the California wildfires. These brave men and women deserve no less.

PERSONAL EXPLANATION

HON. TOM COLE

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 17, 2008

Mr. COLE of Oklahoma. Madam Speaker, on Wednesday, July 16, 2008, I missed the rollcall vote No. 507, had I been present and voting, I would have voted as follows:

Rollcall vote No. 507: ''nay'' (On Passage of H.R. 415 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).

A TRIBUTE TO POLK ROBISON

HON. RANDY NEUGEBAUER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 17, 2008

Mr. NEUGEBAUER. Madam Speaker, I would like to take this time to remember Polk Robison, a lifelong supporter of District 19's Texas Tech University. Mr. Robison passed away June 27, 2008, at the age of 96.

Polk Robison was best known for his service to Texas Tech Athletics, where he was a champion basketball player, coach, and athletic director. Mr. Robison's devotion to his alma mater helped push Texas Tech Athletics into the Southwest and Big 12 Conferences and into the national spotlight.

Born in Springfield, Tennessee, Mr. Robison and his family moved to Texas when he was 14. He graduated from Lubbock High School and then from Texas Tech in 1934, earning not only a degree in journalism, but also three consecutive Border Conference basketball championships as a center.

Mr. Robison's love of sports led to an early career in coaching football at Burkburnett High School, which soon turned to working for General Motors in Houston. His passion for athletics and Texas Tech brought him back to the university in 1941 as an assistant football and basketball coach. The following year, Mr. Robison moved into the head basketball coach position and remained there for 18 seasons, accumulating a record of 249–196, three Border Conference titles, and a Southwest Conference championship—ranking him second in all-time victories of any Texas Tech coach.

His talents extended beyond the basketball program. Mr. Robison served a short stint as the university's tennis coach, leading the team to a Southwest Conference championship.

He made a gradual change into a ten-year career as Texas Tech's athletic director and retired in 1977 while serving as the athletics administrator for finance and development. He continued to attend Red Raider basketball games until he was 95.

Mr. Robison's devotion overflowed to the community. He served the Lubbock Rotary Club for 40 years, and the Westminster Presbyterian Church named its park in honor of Mr. Robison, a church elder, and his wife, Stephanie.

His student jersey number—appropriately, the number one—hangs retired in the university's United Spirit Arena. Former head basketball coach Bob Knight permanently designated a Polk Robison chair next to the team's bench at every home game, bearing the name of this university legend.

Mr. Robison cared deeply for his family: his wife, the late Stephanie Corley Robison and his three children, Bill, Kay, and Anne. He also made a lasting impression on his players for his professionalism, caring nature, and motivation. He enjoyed seeing them not only grow as athletes, but grow into men.

Those from District 19, including myself, will miss Mr. Robison's enthusiasm for life, dedication to improvement, and tenacity in making Texas Tech a respected and outstanding institution.

TRIBUTE TO SPECIAL OLYMPICS INTERNATIONAL

HON. KENNY C. HULSHOF

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 17, 2008

Mr. HULSHOF. Madam Speaker, I rise today to commemorate the 40th anniversary of an organization that has profoundly enriched the lives of individuals with intellectual disabilities and society as a whole through sports competition. Special Olympics International has promoted the benefits of sports competition for individuals with intellectual disabilities since 1968, when Eunice Kennedy Shriver founded the Special Olympics and convened its first International Games in Chicago.

Two years later, in 1971, Special Olympics Missouri opened its doors and started programs for Missourians with intellectual disabilities. For more than 36 years, Special Olympics Missouri has been providing sports training and competitions for athletes ages 8 and up.

The first Missouri Summer Games were held in 1975, that same year Missouri Special Olympics sent its first athletes to International Summer Games. Except for a brief hiatus in Columbia, Missouri—my hometown—the State Summer Games have been held at Fort Leonard Wood.

Today, Missourians from the ages of 8 to 80 compete in Special Olympics, with an average age around 25. Special Olympics provide year-round sports training and athletics competition for Missouri's children and adults with intellectual disabilities. Special Olympics Missouri currently serves more than 15,000 athletes with mental disabilities, in 19 sports, at 152 competitions throughout Missouri, with 4 statewide competitions, and more than 1,370 of Missouri's finest citizens who serve as volunteer coaches. Special Olympics Missouri athletes have participated in competitions all over the World from Ames, Iowa in our own backyard to Anchorage, Alaska, Toronto, Canada, Dublin, Ireland, Nagano, Japan, and just last year—Shanghai, China.

Through sports, these individuals develop improved physical fitness and motor skills, greater self-confidence, and a more positive self-image.

My colleagues know that as Co-Chair of the Congressional Caucus on Youth Sports, I wholeheartedly believe that sports involvement improves one's health, character, and leadership skills. The Caucus believes in promoting the values of sportsmanship, civility, respect, safety, fun and fitness among the players, coaches, parents, and officials. I am proud to tell you that Special Olympics promotes these same values in its programs and especially in its Healthy Athletes and Unified Sports programs.

In recent years, Special Olympics Missouri has expanded its reach o address health and fitness issues unique to individuals with intellectual disabilities. The Healthy Athletes Program provides health screenings in conjunction with competitions.

Special Olympics Unified Sports is a program that combines approximately equal numbers of Special Olympics athletes and athletes without mental disabilities (called Partners) on sports teams for training and competition. Throughout the year, in a variety of sports ranging from basketball to golf to figure skating, Unified Sports athletes improve their physical fitness, sharpen their skills, challenge the competition and have fun, too.

The concept of combining athletes with mental disabilities and those without was first introduced in the mid-1980s to provide another level of challenge for higher ability athletes and to promote equality and inclusion. Today, the initiative includes virtually all Special Olympics sports.

Unified Sports enables athletes to:

Learn new sports, develop higher-level sports skills and have new competition experiences;

Experience a sense of meaningful inclusion, as each athlete is ensured of playing a valued role on the team;

Socialize with peers and form friendships (the initiative provides a forum for positive social interaction between teammates and often leads to long-lasting friendships) and;

Participate in their communities and have choices outside of Special Olympics.

In 1997, TIME magazine published a story about a Unified Sports partner from Missouri, Ryan Brimer of Boonville.

The Missouri Police Chiefs Association has been a big supporter of Special Olympics Missouri through its Law Enforcement Torch Run. What began as a 30-mile run is now a four-day relay that covers more than 950 miles and 1,000 runners. Now more than a run, the Torch Run is a campaign to raise awareness and funds for Special Olympics. It originates at 25 different locations around the State of Missouri and ends at the State Summer Games. Nearly 200 agencies and 2,500 officers volunteer all year to make the Torch Run happen. In fact, Missouri's event consistently ranks as one of the top ten fundraising Torch Runs in the world. I am proud of Missouri's law enforcement officers who give of their time for this noble cause.

Special Olympics themes of inclusion, health, sportsmanship, leadership, and fun in sports make the world and Missouri a better place for individuals with and without disabilities. I am proud to congratulate Special Olympics on its years of achievement and I thank Special Olympics on behalf of all Missourians.

TRIBUTE TO MARGARET SULLIVAN WILSON

HON. JOE COURTNEY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 17, 2008

Mr. COURTNEY. Madam Speaker, I rise to honor the memory of an outstanding citizen and constituent. Margaret Sullivan Wilson of Norwich, Connecticut passed away on Saturday July 12th. I want to take this opportunity to express my condolences and offer my prayers to her family, as well as honor her service to her community.

After graduating from Willimantic State Teachers' College and getting her Masters in Education from the University of Connecticut, Peg Sullivan returned home to Norwich, Connecticut to begin a teaching career. After 44 years of dedicated instruction—from elementary school to college—she retired as an Executive Dean at Eastern Connecticut State University, where she was honored in 2006 by the dedication of the Margaret S. Wilson Child Family Development Complex.

Her retirement from teaching did not end her tireless commitment to helping others. Peg was the President of the Thames Valley Council for Community Action; President of the Connecticut Mental Health Association; founder of Norwich, Connecticut's Head Start program; and in 2004, she founded the Norwich Historical Society. She also served on the Blue Ribbon Commission for the University of Connecticut Health Center, the White House Conference on Children and the National Commission to Reduce Infant Mortality.

She also dedicated herself to the change she believed would help her compatriots. She served on the Norwich Board of Education, the Democratic Town Committee and as a delegate to the 1968 and 1972 Democratic National Conventions.

Her dedication to early childhood education and educational reform of all kinds did not go unnoticed. She was honored by the Norwich Citizen of the Year Award in 1970 and Natchaug Hospital Lifetime Achievement Award in May of this year.

Peg Wilson will live on through the memory of her achievements and the achievements by those she inspired. Peg, we in Congress honor your great service and you will truly be missed.

IN HONOR OF MANUEL SANTANA

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 17, 2008

Mr. FARR. Madam Speaker, I rise today to honor the life and memory of Manuel Santana, Santa Cruz County's 2008 Artist of the Year and beloved contributor to Central Coast art. He sadly passed away July 8, 2008, ten days before he was to present his award-winning work at the Museum of Art & History in Santa Cruz.

Mr. Santana was born on March 31, 1927, to a family of Mexican descent, and began demonstrating his artistic talent in his youth, drawing bugs and collecting comic books. He grew up in Los Angeles, initially pursuing a career as a teacher but later discovering his talent as an artist. After moving to Santa Cruz in 1961, Manuel worked diligently as owner of the restaurants Manuel's in Aptos and Jardines de San Juan in San Juan Bautista, all while caring for his family.

Manuel's art incorporates a deep connection to Mexican traditions, as well as politics and social movements like that of César Chávez. The numerous sculptures, paintings, and acrylics he produced display a vibrant use of colors, which provide new aspects of the pieces with each view.

In addition to art, Mr. Santana was also intimately involved in the community. He founded the Martin Luther King Jr. Memorial Convocation at the University of California Santa Cruz, served on the University of California's Water Resources Advisory Board and the Board of Directors for the Bear Republic Theatre Company, and was president and lifetime board member of the Cabrillo Music Festival. He also was president of the Central Coast Counties Development Corporation, working to organize and empower farm workers in Monterey County.

Many people were touched by Manny's generous and enlightening spirit, and his passing leaves our community greatly saddened. Madam Speaker, on behalf of the House, I would like to extend our nation's deep gratitude for Manuel Santana's commitment to his local community. I know I speak for every Member of Congress in offering my condolences to the entire Santana family: his daughter Angelina, son Leonardo, daughter-in-law Patricia, and grandchildren Oliver, Joaquin, and Valentin. California has lost a great citizen, but the legacy he leaves behind is priceless.

INTRODUCTION OF LEGISLATION TO ALLOW FOR THE TAX-EXEMPT BOND FINANCING FOR EMERGENCY MEDICAL AIRCRAFT

HON. DOC HASTINGS

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 17, 2008

Mr. HASTINGS of Washington. Madam Speaker, today I am introducing legislation with my colleague from Washington state, Congresswoman McMORRIS RODGERS, that amends the Internal Revenue Code to allow tax-exempt bond financing for airplanes that

exclusively provide emergency medical services.

Our current tax code prohibits the use of tax-exempt bonds for the purchase of airplanes. This exclusion was meant to prevent the use of tax-exempt bonds for frivolous purposes, including corporate jets. My legislation would continue the ban on using tax-exempt bonds for extravagant reasons and simply allow tax-exempt bond financing for airplanes that exclusively provide emergency medical services.

This issue is particularly important to my district because Inland Northwest Health Services (INHS), a non-profit organization based in Spokane, is looking to expand air ambulance service to rural areas by purchasing new planes. In 2007, INHS provided 2,891 emergency medical flights. INHS currently serves Central and Eastern Washington, as well as parts of Oregon, Idaho and Montana. In my district, INHS serves residents in Adams, Benton, Chelan, Douglas, Franklin, Grant, Kittitas and Klickitat counties.

The IRS currently allows tax-exempt bonds to be used to purchase helicopters for air ambulance services. Some may wonder why then do we need to amend the tax code for fixed wing aircraft. In rural areas, such as my district, the use of helicopters is often impractical because of the long distances that patients must be transported. Airplanes are commonly the best mode of transportation for critically ill patients because they can travel longer distances and provide the safest and fastest mode of travel during inclement weather.

While I have focused on why this legislation is important to the residents of my district, I want to be clear that my legislation does not only assist the non-profit INHS. Under this bill, any organization that would like to obtain tax-exempt bond financing for airplanes that are exclusively dedicated to providing acute emergency care would be eligible.

I urge my colleagues to support this simple change to our tax code and I hope that this bill will become law in the very near future.

HONORING THE STUDENTS OF UNIVERSITY OF MIAMI RECOGNIZED BY THE NASA'S 2008 UNIVERSITY STUDENT FUTURE AIRCRAFT COMPETITION

HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 17, 2008

Ms. ROS-LEHTINEN. Madam Speaker, I would like to take this opportunity to honor students from the University of Miami participating in NASA's 2008 University Student Future Aircraft Competition. These four students placed second out of sixty-one students from 14 universities around the world. This is a tremendous accomplishment not only for these four students, but also for the future of our Nation's air transportation systems. I know that I join with our entire community in honoring their success.

Each team was asked to create a future subsonic transport aircraft that could carry up to 50,000 pounds, operate on runways between 1,500 and 3,000 feet long, and cruise at speeds between 595 and 625 mph. The competition also stressed that the planes should use alternative fuels and be quieter and more environmentally friendly than today's commercial fleet. The team from the University of Miami successfully created The 2058 Aircraft: Quiet Ultra-Efficient Integrated Aircraft, which placed them second over all. The Nation's air transportation system is under tremendous pressure to increase performance and capacity without causing additional damage to the environment and this competition is paramount to aiding the advancement of aircraft technology.

With all their hard work, skill and commitment to excellence, these young adults managed to earn a very notable title. These students truly deserve to be recognized for their accomplishment.

I also recognize that it was with the support of their parents, professors and friends that these students were able to compete and stand out in such a demanding competition. Several NASA experts judge the University Student Future Aircraft Competition and it is no easy task to earn their approval.

I would like to submit the names of the University of Miami students recognized by the NASA's 2008 University Student Future Aircraft Competition: Sebastian Aspe, Joseph Dussling, Nicholas Heinz, and Daniel Martinez.

I ask my colleagues to join me in congratulating these wonderful students and the faculty at University of Miami for their success at NASA's 2008 University Student Future Aircraft Competition.

PERSONAL EXPLANATION

HON. TIM MURPHY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 17, 2008

Mr. TIM MURPHY of Pennsylvania. Madam Speaker, on rollcall No. 506, on the Wittman Motion to Recommit with instructions, had I been present, I would have voted "yea."

TRIBUTE TO THE 40TH BIRTHDAY OF THE SPECIAL OLYMPICS

HON. JOHN SHIMKUS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 17, 2008

Mr. SHIMKUS. Madam Speaker, I rise today in commemoration of the 40th birthday of the Special Olympics. Experts agree that this organization has had a more positive impact on the lives of people with intellectual disabilities than any other organization of its kind.

Illinois is divided into 17 Special Olympic areas. My area, area 12 consists of 8 counties and works with over 1000 athletes. At least 8 weeks prior to the competition, volunteer coaches work with individuals to prepare them to compete in one or more of the 12 sports offered by Special Olympics. Through the Special Olympics, athletes better their physical fitness, motor skills, and self-image, as well as gain confidence that will carry over into their daily lives.

The Special Olympics are not only beneficial to the athletes themselves, but benefit the families of the athletes as well. Families gain a stronger appreciation and respect for their athlete's abilities. Volunteers within the organization also gain a great satisfaction from interactions with the athletes and seeing them succeed.

The Special Olympics can only be made possible through the generous donations of money and time through its supporters and volunteers. Fundraisers and donations make this remarkable program possible. For all those that make this program possible, I would like to thank you for your unwavering dedication and support. You have made an impact on the lives of all the athletes. For the athletes, congratulations on your amazing accomplishments, within the Special Olympics and all other aspects of your life. I wish every one of you nothing but the best in the future.

HONORING AND RECOGNIZING THE DEDICATION AND ACHIEVEMENTS OF ALPHA KAPPA ALPHA DURING ITS NATIONAL BOULÉ CONFERENCE CELEBRATING 100 YEARS

HON. DANNY K. DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 17, 2008

Mr. DAVIS of Illinois. Madam Speaker, I rise to express my enthusiastic congratulations and support of the Alpha Kappa Alpha sorority during its national Boulé conference celebrating 100 years of the organization in Washington, DC. The sorority, founded at Howard University on January 15, 1908, is the first Greek-lettered sorority established and incorporated by a group of nine African-American college women. The AKA sorority broke barriers for African-American women in areas where little power or authority existed due to a lack of opportunities for minorities and women in the early twentieth century.

Headquartered in Chicago, Illinois, the sorority consists of college-educated women of African, Caucasian, Asian, and Hispanic descent. The sorority serves through a membership of more than 200,000 women in over 900 chapters in the United States and several other countries.

Since its inception, Alpha Kappa Alpha has helped to improve social and economic conditions through community service programs. Members have improved education through independent initiatives, contributed to community-building by creating programs and influenced Federal legislation by legislation advocacy through the National Non-Partisan Lobby on Civil and Democratic Rights.

My wife Vera, is a proud member of Tau Gamma Omega graduate chapter of the Alpha Kappa Alpha sorority. Two of my sisters, Ceola and Floretta, are also AKA's. Tau Gamma Omega often meet in our home and I have always been very proud of the leadership and mentoring relationship my wife has established and continues to display with younger women who join. Tau Gamma Omega is a strong voice and positive presence in the community where they serve.

As a member of the fraternity Alpha Phi Alpha and the United States House of Representatives, I commend the Alpha Kappa Alpha sorority on all their continuing endeavors to help the community, and I welcome the

26,000 attending members of the 2008 Centennial Boulé to their founding place of Washington, DC.

PLANO WEST BASEBALL CAPTURES NATIONAL CHAMPS TITLE

HON. SAM JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 17, 2008

Mr. SAM JOHNSON of Texas. Madam Speaker, recently I congratulated the new high school baseball national championship team—Plano West Senior High School.

I also want to recognize additional people who contributed to the Wolves. Coaches: Greg Pierce, Assistant Coach; Greg Coutermarsh, Assistant Coach; Denny Garver, Assistant Coach. Players: Dustin Ellis; Sam Roberson; Ronnie Cooper—Student Manager; Karen Clark—Bat boy.

A PROCLAMATION HONORING THE 175TH ANNIVERSARY OF SALEM LUTHERAN CHURCH

HON. ZACHARY T. SPACE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 17, 2008

Mr. SPACE. Madam Speaker:

Whereas, Salem Lutheran Church is celebrating its 175th anniversary; and

Whereas, the congregation of Salem Lutheran continue to be active, enthusiastic members of our community; and

Whereas, the 175th anniversary of Salem Lutheran Church has drawn new and old congregation members to Evans Creek, Ohio to celebrate the life of their church: Now, therefore, be it

Resolved, That along with the residents of the 18th Congressional District, I commend Salem Lutheran Church and its congregation for their unwavering commitment, dedication and contributions to their community and country in recognition of their 175 years.

HONORING THE NEIGHBORHOOD REVITALIZATION TAX CREDIT PROGRAM

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 17, 2008

MR. PALLONE. Madam Speaker, today I would like to recognize the achievements of the Neighbor Revitalization Tax Credit Program in New Jersey. This program allows New Jersey Corporations to allocate State corporate tax dollars to specific and approved nonprofit programs that revitalize a community.

Sanofi-Aventis pharmaceuticals took advantage of this program and dedicated $1 million of their State corporate tax dollars to the Unity Square project. This project will acquire and develop 11 housing units for New Brunswick residents.

In addition to subsidizing the new housing, a portion of the funds will also be used to hire a nurse practitioner and a registered nurse to work extended hours at a local health clinic. The extended hours will enable the clinic to serve an additional 400 to 500 patients a year who would otherwise not receive medical care.

It is with great pleasure that I ask my colleagues to join me in commending Sanofi-Aventis, New Brunswick Mayor James Cahill, and the State of New Jersey for their dedication and creativity addressing unmet housing and medical needs.

PROMOTING HOMEOWNERSHIP AND FAIR LENDING PRACTICES FOR ALL AMERICANS

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 17, 2008

Mr. HASTINGS of Florida. Madam Speaker, I rise today to introduce a concurrent resolution calling on Congress to support the goal of increased and sustainable homeownership in the United States. It is absolutely vital that Congress recommit itself to the importance of homeownership programs, fair lending laws, and fair housing laws in achieving the goal of homeownership.

My legislation has been updated from its previous introduction as H. Con. Res. 107 of the 109th Congress to reflect the current status of the housing market and the enduring need to improve access to homeownership. Once again, this resolution would put Congress on record recognizing fair lending and housing laws enacted to prevent and combat discriminatory practices which undermine homeownership efforts for all Americans.

Today, the current foreclosure crisis is a major stumbling block on the road to homeownership. Many are finding it increasingly difficult to achieve the American Dream of homeownership, which was beyond reach even before the emergence of our current crisis. When it comes to the health and vitality of America's communities, affordable housing is key. Congress has a responsibility to foster and promote an active, growing, and fair housing market in light of the significant stress this market experienced in 2007 and 2008. Most Americans' primary investment is in their home, and homeownership is the most common way for families to build and pass on wealth from one generation to another.

This resolution recognizes how important the establishment of homeownership programs and fair lending and housing laws have been to equalizing access to homeownership for all Americans. In particular, eliminating the disparities in homeownership rates between white families and minority families continues to be a goal of critical importance. In 2008, the homeownership rate for white Americans was 72 percent, but the rate was only 47.2 percent for African Americans and 49.7 percent for Hispanic Americans. With almost 4,000,000 fair housing violations occurring annually, we must continue to support efforts aimed at ensuring that all Americans have the opportunity to own a home.

This resolution also recognizes the detriment of predatory lending practices, which principally occur in the subprime market, and their contribution to the housing market's worst slump in 16 years. As many as 2 million Americans will see their mortgage rates increase in the next 2 years. We must address the plight of borrowers victimized by predatory lenders and high priced mortgage alternatives by advocating consumer protections against abusive practices.

Madam Speaker, I first introduced this legislation with a number of my colleagues in 2005 and eventually garnered the support of 31 cosponsors. To once again express the commitment of Congress to promoting homeownership, I have made a few key updates to this legislation. They reflect the current status of the housing market marred by the residual impacts of predatory lending practices, primarily in the sub-prime loan market. This legislation has also been updated to recognize specific initiatives to stem the rise of foreclosures.

Madam Speaker, I thank my friends who have joined me today to introduce this legislation, as well as the National Fair Housing Alliance, Fair Housing Center of the Greater Palm Beaches, and the Congressional Black Caucus Foundation, all of which have endorsed the resolution. I encourage my colleagues to support this necessary legislation and look forward to its expedient passage.

TRIBUTE TO SPECIAL OLYMPICS ON THE OCCASION OF ITS 40TH ANNIVERSARY

HON. MICHAEL K. SIMPSON

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 17, 2008

Mr. SIMPSON. Madam Speaker, I rise today to pay tribute to Special Olympics on the occasion of its 40th Anniversary. Special Olympics is an international nonprofit organization dedicated to empowering individuals with intellectual disabilities to become physically fit, productive and respected members of society through sports training and competition.

Special Olympics provides year-round sports training and athletic competition for athletes. In addition, every two years, athletes from all over the world come together to compete in the Special Olympics World Games. The United States and the State of Idaho are proud and honored to host the 2009 Special Olympics World Winter Games. This event will attract more than 3,000 athletes from over 100 nations to compete in seven Winter Olympic-type sporting events. This will be the largest multi-sport event ever held in the State of Idaho.

On July 23, 2007, my colleagues in the House of Representatives and I unanimously passed a resolution commending Idaho on winning the bid to host the 2009 Special Olympics World Winter Games. Among other things, this resolution expresses Congress's support for the 2009 Games, congratulates Idaho as the host of the Games, and applauds the goals of the Special Olympics to enrich the lives of people with intellectual disabilities through sports.

Madam Speaker, I have been privileged to work closely with Special Olympics and its staff both in Idaho and Washington, DC. I would like to commend the organization for the great work that it is doing on behalf of the thousands of Special Olympians throughout

the world. I would also like to thank the thousands of volunteers and coaches who donate their time and energy to support this great program. I am pleased to recognize Special Olympics International for 40 years of service and commitment to the many Special Olympians both in America and across the globe.

12TH ANNIVERSARY OF TWA FLIGHT 800 TRAGEDY

HON. TIMOTHY H. BISHOP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 17, 2008

Mr. BISHOP of New York. Madam Speaker, today is the 12th anniversary of the TWA Flight 800 tragedy, which took the lives of 230 men, women and children off the south shore of my district on Long Island.

We must keep alive the memory of those who perished over the Atlantic on July 17, 1996—just 12 minutes after departing for home, school trips, and to visit loved ones.

Just as important, the anguished families of the Flight 800 victims deserve our recognition. As do the emergency personnel, volunteers and other Long Islanders who selflessly worked for days on end in the recovery efforts.

As we recall that fateful day, we must also examine what steps the FAA has taken to safeguard the flying public and prevent a similar catastrophe from occurring as a result of defective fuel tanks.

After 12 years, the FAA finally issued a rule today requiring flammability reduction in new and existing fuel tanks, as well as new design standards and operating rules for retrofitting existing planes.

Madam Speaker, again, my deepest condolences go to the surviving families and friends of the Flight 800 crash victims. And my thanks to everyone who helped memorialize those who died 12 years ago today and who have worked toward making sure the flying public is safer today.

KATHERINE AYDEN HOLLINGSWORTH CREECH MAKES HER MARK ON THE WORLD

HON. BOB ETHERIDGE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 17, 2008

Mr. ETHERIDGE. Madam Speaker, I rise today to congratulate Zeke Creech, formerly of my staff, and his wife Bess on the birth of their first child, Katherine Ayden Hollingsworth Creech. Katherine was born on June 16, 2008, and weighed 7 pounds and 13 ounces. Faye joins me in wishing Zeke and Bess great happiness during this very special time in their lives.

As a father and grandfather myself, I know the joy, pride, and excitement that parents experience upon the entrance of their child into the world. Representing hope, goodness, and innocence, a newborn allows those around her to see the world through her eyes as a new, fresh place with unending possibilities for the future. Through a child, one is able to recognize and appreciate the full potential of the human race. I know Zeke and Bess look forward to the changes and challenges that their new daughter will bring to their lives while taking pleasure in the many rewards they are sure to receive as they watch her grow.

I welcome young Katherine into the world and wish Zeke and Bess all the best as they raise her.

HEALTH INSURANCE COVERAGE PROTECTION ACT

HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 17, 2008

Ms. ESHOO. Madam Speaker, I rise today in support of the Health Insurance Coverage Protection Act. This bill addresses a serious problem for those Americans with chronic diseases or disabilities who have a lifetime cap on their insurance benefits and I'm proud to introduce this much-needed legislation.

Most people are unaware that more than half of all private health insurance policies in the U.S. have a lifetime cap on benefits. Once a cap is reached, these individuals are released from their healthcare plans and forced to pay for their expenses out of pocket, try to qualify for Medicaid or other State programs, or seek free care from hospitals or other providers. Some people who reach their limits may forego treatment or use fewer services, which can result in higher costs of care in the future. According to the Kaiser Family Foundation's 2007 Annual Survey of Employer Health Benefits, over half of employer-sponsored health plans set aggregate lifetime caps on covered benefits, which are most typically set at $2 to $3 million.

It's not a secret that medical expenditures have grown much faster than inflation, especially for those with chronic diseases and disabilities. Increasing the minimum lifetime cap will result in a net savings for Federal and State governments by allowing individuals with high medical costs to maintain private insurance rather than be forced onto Medicaid.

The Health Insurance Coverage Protection Act will phase in an increase in the lifetime caps placed on private group health insurance plans, reaching $10 million in 4 years. The bill also calls for an Institute of Medicine study to determine the number of individuals that reach their lifetime caps.

People shouldn't have to job-hop in order to switch insurance plans or quit their job altogether to access Medicaid. This legislation will protect individuals who do have insurance and are still struggling to pay for expensive medical treatments due to their long-term medical conditions.

I look forward to working with my colleagues in the House on this bill and with Senator DORGAN, who has introduced the legislation in the Senate.

TRIBUTE TO THE SPECIAL OLYMPICS

HON. SCOTT GARRETT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 17, 2008

Mr. GARRETT of New Jersey. I rise today in recognition of an organization that is influential in the lives of millions across this Nation and around the world. Since 1968, the Special Olympics has celebrated those who triumph in the face of adversity and achieve victory despite insurmountable odds. This organization recognizes the ineffable beauty of human life and emphasizes the dignity of people with intellectual disabilities.

In 1968, Eunice Kennedy Shriver founded the Special Olympics in honor of her sister, Rosemary. The first games were hosted at Soldier Field in Chicago, and featured over 1,000 participants from the United States and Canada. Since that time, the Special Olympics has become one of our Nation's greatest exports, serving 2.5 million athletes in over 180 nations and offering year-round training and competition in 30 Olympic-type winter and summer sports.

The Fifth District of New Jersey holds two major venues of our Winter Games each year: Campqaw in Mahwah features cross country skiing and snowshoeing, while Mountain Creek in Vernon holds alpine skiing and snowboarding.

Earlier this year, I was honored to have John Rosati, a Special Olympics participant from Mercer County, visit my office. In addition, I would like to recognize one of my own constituents, Kelley Sue Martin of Closter. Not only does she compete in alpine skiing, bowling, and track and field, but she also serves as a spokesperson for Special Olympics New Jersey and speaks at community and fundraising events throughout the state.

As the Special Olympics celebrates its 40th birthday on July 20, I join my colleagues in recognizing the indelible impact left by this exceptional organization. Over the past four decades, the Special Olympics has been an effective catalyst for social change. Special Olympians develop improved physical fitness and motor skills, greater self-confidence, and a more positive self-image. Participants grow mentally, socially and spiritually. They exhibit boundless courage and enthusiasm while enjoying the rewards of friendship and discovering new abilities and talents.

Few creeds sum up the American Spirit better than the oath of the Special Olympics: "Let me win. But if I cannot win, let me be brave in the attempt." I applaud the Special Olympics for providing an arena for athletes to follow this creed.

TRIBUTE TO THE 40TH ANNIVERSARY OF THE SPECIAL OLYMPICS

HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 17, 2008

Ms. DELAURO. Madam Speaker, it is with great pleasure that I rise today to celebrate the 40th anniversary of the Special Olympics. Special Olympics began through the dreams, work, and dedication of Eunice Kennedy Shriver. Mrs. Shriver, along with her son Timothy Shriver, and countless volunteers have made the dream of the Special Olympics a reality for 40 years now.

The Special Olympics embody the real American Dream—a world where everybody matters, where everybody counts and everybody gives their all. For four decades, Special

Olympics has brought us closer to that idea by encouraging excellence, sharing and courage through year-round sports training and athletic competition for children and adults with intellectual disabilities. Special Olympics improves health and physical well-being. It builds confidence and self-esteem. And perhaps most importantly, it gives athletes a voice, so that they can become active and productive members of their communities.

We sometimes forget what life was like for the intellectually disabled before the Special Olympics—a time when people were shuttered away in institutions, sentenced to lives of solitude, emptiness and sadness. But today that has all changed, largely because of the Special Olympics. Today, 2.5 million Special Olympians train and compete in 30 sports in over 180 countries. The Special Olympics has become a platform for breaking down social barriers—for raising the standard of public health, for helping intellectually disabled people overcome a prejudice that, for all our advances, plagues us to this day in some corners of society.

I urge my colleagues to stand with me to celebrate and honor the Special Olympics on the 40th anniversary of this remarkable, inspirational organization.

100TH ANNIVERSARY OF THE CHICAGO TO MACKINAC RACE

HON. BART STUPAK

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 17, 2008

Mr. STUPAK. Madam Speaker, I rise to honor one of the Great Lakes' most hallowed traditions: annual Chicago to Mackinac Race, the world's oldest and longest freshwater sailboat race. Each July, nearly 300 boats make the 333-mile trip to Mackinac Island in 2 to 3 days.

This year will mark the 100th anniversary of the race, commonly referred to by sailing enthusiasts as simply ''the Mac.'' Although the first race was held in 1898, several years passed between the first and second running of the race. In other years, the race did not occur because of the United States' entry into World War I. Two other years also did not count toward the total number of Mackinac races, as the race did not terminate at Mackinac Island, but at Harbor Springs, Michigan. This year, however, will mark the 100th time that the regatta will make the trek from Chicago, north up Lake Michigan, following the shores of Michigan's Lower Peninsula to finally land on historic Mackinac Island.

In the nautical world, the Mac is viewed by many as an outstanding test of sailors' skill, experience and sailing aptitude. Lake Michigan's volatile weather conditions can mean that the race challenges sailors' abilities. Despite the dangers and challenges of the Mac, there has never been a fatality and only one boat has been lost.

The weather challenges presented to those who sail in the Mac are well documented. In July 1925, 21 yachts started the race. Within 12 hours, six of the boats in the competition were blown back to Chicago. In 1937, sailors encountered winds with gusts up to 65 knots, or 75 miles per hour. In that race, only eight boats finished what 42 started. Mac enthusiasts refer to 1970 as ''the year of the big blow'' because a northerly wind blasted competitors in the race head on. Of the more than 160 yachts participating, more than half were forced to take refuge in safe harbor, crippled with shattered masts, torn sails and seasick crews.

One of the most challenging Mackinac races in history occurred in 1911. That year, 11 boats holding 142 crewmembers set forth from Chicago to Mackinac. Overnight, temperatures dropped to freezing, the breeze turned into a blustering wind and then became a gale. To add to the discomfort, a rainstorm began. As night fell, the gale escalated to hurricane force, with gusts peaking at 80 miles per hour. The wind, rain and waves played topsy-turvy with the yachts and the race of 1911 ended with the loss of a legendary mahogany-hulled sail boat, by the name of *Vencedor.* The huge waves thrashed the boat mercilessly and plunged it between two boulders on one of the many Great Lakes reefs. Although the crew was rescued, the *Vencedor* was lost. Despite the terrible storm, all 142 men who sailed that regatta arrived safely ashore at Mackinac Island, showing once more the perseverance and determination of those who compete in the Mac.

The race is sponsored by the Chicago Yacht Club and this year begins there on Saturday, July 19. The continued support of the Chicago Yacht Club and—since 1937—the Mackinac Island Yacht Club has been critical to keeping the Mac going these many years. The U.S. Coast Guard has provided tremendous assistance for the race over the years, working to ensure the safety of the sailors and rescue boats when necessary.

Madam Speaker, there is great nautical history associated with the race and great personal pride among those who have participated. Sailors who have competed in more than 25 ''Macs'' are called ''Island Goats,'' a title they wear with pride and affection. There are various explanations for where the title ''Island Goat'' originates. Some say that the sailors who participated in the race smelled like goats when they completed their two- or three-day voyage from Chicago. Others claim that the title ''Island Goat'' is a reference to the unruly celebrations of the early sailors when they finally arrived at Mackinac Island. Regardless of where the term stems, those who are ''Island Goats'' are proud of this distinction and have even formed the Island Goat Sailing Society.

Madam Speaker, this July, for the 100th time, those on the eastern shore of Lake Michigan will once again be able to gaze out upon the Lake and watch as an impressive regatta of hundreds of vessels race north toward Mackinac Island. As all of us from the Great Lakes observe the 100th anniversary of the Mac, I ask that you, Madam Speaker, and the entire U.S. House of Representatives join me in honoring the great tradition of the Mac and in saluting the thousands of men and women who have maintained this great race over the past century.

TRIBUTE TO MR. GIL LANGFORD

HON. CLIFF STEARNS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 17, 2008

Mr. STEARNS. Madam Speaker, I rise today to pay tribute to Mr. Gilbert B. Langford, who died this week at the age of 82. One of the greatest honors in my time in Congress was awarding Gil the Congressional Gold Medal.

At the age of 16, he was assigned at Tuskegee Air Base later earning his wings and the honorable right to call himself a Tuskegee Airman. He ended his distinguished career as a 1st lieutenant acquiring the skills as a pilot, navigator, and bombardier.

As a civilian, he became one of the first black engineers for General Electric and served as a consultant to the U.S. Department of Energy while working for the Department of Defense.

Gil was a true American hero and will be missed most by his three children and six grandchildren. Gilbert Langford unselfishly gave every fiber to his country, and still believed he could give more.

CELEBRATING 40 YEARS OF HISTORY

HON. RODNEY P. FRELINGHUYSEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 17, 2008

Mr. FRELINGHUYSEN. Madam Speaker, rise today to honor the Evangelical Mission and Seminary International in the Towaco portion of the Township of Montville, Morris County, New Jersey, a vibrant community I am proud to represent! On August 8 and 10, 2008, the good citizens of Montville will celebrate the Evangelical Mission and Seminary International's 40th anniversary.

Evangelical Mission and Seminary International, EMSI, was established in 1968 by the Reverend Moses Yang. The mission has branches in four continents: Europe, Asia, North America, and Africa, and is made up of several organizations, including Evangelical Bible Institute, Christian Evangelical Mission, and Christian Evangelical Overseas Outreach. Reverend Yang started the personal ministry in 1968. He opened his house and targeted different groups for Bible study, including the College Bible Study group, youth and junior high school students and the Children's Sunday School. When Bible study groups continued to grow, a church was established. The Evangelical Mission and Seminary International was established in Towaco, New Jersey in 1982. In the past 40 years, 1968–2008, the ministry had expanded to include seminaries, churches, mission, literature, and broadcasting.

The Evangelical Bible Institute, also located in Towaco, was founded in 1979 and occupies over 19 acres. Campus facilities include the Educational Building, a church, and Chinese/English library, which houses in excess of 14,000 books. The Christian Evangelical Mission was established in West Orange, New Jersey, in 1975. EMSI established the Christian Evangelical Overseas Mission in 1995

with the purpose of developing the overseas mission work.

Madam Speaker, I urge you and my colleagues to join me in congratulating the Evangelical Mission and Seminary International, as well as the Reverend Moses Yang, on the celebration of 40 years serving Morris County and people around the world.

IN RECOGNITION OF JAMES WEILAND'S CIVIL AIR PATROL SERVICE

HON. DUNCAN HUNTER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 17, 2008

Mr. HUNTER. Madam Speaker, I rise today to pay tribute to the long and committed service of Lieutenant Colonel James Weiland to the Illinois Wing of the Civil Air Patrol, CAP. It was in April 1956 that Jim joined the CAP as a cadet and through his high school years he attained the rank of cadet captain. He then served his country in the U.S. Air Force for 3 years before joining the CAP as a senior member.

During his service as a member of the Illinois Wing, Lt. Col. Weiland held several leadership positions including Group Commander, Cadet Program Development Officer Wing Director of Cadets. Prior to these challenges he served with distinction as Wing Assistant Director as well as Communications, Licensing and Radio Maintenance Officer. These challenges led to his being named CAP Communicator of the Year in 2008.

Beyond these significant accomplishments, Lt. Col. Weiland will again distinguish himself at the conclusion of the July 26, 2008, Illinois Wing Summer Encampment making this the 60th summer encampment he has attended since 1956. Since his first, Jim has missed only 1 year but served at two different encampments from 1962 through 1968. Through these many years Jim has led cadets as Encampment Commander 3 times, Deputy Commander 6 times, Financial Officer 44 times and Tactical Officer 6 times. These leadership roles have led him to eight different CAP encampment sites within the Illinois patron area. While these leadership positions were ample commitment alone, Jim also helped out with other responsibilities such as serving the encampment's communications and many administrative needs.

It is my honor, Madam Speaker, to recognize Lt. Col. Weiland's long service, unselfish dedication and hard work in support of the Civil Air Patrol and the Illinois Wing Encampment Program for nearly five decades. It can be said of this truly committed patriot, the Civil Air Patrol and many fine young cadets can all be said to have benefited tremendously from the distinguished commitment of Lt. Col. James Weiland.

IN HONOR OF CONRAD SMITH

HON. RUSS CARNAHAN

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 17, 2008

Mr. CARNAHAN. Madam Speaker, I rise today to honor the memory of my friend and constituent, the late Conrad Smith, and his contribution to both Arkansas and Missouri.

Conrad was born in Little Rock, Arkansas, the son of Arthur and Wilma Lee (Fullerton) Smith, and was the proud husband of Virginia Dell Hall, and the proud father of four children: Cathryn Orr, Art C. Smith, Julie Wideman, and Jeffery Smith.

He began preaching in the Missionary Baptist Church by age 15, and was later ordained and preached all over Arkansas.

In December 1978, he moved to House Springs, Missouri and became very active in Jefferson County, MO, community affairs. He was the minister for the Calvary Baptist Church in House Springs for almost 30 years, where he rarely missed a service, and even preached the week he died, this past June. He founded several businesses in the area, including R S Heating and Cooling, and was an auctioneer for over 20 years.

Former State Representative Harold Selby, for whom Conrad served as district coordinator, from 1999 to 2006, said that ''Conrad did all the work to make other people look good.''

Among the many other ways Conrad gave back to his community were by serving on the board of directors of Big River Ambulance District for almost 10 years; serving on the board of directors of Jefferson County 911 for 4 years; being a founding member and leader of the Highway MM–W Task Force for over 10 years.

Many will remember his work on the Highway Task Force. Conrad made it a mission in his life to make roads safer. He worked tirelessly with me, as his Representative in Congress on the Transportation Committee, and with others to obtain the needed funding to improve these roads for the entire community.

Conrad Smith was a leader in Jefferson County, and his legacy lives on in the hearts of his family, his community, and the people of the Highway MM–W Task Force. His legendary determination will continue to inspire us to carry on the work he started.

INTRODUCTION OF ''RELIEF NOW ON THE ROAD TO RENEWABLE ENERGY ACT OF 2008''

HON. DAN BURTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 17, 2008

Mr. BURTON of Indiana. Madam Speaker, I rise to introduce the ''Relief Now on the Road to Renewable Energy Act of 2008.''

I believe this bill will provide relief now from soaring gasoline prices and also accelerate our pace down the road to alternative energy and energy independence. Few things affect American consumers like high energy prices. Higher gas prices strain the budgets of America's working families, raise the cost of goods and services, increase harvest costs for America's farmers, and negatively impact the economy and the livelihood of working Americans.

According to the latest figures from the Department of Energy, the retail cost of a gallon of gasoline breaks down as follows:

53 percent—Crude Oil.

19 percent—Refining. (This component varies from region to region due to the different formulations required in different parts of the country.)

9 percent—Marketing and Distribution.

19 percent—taxes. (This component also varies depending upon whether States have also enacted sales tax on gasoline and whether local counties and cities have levied their own gasoline excise or sales tax.)

As you can see, the single biggest factor affecting the price of gasoline is the cost of a barrel of oil; oil which largely comes from politically unstable regions of the world, such as the Persian Gulf, Nigeria and Venezuela. Unfortunately, we find ourselves so heavily dependent upon these expensive sources of oil because decade after decade Congress has established legislative and regulatory roadblocks to prevent exploration for and refining of domestic supplies of oil and natural gas.

I believe it is time to invest more now into conservation and energy efficiency. My bill, for example, includes provisions that would increase alternative energy sources and diversify the energy grid with currently available alternative energy technologies. As a nation, we waste far too much energy with inefficient engines and machines. That is why my bill provides tax incentives for companies to produce fuel efficient vehicles. In fact, it provides a $1,000 tax credit for individuals who purchase hybrid cars produced by American corporations. I believe that as we work with the market demand, these energy-efficient changes will work to stimulate domestic economic growth.

The fact of the matter is that wind and solar power cannot bring down the cost of the gasoline we need to power our cars, trucks, planes, trains, boats and power plants while we are developing greater efficiency. The cost of gasoline is a simple economic debate, oil supply and demand. We need more supply. The answer, I believe, is to end our dependence on expensive foreign oil by developing our own domestic supplies of oil and natural gas. My bill will open up new areas for oil and gas exploration.

For example, the Arctic National Wildlife Refuge (ANWR) holds the single largest deposit of oil in the entire United States. Its 10.4 billion barrels of oil is more than double the proven reserves of the entire State of Texas and almost half of the total proven reserves in the U.S. (22 billion barrels). Had President Clinton not vetoed ANWR energy production in 1995, the United States could be getting nearly 1.5 million barrels of oil per day from the Arctic right now.

There are also vast oil and gas deposits along our coastlines that are completely off limits to development because of government interference. In fact, the Department of the Interior (DOI) conducted a comprehensive inventory of oil and natural gas resources located off our coastlines within the last 2 years. According to the Department of the Interior there is an estimated 8.5 billion barrels of known oil reserves and 29.3 trillion cubic feet (tcf) of known natural gas reserves along our coastlines; with 82 percent of the oil and 95 percent of the gas located in the Gulf of Mexico (GOM). However, even more importantly, the Department of the Interior estimates that there are untapped resources of about 86 billion barrels (51 percent in the Gulf of Mexico) and 420 trillion cubic feet of natural gas (55 percent in the Gulf of Mexico) out there.

Similarly, the U.S. has been called the Saudi Arabia of oil shale. It has been estimated that oil shale deposits in Colorado,

Utah, and Wyoming hold the equivalent of as little as 1.8 trillion barrels of oil and potentially as much as 8 trillion barrels of oil. In comparison, Saudi Arabia reportedly holds proved reserves of 267 billion barrels. Unfortunately, oil shale is roughly equivalent to diesel fuel and a number of Clean Air Act regulations—such as low-sulfur diesel—and Federal motor fuel taxes, which favor gasoline over diesel fuels—have created a strong financial disincentive regarding the production and use of oil shale fuels. In addition, many of these deposits are on public land making it more bureaucratically complicated to exploit this resource. My bill provides a financial incentive for companies to invest in and produce more oil from oil shale.

Getting more domestic oil on the market is only half the solution. We haven't built a new refinery in this country in more than 25 years because the approval process for new refinery construction is estimated to require up to 800 different permits. While existing refineries have undergone significant expansion over the years, even as others have been shuttered, our aging refinery infrastructure leaves little margin for error. If we begin to produce more domestic crude oil we would need to turn it into home heating oil, gasoline, or diesel through the refining process. The ability to refine oil must keep pace with the demand for gasoline and diesel. My bill would expedite the construction of new refining capacity by streamlining the permitting process and opening up closed military bases for construction.

Clearly, developing new oil fields and refineries will take some time. In the interim my bill will help promote the switch to flexfuel and hybrid cars and trucks; extend important alternative energy tax credits; and provide individuals and truckers a vitally needed fuel price tax relief package. It also opens up land for the production of biofuel crops in order to provide relief from high food prices as a result of ethanol production.

Again, I believe in conservation, I believe in energy efficiency, and I believe in diversifying our energy supply by using wind, solar, coal-to-liquid technologies, ethanol and other renewable energy sources. But the fact of the matter is that oil and natural gas are still going to be a part of our energy mix for a long time to come and we must give our constituents some relief now.

TRIBUTE TO THOMAS WATSON MOSS, JR.

HON. KEVIN BRADY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 17, 2008

Mr. BRADY of Texas. Madam Speaker, tomorrow would be the 83rd birthday of Thomas Watson Moss, Jr. However, Mr. Moss passed little more than 1 month short of starting his 83rd year. I rise today to offer my condolences and prayers to his family and share the story of a remarkable man. It is an honor to have this opportunity. I ask my colleagues to join me in recognizing a member of the "Greatest Generation" and a unique and notable individual.

Thomas Moss was born in Forsyth County, Georgia, on July 18, 1925, and grew up in the midst of the Great Depression. Like many of his generation, he answered the call of his country and proudly served in World War II after graduating from Gainesville High School and attending North Georgia College. During his service as a medic in the U.S. Navy, during which he was attached to the Marine Corps, he participated in some of the seminal battles in the Pacific theater, including the invasion of Okinawa. He received two Purple Hearts and a Presidential Military Citation for his exemplary service.

After returning from the Pacific, Mr. Moss joined the family business, Moss Equipment Company, in Buford, Georgia. In addition to his success in business, Mr. Moss was active throughout in his community and state. The dedication to his country and his value of serving others was clear through his time with the Gwinnett County Chamber of Commerce, Buford Kiwanis Club and the Georgia Farm Equipment Dealers Association. He was one of the founding members of the Gwinnett County Fair Association, served in the Georgia legislature and on the Buford school board.

The tremendous impact he had on his community is incredible and indicative of his generation; where service, duty and honor were the guiding principles. Despite the demands on his time in business and civic activities, Mr. Moss was the pillar of his family and is survived by his wife of 58 years, Martha Smith Moss, two children, Mark and Lisa, six grandchildren and three great-grandchildren. Tom and Martha's daughter Linda preceded Tom in death many years ago.

Madam Speaker, I hope my colleagues and the American people will pause with me in recognition of a life well lived and learn from the example Mr. Moss set for his family, his community and his country.

PERSONAL EXPLANATION

HON. HILDA L. SOLIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 17, 2008

Ms. SOLIS. Madam Speaker, during rollcall vote No. 503 on the Bishop Amendment to H.R. 415, I was unavoidably detained.

Had I been present, I would have voted "no."

INTRODUCTION OF A BILL TO CLARIFY AUTHORITY OF SECRETARY OF AGRICULTURE REGARDING ADDITIONAL RECREATIONAL USES OF NATIONAL FOREST SYSTEM LANDS SUBJECT TO SKI AREA PERMITS

HON. MARK UDALL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 17, 2008

Mr. UDALL of Colorado. Madam Speaker, today I am introducing a bill to revise the 1986 law dealing with use of National Forests for ski areas in order to reflect current ways those areas are used and to provide clear authority for the Forest Service to allow additional recreational uses of those areas.

I have long thought it is in the national interest to encourage Americans to engage in outdoor recreational activities that can contribute to their health and well-being, and that National Forest lands, including ski areas, can play a role by providing opportunities for such activities.

And my interest in the subject was heightened earlier this year when representatives of the National Ski Areas Association brought to my attention the fact that the National Forest Ski Areas Permit Act of 1986, which speaks only to "nordic and alpine skiing," does not reflect the full spectrum of snowsports for which ski areas are now used, and what they described as the absence of clear authority for the Forest Service to permit use of ski areas for other summer, seasonal, or year-round outdoor recreational activities and facilities in support of those activities.

To better understand the matter, I sent a letter asking the Under Secretary of Agriculture for Natural Resources and the Environment whether current law could be clearer on those points. Under Secretary Mark Rey replied that the 1986 legislation indeed did not address those matters and that, if requested, the USDA "would be happy to work with you to amend" the law to provide the Forest Service with clear authority regarding such activities and facilities.

I did request and receive technical suggestions from the Forest Service, and have considered their input as well as suggestions from the National Ski Areas Association and other interested parties in developing the bill I am introducing today.

The bill intentionally uses a number of terms and phrases based on the terminology of the Forest Service's regulations, manual, or other official documents because those terms and phrases are familiar not only to the Forest Service but also to permittees and others with an interest in the management of the National Forests. Thus, as used in the bill the term "developed recreation" means recreation that occurs at an area which has been improved or developed for that purpose—such as camping in constructed campgrounds or developed opportunities for off-highway-vehicle use as well as downhill skiing. Similarly, the term "natural-resource-based recreation" is intended to have the same meaning as when used in the Forest Service manual 2300 (Recreation, Wilderness, and Related Resource Management).

It also should be noted that the bill deals only with the 1986 National Forest Ski Areas Act, and would not in any way affect any other law applicable to management of the National Forests or any permits issued under any of those laws.

Ski area permits under the 1986 law do give their holders a priority with respect to commercial use of the lands subject to the permits, but they do not preclude general use of those lands by the public for compatible, non-commercial uses, and the bill would not change that. In fact, the bill does not affect the status, the duration, or any other provision of any permit already issued under the 1986 law, nor does it provide for any new permits. Instead, it makes clear that the Forest Service is authorized—but not required—to allow a current or future holder of a permit under the 1986 law to provide opportunities for additional developed recreational activities (and to place associated facilities) on the lands covered by that permit if the specified requirements are met and if the Forest Service decides it would appropriate for that to occur.

And it would not affect any existing or future permit related to use of lands that are not subject to ski area permits under the 1986 law or in any way reduce or otherwise modify the extent to which the Forest Service can allow any particular use on any of those lands outside ski areas.

Madam Speaker, this is a narrowly-targeted bill that I think can be valuable regarding an important aspect of the management of the National Forests and in facilitating the provision of additional opportunities for seasonal and year-round recreational activities on the parts of those lands that are subject to permits under the 1986 law. I think it deserves the approval of our colleagues, and for their reference I attach a more detailed outline of its provisions:

OUTLINE OF THE BILL

Section 1 sets forth findings regarding the basis for the legislation, and states its purpose. The findings note that it is in the national interest to provide, and encourage Americans to take advantage of, opportunities to engage in outdoor recreational activities that can contribute to their health and well-being; that National Forests, including those areas used for skiing, can provide such opportunities during all four seasons; that increased use of ski areas for that purpose can reduce impacts on other National Forest lands; and that it is in the national interest to revise the National Forest Ski Area Permit Act. The purpose is to amend that 1986 law so as to reflect that other snowsports, in addition to nordic and alpine skiing, occur at ski areas and to clarify the Forest Service's authority to permit additional appropriate seasonal or year-round recreational uses of lands subject to permits under that law.

Section 2 would amend the National Forest Ski Area Permit Act of 1986 in three ways:

(1) by replacing current language that refers only to ''nordic and alpine skiing'' with broader terminology to reflect that additional ski areas are also used for additional snowsports, such as snowboarding.

(2) by providing specific authority for the Forest Service to authorize the holder of a ski area permit under the 1986 law to provide additional recreational opportunities (and to have associated facilities) on lands covered by that permit. This authority is limited to activities and facilities that the Forest Service determines appropriate, that encourage outdoor recreation, and that harmonize to the natural environment to the extent practicable. The bill makes clear that the activities and facilities will be subject to such terms and conditions as the Forest Service determines appropriate. It also specifies that no activity or facility can be authorized if the agency determines that authorization would result in the primary recreational purpose of lands covered by a permit under the 1986 law would not be skiing or other snowsports.

(3) Finally, the bill would delete from the 1986 law obsolete language related to a deadline for conversion of previously-issued ski-area permits to permits under the 1986 law, while retaining the requirement that regulations be promulgated to implement that law—a requirement that will apply to the law as it would be amended by the bill.

Section 3 specifies that the bill will not affect any authority the Forest Service now has under laws other than the National Forest Ski Area Permit Act of 1986, including authority with respect to recreational activities or facilities.

OP-ED SUPPORTING EDUCATION ON CORONARY HEART DISEASE

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 17, 2008

Mr. RANGEL. Madam Speaker, I rise today to introduce an Opinion Editorial from the Washington Afro-American News that reflects support for educating people of color on the symptoms and prevention of coronary heart disease.

The editorial which was published on July 5, 2008 is entitled; ''Taking on the Attack: Lessons from Tim Russert's Death.'' The author of the Op-Ed, Honorable ELIJAH E. CUMMINGS, recognizes the devastating reality of the disease. The fact is that heart disease is the leading cause of death for men and women, killing more than 700,000 people a year.

The sudden death of NBC–TV's Tim Russert brings to light the importance of heart health. In the editorial, Congressman CUMMINGS states that ''African-American adults are less likely to be diagnosed with coronary heart disease; however, we are more likely to die from it,'' emphasizing the disparities that exist among people of color. He advises to quit smoking, engage in regular exercise, reduce alcohol consumption, reduce stress and make healthy choices about the food that you eat in order to reduce the risk of heart disease.

Congressman ELIJAH CUMMINGS encourages everyone to attack the number one killer in the U.S. by living heart-healthy lives and to acknowledge that ''everyday we wait to adopt a better lifestyle is another day we put ourselves at needless risk.''

[From the Washington Afro-American News, July 5, 2008]

TAKING ON THE ATTACK: LESSONS FROM TIM RUSSERT'S DEATH

(By Elijah E. Cummings)

Shocked. Even this word fails to describe the reactions of people when they heard about the sudden end premature death of legendary NBC newsman Tim Russert.

On the day of his wake, hundreds of people lined up at St. Albans School in Washington, DC, to pay respect to a man whom they had never met, but whose death had caused a deep sense of loss in their lives. Because of Tim Russert, Sunday was not simply a day of worship and rest. As he would say, ''If it's Sunday, it's 'Meet the Press.' ''

He was a top television journalist, a best-selling author, a statesman in the world of politics and, more importantly to him, a proud husband, father and son.

By all accounts, Tim was as famous as one could get and, yet, he was an everyday man—someone to whom we all could relate. So, when the news spread of his death from a heart attack at age 58, middle-aged men across the country got scared. They hit the gym and passed up dessert.

Women grabbed measuring tape to wrap around their loved-one's waists while vowing to create healthier household diet and fitness regimes to bring those waist circumferences down to below 40 inches. (According to the American Heart Association, a waist-line of more than 40 inches places a man at a high risk for heart disease.)

The fact is heart disease is the country's leading cause of death for men and women, killing more than 700,000 people a year, according to the Centers for Disease Control and Prevention (CDC).

In the African-American community, the outlook is even more troubling. African-American adults are less likely to be diagnosed with coronary heart disease; however, we are more likely to die from it.

We also develop high blood pressure at an earlier age and, on average, our blood pressure readings are higher than those of other groups. In fact, the prevalence of hypertension in our communities is among the highest in the world.

Compared to White Americans, ages 45–65, the premature death rate from heart disease for Black men is twice as high. For Black women, it is three times as high.

The statistics are no better in Maryland, where African Americans make up less than 28 percent of the population, but we experience the highest rates of heart disease deaths in the state. According to the CDC, from 1996 to 2000, African Americans in Maryland had a heart disease death rate of 620 per 100,000, compared with 500 per 100,000 for Whites. In Baltimore City, African Americans are 15 percent more likely to die from heart disease than Whites.

There is good news. Although there are risk factors for heart disease beyond our control such as increasing age, gender and heredity, there are steps we can take to reduce the dangers of heart disease.

We must take better care of ourselves. We can quit smoking, engage in regular exercise, reduce our consumption of alcohol, reduce the stress in our lives and make healthy choices about the food that we eat.

We must educate ourselves. In the case of a heart attack, every second counts and we have done an excellent job of informing men of the signs and symptoms they may have when experiencing a heart attack (including chest pain, shortness of breath and discomfort in the arms).

We have neglected to similarly inform women of the symptoms that they are more likely to experience. Shortness of breath, nausea, vomiting and back or jaw pain are all common symptoms of heart attack in women, and far too many lives are lost because women—and, sadly, their health care providers—are unaware of these symptoms.

We must continue to challenge the disparities in health care that disproportionately threaten our communities. People of color have limited access to affordable, high-quality health care. When heart disease occurs, we are less likely to receive life-saving medical interventions like coronary angiography and coronary revascularization.

We continue to face the reality that too little research funding is being focused upon the health risks that threaten minority communities. These harsh facts of life are now publicly acknowledged by leaders in every political party. The critical test will be our willingness to allocate the public funding that is needed to eliminate race as a mortality factor in this country.

Last year, I was proud to join Mayor Sheila Dixon, Del. Shirley Nathan Pulliam and Baltimore City Health Commissioner Dr. Joshua Sharfstein in announcing an initiative to reduce cardiovascular disease and unacceptable health disparities in the Baltimore region.

This effort relies heavily on community input to help develop strategies to prevent suffering and save lives through public health efforts. The proposed strategies include launching a task force on reducing sodium intake; expanding community health worker programs: and developing partnerships with faith-based institutions.

We already have an effective smoking cessation program in place that offers free counseling and free nicotine patches and gum while supplies last. All you need to do is call 1–800–QUITNOW (1–800–784–8669) to get started. You can also find more information about the initiative and how you can become involved by visiting http://www.baltimorehealth.org/disparities.htm.

We all have the power to attack the number one killer in the United States and live heart-healthy lives. But everyday that we wait to adopt a better lifestyle is another day we put ourselves at needless risk.

HONORING NELSON MANDELA ON HIS 90TH BIRTHDAY

SPEECH OF

HON. LYNN C. WOOLSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 15, 2008

Ms. WOOLSEY. Mr. Speaker, I rise today in support of H. Res. 1090 honoring Nelson Rolihlahla Mandela as he celebrates 90 years of life.

Mr. Mandela was born on July 18, 1918, in Transkei, South Africa, where he was given the name Rolihlahla, meaning ''troublemaker,'' which would later seem so fitting. Throughout his early adulthood, he developed his own ideas about the oppression he had experienced which led him to join the African National Congress. His work with the ANC led him to be tried for treason. He was acquitted of the charges, but his strong opposition to South African apartheid continued.

His fight against racial segregation came to a sudden halt when he was convicted and sentenced to life imprisonment for allegedly plotting to overthrow the South African government.

However, 27 years in prison could not diminish the spirit of a great leader. Once released from prison, Mr. Mandela wasted no time in becoming involved with the ANC once again. It was no surprise that this revolutionary man would become the next President of the ANC in 1990, continuing to devote himself to a multi-racial democracy for his country.

Mr. Speaker, Mr. Mandela embodies the dignity, strength, and leadership that all of us should strive for. Our country was founded on the values of freedom and liberty for all, personified undoubtedly by Mr. Mandela. He grasped these ideals and fought to make them a reality for South Africa through commitment unsurpassed by others. The dedication Mr. Mandela displayed, despite the many challenges he encountered, is deserving of our highest respect.

Mr. Mandela has undisputedly contributed to tremendous change with his efforts to peacefully resolve conflicts throughout the world. It is with great pleasure that I commend Mr. Mandela for his lifetime commitment to promoting the vision of freedom and equality for the people of South Africa.

TRIBUTE TO THE HONORABLE LIONEL VAN DEERLIN

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 17, 2008

Mr. DINGELL. Madam Speaker, I rise to honor our former colleague, and my good friend, the Honorable Lionel Van Deerlin of California. He passed away on May 17th in his San Diego home at the age of 93.

Everybody referred to him as ''Van.'' He served in this House from 1963 until 1981, and was a friend and colleague of mine on the Committee on Interstate and Foreign Commerce. Throughout his career he maintained a marvelous wit and a generous spirit. He was a warm and gentle man.

After his defeat, Van went back to the newspaper business he loved, writing columns for the San Diego Tribune and then the Union-Tribune. In one recent column he decried the bitter partisanship of today's Congress, saying ''Twenty-five years ago in Congress you not only trusted the opposing party, you enjoyed their company. Today, they hardly even speak.''

During his last 4 years of service, from 1976–80, he was the Chairman of the Communications Subcommittee. It was a tumultuous time to preside over that important panel. The Justice Department had filed an antitrust suit against the then-integrated AT&T, and sought to divest the company of its manufacturing subsidiary, known then as Western Electric. In response to the Justice Department's lawsuit, AT&T's supporters in the Congress introduced the ''Consumer Communications Reform Act,'' which would have ratified AT&T's status as a monopoly.

All of this fell into Van's lap when he became Chairman of the Subcommittee. At the time, competition in communications was in its infancy. Competitive suppliers of telephone equipment were beginning to spring up. But competition in long distance was still a novelty. Van knew that if the Congress ratified AT&T's monopoly, consumers would have lost an opportunity to shop around and obtain equipment and service for less. So he came up with a plan to forestall the legislation (which was extremely popular) to educate his Subcommittee while giving the competitors an opportunity to gain a foothold in the marketplace.

Van announced his intention to draft a ''basement to attic'' re-write of the Communications Act of 1934. And he proceeded to do just that. In 1978 he introduced H.R. 13015, the ''Communications Act of 1978.'' Although the bill was never approved by the Subcommittee, he compiled an impressive hearing record and began to build the consensus that competition in communications was good for consumers.

The following year he introduced H.R. 3333, another attempt to re-write the Communications Act. Again, the bill was not reported by the Subcommittee; however Van's untiring efforts expanded both the record and the emerging consensus. And in 1980, the year of his defeat, he introduced H.R. 6121, which was approved by both the Subcommittee and the full Committee on Interstate and Foreign Commerce.

In 1980, Van was defeated for re-election. In his concession speech he again demonstrated his wry wit and sage perspective, saying ''Having been elected by the people in this district for nine consecutive elections, it would hardly be appropriate to say that they've taken leave of their senses this time.'' And so ended the career of a remarkable public servant.

But the efforts that he put in motion did not end there. Building on the hearing record that Van compiled, and the growing consensus that competition should govern the delivery of communications products and services, Congress continued its effort to update the Communications Act of 1934. In 1982 those efforts were interrupted by the Justice Department's announcement that it had settled the AT&T litigation. That settlement resulted in the 1984 divestiture of the Bell Operating Companies, and established the industry structure that persisted for the next 15 years.

In 1993 the House revived its efforts to update the 1934 Act, and in June of 1994, by a vote of 423–5, passed H.R. 3626. While the Senate did not complete action on its bill, efforts to update the law commenced anew in 1995. The result was the enactment of the landmark ''Telecommunications Act of 1996'' the following year.

Those of us who had been involved in these efforts from the beginning recognized that we were building upon the foundation that Van had laid back in 1977 and 1978. He was the visionary that realized that the days of AT&T's monopoly had to end, and he was the one who began the effort to build a consensus in favor of competition.

Early in 1996, the White House contacted my office to see who should be invited to attend the signing ceremony for the ''Telecommunications Act of 1996.'' I suggested that they invite Lionel Van Deerlin, the man who got the ball rolling nearly 20 years before. And so in February, 1996, I entered the Library of Congress to witness the President signing this important new law. And there was Van, my old friend and colleague; smiling as always.

That was the last time that I saw Van. After his defeat I missed his cool-headed leadership and ready wit. It was great to see him that day, and I was glad that he lived to see his efforts come to fruition with the enactment of the new statute. This body has lost a good and decent colleague, who made valuable contributions that extended well beyond his years of service. And I have lost an old and dear friend, whom I will miss. We were better for his presence.

I am inserting for the RECORD the eulogy of former Representative Lynn Schenk.

The following is the text of the Eulogy for Rep. Lionel Van Deerlin, delivered by his friend of 30 years, the Hon. Lynn Schenk, on the occasion of his Memorial and Celebration of Life at St. Paul's Episcopal Cathedral, San Diego, California, at noon, on Saturday, June 14, 2008:

I have been given the high honor of speaking to you today about a most extraordinary man—Lionel Van Deerlin—our dear Van. I thank the Van Deerlin family, his children and grandchildren for this special privilege.

Van's ''life journey'' was marked by so much accomplishment that it would take hours to recount—I will do my best to touch on the highlights.

This man, with a giant heart, who looked at life through the softening lens of humor, has brought us together today, but he would not want us to mourn him. Instead he would

want us to celebrate his life and enjoy one another's company.

As I share a few reflections, it is OK if you want to tune me out and remember your own ''Van'' stories—there are so many!

On May 17, the Nation lost a great American, a family lost a cherished patriarch and we lost a dear friend.

Van died peacefully—just as he lived every day of his long and celebrated life—surrounded by family and friends. And just like Van, he closed his eyes for the last time only after finishing his column for the SD union tribune.

Van was born in L.A., a true native son of California. He went to public school in Oceanside and graduated from USC, where he was editor of the daily Trojan, something for which this Bruin long ago forgave him.

He began his civilian career in journalism in Baltimore and Minneapolis, where he met the love of his long life, Mary Jo. They eloped to a marriage that lasted 67 years ending only with Mary Jo's passing last October.

During WWII, Van served in the Army where he was on the staff of ''Stars and Stripes''. After the war, the Van Deerlins returned to San Diego to raise their family, Jimmy, John, Victoria, Elizabeth, Susan and Jeff.

Van joined the SD Sun and became the city editor of the SD Journal, a paper founded by Clint McKinnon, the first Democrat to be elected to Congress from SD.

Van loved the job, but the siren call of TV was too much to resist.

He used to tell a hysterical story about those early TV days. The TV studio was in Tijuana. Then, as now, economics drove the medium. So on weekends the inside studio was used to tape commercials while the live news was broadcast from a parking lot outside. A picture backdrop of sunny SD was used to hide the cars and trucks in the lot.

One evening it began to rain, drops were rolling off Van's forehead and the backdrop swayed in the wind, while the lead cameraman was in a fistfight with the director! Undeterred Van carried on like the trooper he was, that is, until a wet cat threatened to jump into his lap!

The versatile newsman credited his exposure on TV for his first election victory, becoming the second Democrat from the then very Republican SD area to be elected to the U.S. Congress.

Van was reelected 9 times. By the time I met Van, more than 30 years ago, he was a high ranking member of the majority party. I was in awe, but with his ready smile and corny jokes he immediately put me at ease. I am certain many of you here had similar first meeting with this ''king of the one liners!''

I have many memories of Van and Mary Jo, but one of the earliest is also one of my fondest. In the mid 70's as a White House fellow, I had access to the presidential box at the Kennedy Center, but only on a last minute basis when no one really important wanted it. One late afternoon I got the word the box was mine for that evening. I don't know what possessed me to call Congressman Van Deerlin to invite him and his wife, because surely he would decline.

But he didn't! He accepted with glee.

As we stepped from the anteroom into the box he was more excited than I!!

As you would expect, all heads turned to see who was occupying the presidential box. Not wanting to disappoint, Van proceeded to the rail and in his best royal nod and wave acknowledged the crowd! With his patrician looks, they all must have thought he was a visiting king or at least a prince!

Van served on the House Committee on Interstate and Foreign Commerce and chaired its communications subcommittee. According to his friend and colleague, Cong. John Dingell, it was a tumultuous time, but Van maintained his marvelous wit and generous spirit.

Competition in communications, especially long distance, was in its birthing stages. The Justice Dept, ATT and potential competitors were in heated battle.

All this fell into Van's lap. He announced his intention to draft a ''basement to attic'' rewrite of the communications act of 1934. And that he did, compiling a comprehensive record to show that competiion in Communications was good for consumers.

It was Van's work that provided the foundation for the Telecommunications Act of 1996. Again, according to Cong. Dingell, Van was the visionary who realized that ATT's monopoly had to end.

The committee was renamed Energy and Commerce and John Dingell is the long time chairman. John Dingell sends his deepest sympathies to Van's family.

He said into the Congressional Record ''this body has lost a good and decent colleague who made valuable contributions that extended well beyond his years of service. And I have lost an old and dear friend, whom I will miss. We were better for his presence.''

I had the privilege of sitting in the Van Deerlin seat for a brief period, and on his subcommittee.

His cool headed leadership and ready wit were much remembered. One day during a contentious hearing, the doors opened and in slipped two gentlemen. I recognized Van immediately and slipped a note to the subcommittee chairman, Ed Markey who along with Al Gore, was a protege of Van's. Ed halted the proceedings to introduce Van and the room literally erupted in a standing ovation.

He tried to stop this spontaneous outpouring so he could introduce the gentleman with him who he also wanted acknowledged in this manner, former Republican Congressman Bob Wilson!

How utterly Van!

While there was never a doubt that Van was a staunch democrat, he was a gentleman who treated friend and foe, ally and opponent with dignity and respect. His campaigns were dignified and there was decency in everything he did. As his son Jeff said, ''Van was a sweet and decent man''.

The contentious and vitriolic political scene today was a source of consternation for him. Not too long ago, Van famously said, ''twenty five years ago in Congress you not only trusted the opposing party, you enjoyed their company. Today, they hardly speak''!

Van accomplished so much for San Diego during his years in Congress. He was simply one of the most productive Members ever to represent this area. He authored the appropriation to pay for a second border crossing at Otay Mesa, this, before there was wide spread appreciation of the importance of cross border cooperation.

He used his position in the majority to help his SD colleague in the minority, Republican Bob Wilson, in Bob's signal support for the Navy and Marines, including funding for the Naval Hospital in Balboa Park.

Van and Bob worked together to promote work for SD's shipbuilding and repair industry.

And Van fought long and hard for the appropriation for the Veteran's Hospital in La Jolla. His insight and involvement extended to where it should be located and by whom it should be designed.

In fact, if the right people are listening, I suggest that the VA Hospital be named for Lionel Van Deerlin!!

During his 18 years in the House, Van's accomplishments were so far reaching that we still benefit from them today both here in SD and nationally.

He was a nature lover and a sportsman with only binoculars in his holster.

Because of his love of nature, he was an ardent environmentalist. Van, ahead of his time, successfully pushed for revisions to Federal law allowing California to set tougher emission standards than the rest of the Nation.

In 1975, Van politely, but firmly, shall we say ''encouraged'' the Navy to restore Imperial Beach's vanishing sand, which it did.

With an assist from the young Congressman Al Gore sitting next to him, Van helped create C-Span, which had been resisted for years by his colleagues.

Van was a ''Carrie Nation'' about congressional ethics! He voluntarily disclosed his and Mary Jo's personal finances—a first in Congress, and sought the expulsion of Adam Clayton Powell from Congress for ethical violations. That took courage and character, something Van had in abundance!!

The face of Public Broadcasting was sculpted by Van. The Corporation for Public Broadcasting might not—no, would not—exist today were it not for Lionel Van Deerlin!

But it wasn't all work and no play during those DC days—for example, Van moonlighted as the manager for his staff's softball team. He selectively challenged the only Capitol Hill team to have never won a game—Congressman Charlie Wilson's team. Suffice it to say that Mr. Wilson's team finished the season with one victory.

Undaunted, Van cannily next challenged the diplomats and staff of the Irish Embassy, knowing full well that softball is not played in Ireland. (Pause) the Embassy of Ireland finished the season undefeated one-zip!

Even in electoral defeat, Van maintained his humor and perspective. After losing his reelection bid in 1980, he said ''having been elected by the people in this district for nine consecutive elections, it would hardly be appropriate to say that they've taken leave of their senses this time''.

There are so many stories from the rich, full and well lived life of Lionel Van Deerlin. Each of you I'm certain could fill hours telling Van stories.

John Martin, the former ABC News correspondent, talks about how Van's role in getting him an overseas assignment was ''a turning point in his life.''

John says, ''Van was gracious, smart, looking out for the little guy and funny, just the combination we need in public life''.

The person Van considered his fourth son, Rudy Murillo, Van's dear friend Paul Peterson and my husband, Hugh Friedman would, for the past decade, meet regularly for lunch. Van filled the table with his joyful presence, as he surgically dissected the events and issues of the day with his wit and insight. For Paul, Rudy and Hugh, that fourth chair will be hugely empty now.

His colleagues in the media will miss him enormously.

As we know, after Congress, Van returned to his first professional love, journalism. For a couple of generations of SD news people, Van was both a matchless source and quite often a friend in need. He relished doing his column, he loved journalism and journalists.

The Washington Post editorialized after Van's death ''a happy warrior as both a Congressman and columnist, his column reflected the man. A lively, engaging writer, he left no doubt about his liberal views, but he relied on his quick wit, a firm grasp of the issues and a lifetime's store of anecdotes to provoke and persuade.''

So true.

Van was also an educator, teaching communications classes at SDSU (where there is

a chair named for him). His students felt blessed to have had the benefit of his wisdom.

He was a mentor to so many younger Democrats, cheering us up when we lost, and cheering us on when we won. We will always cherish his concern, his generosity and his support.

Personally, I will always remember his standing by my side, wearing his biggest grin, as I announced my own candidacy for Congress.

Although he lived life long and full in nearly 94 years, those of us who knew him are still greedy for more of this remarkable man and his life partner, Mary Jo.

But we must be content with the legacy he has bequeathed to us. By his work in Congress, through his leadership, his teaching and writing, and by the example of how he lived his life, he has taught us many lessons. He taught us the importance of giving of yourself to your fellow citizens, he taught us that working together we can accomplish much, he taught us to delight in shared achievement and not be concerned with who gets credit. He showed us how to be upbeat, positive, and happy. He taught us that politics can be fun, that losing is not failure, an opponent is not the enemy.

He taught us to treat everyone respectfully. He taught us about dignity and decency, and the sweetness of life as it should be lived, with enthusiasm, zest and verve—filling every moment to the fullest. He taught us to believe as he did, in the innate goodness of humanity.

He taught us to be loyal to our friends and to love our families as he so unconditionally loved his.

Lionel Van Deerlin—a man of character, integrity, and humility. Van—classy, enthusiastic, fun.

We should celebrate him the way he would want us to, with happiness and joy in having had this sweet and decent man in our lives.

Yes, we will miss the twinkle in his eyes, his witty tweaking of the high and mighty. Yes, we will miss his friendship and his presence, but we can best honor this consummate man of good will by embracing the lessons he taught us.

He left us with an ineffable sense of optimism and hope, so let there be no sadness, because surely he is with his beloved Mary Jo whistling an old tune and telling her a corny joke.

INCLUDE FIREFIGHTERS IN THE FAIR LABOR STANDARDS ACT

HON. JOHN P. SARBANES

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 17, 2008

Mr. SARBANES. Madam Speaker, I rise today to introduce legislation that would correct a longstanding disparity between professional firefighters who are employed by States, counties, or municipalities and Federal firefighters.

In 1985, Congress amended the Fair Labor Standards Act so that firefighters around the country could engage in a practice called "trade time." Trade time allows two firefighters, solely at their option and with the approval of their supervisor, to switch shifts without affecting the pay rate of either firefighter. The Congress made this change because firefighters work uncommon schedules involving 24 hour shifts and 72 hour work weeks, followed by a period of time away from the firehouse. Trade time enables firefighters to meet personal obligations such as attending a child's birthday or assisting a sick family member without exhausting their annual leave. It also ensures that firehouses across the county can maintain staffing requirements and keep our communities safe.

Federal firefighters are not covered under the Fair Labor Standards Act and therefore have been ineligible for trade time. The legislation I am introducing today amends Federal employee labor law to fix this problem.

Federal firefighters work side-by-side with their non-federal colleagues, so this is fundamentally an issue of equity. It will also help Federal agencies recruit and retain firefighters. Just like other firefighters, Federal firefighters risk their lives on a daily basis. They also accept the irregular hours that their jobs require. This legislation merely gives them some modest flexibility to balance that irregularity and meet their family obligations.

I hope my colleagues will support this simple but overdue legislation.

RECOGNIZING THE 40TH ANNIVERSARY OF THE SPECIAL OLYMPICS

HON. PATRICK J. KENNEDY

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 17, 2008

Mr. KENNEDY. Madam Speaker, I rise today to recognize the 40th Anniversary of the Special Olympics.

When the Special Olympics was founded in 1968, individuals with developmental disabilities were all too often separated from their families and segregated from their communities.

My aunt, Eunice Kennedy Shriver, was able to see the potential of individuals with intellectual disabilities through her sister, and my aunt, Rosemary.

She was confident in her, and other disabled individuals', ability to participate in a meaningful way in their communities.

By using sport as a vehicle and stage for demonstrating the dignity and capability of people with intellectual disabilities, Mrs. Shriver recognized the impact not only on the athletes themselves, but on the Nation.

Today, the Special Olympics serves more than 2.5 million athletes in 180 countries around the world.

Yet, the benefit of the Special Olympics to athletes, families, volunteers, and coaches cannot be adequately measured by statistics and numbers.

It can be best represented by the recognition of the potential of individuals with intellectual disabilities by our society.

Congratulations to the Special Olympics on almost 40 years of extraordinary service.

EXPAND THE ROLE OF THE ARMY CORPS OF ENGINEERS IN CHESAPEAKE BAY CLEANUP

HON. JOHN P. SARBANES

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 17, 2008

Mr. SARBANES. Madam Speaker, I rise today to introduce legislation that would expand the Army Corps of Engineers' role in Chesapeake Bay cleanup—a mission they first took on in 1996. The legislation would provide the Corps with continuing authority to engage in this work; expand the Corps' work to all six States in the Bay watershed and the District of Columbia; and provide flexibility for the Corps to work with other Federal agencies, State and local governments, and other not-for-profit groups engaged in Bay cleanup.

Next year, the Congress will move to enact a full reauthorization of the Water Resources Development Act for the first time since 2000. This represents an opportunity to turn the tide in Bay cleanup efforts so future generations can continue to enjoy the cultural, historic, and recreational benefits of the Bay and so it can continue to be an economic driver for the Mid-Atlantic region. This year, we have laid the groundwork for great progress in achieving this goal by securing substantial resources in the Farm Bill for agricultural-based Bay restoration. This measure serves to provide the water-resources complement to that effort.

The Chesapeake Bay Environmental Restoration and Protection Program, which was established in section 510 of WRDA 1996, authorizes the Army Corps of Engineers to provide design and construction assistance to State and local authorities in the environmental restoration of the Chesapeake Bay. These projects range from shoreline buffers to oyster reef construction. As it is currently structured however, the program has been limited in its scope for several reasons. First, the Corps' restoration efforts have been limited to Maryland, Virginia, and Pennsylvania, which has precluded a comprehensive, watershed-wide plan that adequately prioritizes projects. Second, unlike all other major Federal agencies engaged in Bay restoration, the Corps has no small watershed grants program that engages State and local governments in small scale restoration projects. This is compounded by the Corps' intricate procurement processes. Finally, the matching fund requirements of the section 510 program do not allow for the use of in-kind services or contributions, which stifles collaboration. The Chesapeake Bay Commission, a multi-State legislative assembly dedicated to the restoration of the Bay, recognizing these deficiencies has recommended several improvements to the program that are the basis for this legislation. The bill would address the issues I have previously mentioned and strengthen the section 510 program so that the Army Corps of Engineers can continue to be a strong partner in Chesapeake Bay cleanup.

I hope my colleagues will support this legislation through the WRDA process.

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S6879–S6946

Measures Introduced: Ten bills and two resolutions were introduced, as follows: S. 3278–3287, S.J. Res. 44, and S. Res. 615. **Pages S6936–37**

Measures Reported:

S. 2507, to address the digital television transition in border states, with an amendment in the nature of a substitute. (S. Rept. No. 110–424) **Page S6936**

Measures Passed:

Very Energetic Radiation Imaging Telescope Array System: Committee on Rules and Administration was discharged from further consideration of S.J. Res. 35, to amend Public Law 108–331 to provide for the construction and related activities in support of the Very Energetic Radiation Imaging Telescope Array System (VERITAS) project in Arizona, and the resolution was then passed. **Page S6946**

Measures Considered:

Stop Excessive Energy Speculation Act: Senate began consideration of the motion to proceed to consideration of S. 3268, to amend the Commodity Exchange Act, to prevent excessive price speculation with respect to energy commodities.

Pages S6880, S6918

A motion was entered to close further debate on the motion to proceed to consideration of the bill, and, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, and pursuant to the unanimous-consent agreement of Thursday, July 17, 2008, a vote on cloture will occur one hour after convening on Tuesday, July 22, 2008. **Page S6918**

A unanimous-consent-time agreement was reached providing that on Tuesday, July 22, 2008, the hour prior to the vote on the motion to invoke cloture on the motion to proceed to consideration of the bill be equally divided and controlled between the two Leaders, or their designees. **Page S6946**

A unanimous-consent agreement was reached providing that Senate resume consideration of the motion to proceed to consideration of the bill at approximately 3 p.m., on Monday, July 21, 2008.

Page S6946

Nominations Confirmed: Senate confirmed the following nominations:

Kiyo A. Matsumoto, of New York, to be United States District Judge for the Eastern District of New York.

Paul G. Gardephe, of New York, to be United States District Judge for the Southern District of New York. **Pages S6892–95, S6946**

Nominations Received: Senate received the following nominations:

John A. Simon, of Maryland, to be Representative of the United States of America to the African Union, with the rank and status of Ambassador.

Anthony John Trenga, of Virginia, to be United States District Judge for the Eastern District of Virginia. **Page S6946**

Messages from the House: **Page S6935**

Measures Referred: **Page S6935**

Measures Placed on the Calendar: **Page S6935**

Executive Communications: **Pages S6935–36**

Additional Cosponsors: **Pages S6937–38**

Statements on Introduced Bills/Resolutions: **Pages S6939–45**

Additional Statements: **Pages S6934–35**

Notices of Hearings/Meetings: **Page S6945**

Authorities for Committees to Meet: **Page S6945**

Privileges of the Floor: **Page S6945**

Recess: Senate convened at 10 a.m. and recessed at 7:29 p.m., until 3 p.m. on Monday, July 21, 2008. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S6946.)

Committee Meetings

(Committees not listed did not meet)

BUSINESS MEETING

Committee on Appropriations: Committee ordered favorably reported the following:

An original bill making appropriations for the Department of State, foreign operations, and related

programs for the fiscal year ending September 30, 2009;

An original bill making appropriations for Agriculture, Rural Development, Food and Drug Administration, and related agencies for the fiscal year ending September 30, 2009; and

An original bill making appropriations for military construction and the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2009.

BUSINESS MEETING

Committee on Banking, Housing, and Urban Affairs: Committee ordered favorably reported the following:

An original bill entitled, ''The Comprehensive Iran Sanctions, Accountability and Divestment Act of 2008''.

HIGHWAY SAFETY

Committee on Environment and Public Works: Committee concluded a hearing to examine ways to make the nation's highways safer for travelers, after receiving testimony from Jeffrey F. Paniati, Executive Director, Federal Highway Administration, Department of Transportation; Katherine A. Siggerud, Managing Director, Physical Infrastructure Issues, Government Accountability Office; Susan Martinovich, Nevada Department of Transportation, Carson City, on behalf of the American Association of State Highway and Transportation Officials; Jacqueline S. Gillan, Advocates for Highway and Auto Safety, Washington, D.C.; and Robert C. Johns, University of Minnesota Center for Transportation Studies, Minneapolis.

HEALTH CARE QUALITY

Committee on Finance: Committee concluded a hearing to examine leveraging innovation to improve health care quality for all Americans, focusing on the federal government's long-term fiscal challenges with the rising costs of health care, after receiving testimony from Peter R. Orszag, Director, Congressional Budget Office; Richard Hillestad, RAND Corporation, Santa Monica, California; George C. Halvorson, Kaiser Foundation Health Plan and Hospitals, Oakland, California; and Gail R. Wilensky, Project HOPE, Bethesda, Maryland.

NOMINATIONS

Committee on Foreign Relations: Committee concluded a hearing to examine the nominations of Mimi Alemayehou, of the District of Columbia, to be United States Director of the African Development Bank, Kenneth L. Peel, of Maryland, to be United States Director of the European Bank for Reconstruction and Development, Miguel R. San Juan, of Texas, to be United States Executive Director of the Inter-American Development Bank, and Patrick J. Durkin, of Connecticut, to be a Member of the Board of Directors of the Overseas Private Investment Corporation, after the nominees testified and answered questions in their own behalf.

OFFSHORE TAX HAVENS

Committee on Homeland Security and Governmental Affairs: Permanent Subcommittee on Investigations held a hearing to examine financial institutions located in tax haven countries, focusing on ways to strengthen United States domestic and international tax enforcement efforts, receiving testimony from Douglas Shulman, Commissioner, Internal Revenue Service, Department of the Treasury; Kevin J. O'Connor, Associate Attorney General, Department of Justice; Martin Liechti and Mark Branson, both of UBS, Zurich, Switzerland; Shannon Marsh, Fort Lauderdale, Florida; and William Wu, Forest Hills, New York.

Hearing recessed until Friday, July 25, 2008.

FEMA

Committee on Homeland Security and Governmental Affairs: Ad Hoc Subcommittee on Disaster Recovery concluded a hearing to examine major disaster recovery and assessing the performance of the Federal Emergency Management Agency (FEMA) since October 2007, after receiving testimony from Harvey E. Johnson, Deputy Administrator and Chief Operating Officer, FEMA, Department of Homeland Security; Major General Tod M. Bunting, Kansas Emergency Management and Homeland Security, Topeka; Stephen Sellers, Governor's Office of Emergency Services, Mather, California; David Maxwell, Arkansas Department of Emergency Management, North Little Rock; and James H. Bassham, Tennessee Emergency Management Agency, Nashville.

TRIBAL IMPLEMENTATION OF ADAM WALSH ACT

Committee on Indian Affairs: Committee concluded an oversight hearing to examine tracking sex offenders in Indian country, focusing on tribal implementation of the Adam Walsh Act (Public Law 109–248), after receiving testimony from Ron Suppah, Sr., Confederated Tribes of the Warm Springs Reservation of Oregon, Warm Springs; Isidro B. Lopez, Tohono O'odham Nation, Sells, Arizona; Robert Moore, Rosebud Sioux Tribe, Mission, South Dakota; William Gregory, Little Traverse Bay Bands of Odawa Indians, Harbor Springs, Michigan, on behalf of the 12 federally recognized Michigan tribes; and Jacqueline Johnson, National Congress of American Indians, Washington, D.C.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 27 public bills, H.R. 6528–6554; 1 private bill, H.R. 6555; and 9 resolutions, H. Con. Res. 390–392; and H. Res. 1352–1357 were introduced. **Pages H6725–27**

Additional Cosponsors: **Pages H6727–28**

Report Filed: A report was filed today as follows:

H.R. 1108, to protect the public health by providing the Food and Drug Administration with certain authority to regulate tobacco products, with an amendment (H. Rept. 110–762). **Page H6725**

Speaker: Read a letter from the Speaker wherein she appointed Representative Jackson (IL) to act as Speaker Pro Tempore for today. **Page H6677**

Chaplain: The prayer was offered by the guest Chaplain, Rabbi Stuart L. Berman, Police-Clergy Liaison, New York City Police Department. **Page H6677**

Native American Housing Assistance and Self-Determination Reauthorization Act—Motion to Instruct Conferees: The House agreed by voice vote to the Roskam motion to instruct conferees on S. 2062, to amend the Native American Housing Assistance and Self-Determination Act of 1996 to reauthorize that Act. **Pages H6681–88**

The Chair appointed the following conferees: Representatives Frank (MA), Waters, Watt, Al Green (TX), Cleaver, Bachus, Capito, and Pearce. **Page H6688**

Providing for consideration of motions to suspend the rules: The House agreed to H. Res. 1350, to provide for consideration of motions to suspend the rules, by a recorded vote of 222 ayes to 194 noes, Roll No. 510, after agreeing to order the previous question by a yea-and-nay vote of 228 yeas to 188 nays, Roll No. 509. **Pages H6688–97**

Suspension—Failed: The House failed to agree to suspend the rules and pass the following measure:

Drill Responsibly in Leased Lands Act of 2008: H.R. 6516, to amend the Naval Petroleum Reserves Production Act of 1976 to require the Secretary of the Interior to conduct an expeditious environmentally responsible program of competitive leasing of oil and gas in the National Petroleum Reserve in Alaska, by a ⅔ yea-and-nay vote of 244 yeas to 173 nays, Roll No. 511. **Pages H6697–H6710**

Agreed by unanimous consent that the time for general debate on H.R. 6515 be expanded to 60 minutes. **Pages H6697–98**

Calendar Wednesday: Agreed to dispense with the Calendar Wednesday business of Wednesday, July 23rd. **Page H6711**

Meeting Hour: Agreed that when the House adjourns today, it adjourn to meet at 12:30 p.m. on Monday, July 21st; and further, when the House adjourns on that day, it adjourn to meet at 12:30 p.m. on Tuesday, July 22nd for morning hour debate. **Page H6711**

Senate Message: Message received from the Senate today appears on page H6677.

Quorum Calls—Votes: Two yea-and-nay votes and one recorded vote developed during the proceedings of today and appear on pages H6695–96, H6696–97, H6709–10. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 5:30 p.m.

Committee Meetings

NUCLEAR WEAPONS COMPLEX MODERNIZATION

Committee on Armed Services: Subcommittee on Strategic Forces held a hearing on nuclear weapons complex modernization. Testimony was heard from Thomas P. D'Agostino, Administrator, National Nuclear Security Administration, Department of Energy; Gene Aloise, Director, Natural Resources and Environment, GAO; and public witnesses.

URBAN EDUCATION REFORM

Committee on Education and Labor: Held a hearing on Mayor and Superintendent Partnerships in Education: Closing the Achievement Gap. Testimony was heard from the following officials of the City of New York; Mayor Michael R. Bloomberg; and Joel I. Klein, Chancellor, Public Schools of New York City; the following officials of the District of Columbia: Mayor Adrian M. Fenty; and Chancellor Michelle Rhee, DC Public Schools; Arne Duncan, Chief Executive Officer, Public Schools, Chicago, Illinois; and Beverly L. Hall, Superintendent, Public Schools, Atlanta, Georgia.

IMPROVED BUILDING ENERGY EFFICIENCY

Committee on Energy and Commerce: Subcommittee on Energy and Air Quality held a hearing entitled "Climate Benefits of Improved Building Energy Efficiency." Testimony was heard from David Rodgers, Deputy Assistant Secretary, Energy Efficiency, Department of Energy; Robert J. Meyers, Principal

Deputy Assistant Administrator, Office of Air and Radiation, EPA; Brad Heavner, Director, Environment, State of Maryland; and public witnesses.

BROADBAND PROVIDERS AND CONSUMER PRIVACY

Committee on Energy and Commerce: Subcommittee on Telecommunications and the Internet held a hearing entitled ''What Your Broadband Provider Knows About Your Web Use: Deep Packet Inspection and Communications Laws and Policies.'' Testimony was heard from public witnesses.

GAO REPORT—LENDER RACE-GENDER DATA COLLECTION

Committee on Financial Services: Subcommittee on Oversight and Investigations held a hearing entitled ''GAO Report on Regulation B: Should Lenders Be Required to Collect Race and Gender Data of Borrowers for All Loans.'' Testimony was heard from Orice Williams, Director, Financial Markets and Community Investment, GAO; Sandra F. Braunstein, Director, Consumer and Community Affairs, Federal Reserve Board, Federal Reserve System; and public witnesses.

AIDING AMERICAN BUSINESSES ABROAD

Committee on Foreign Affairs: Subcommittee on Terrorism, Nonproliferation and Trade held a hearing on Aiding American Businesses Abroad: Government Action to Help Beleaguered American Firms and Investors. Testimony was heard from Israel Hernandez, Assistant Secretary, Trade Promotion and Director General, U.S. and Foreign Commercial Service, International Trade Administration, Department of Commerce; David D. Nelson, Principal Deputy Assistant Secretary, Bureau of Economic, Energy and Business Affairs; and public witnesses.

VENEZUELA: LOOKING AHEAD

Committee on Foreign Affairs: Subcommittee on the Western Hemisphere held a hearing on Venezuela: Looking Ahead. Testimony was heard from Thomas A. Shannon, Jr., Assistant Secretary, Bureau of Western Hemisphere Affairs, Department of State; and public witnesses.

BORDER SECURITY PROGRAM

Committee on Homeland Security: Held a hearing entitled ''The Challenge of Aligning Programs, Personnel, and Resources to Achieve Border Security.'' Testimony was heard from Michael Chertoff, Secretary of Homeland Security.

ADMINISTRATION INTERROGATION RULES

Committee on the Judiciary: Continued hearings on From the Department of Justice to Guantanamo Bay: Administration Lawyers and Administration Interrogation Rule, Part V. Testimony was heard from the following former officials of the Department of Justice: John D. Ashcroft, Attorney General; and Walter Dellinger, former Assistant Attorney General, Office of Legal Counsel; and a public witness.

OVERSIGHT—INTERAGENCY GROUP ON INSULAR AFFAIRS

Committee on Natural Resources: Subcommittee on Insular Affairs held an oversight hearing on Successes and Challenges of the Interagency Group on Insular Affairs. Testimony was heard from Douglas W. Domenech, Deputy Assistant Secretary, Insular Affairs, Department of the Interior; Pedro A. Tenorio; Resident Representative, Commonwealth of the Northern Mariana Islands; and Jeffrey Farrow, former Co-Chair of the White House Interagency Group on Insular Affairs.

HEALTH INSURANCE TERMINATIONS; PAT TILLMAN/JESSICA LYNCH REPORT

Committee on Oversight and Government Reform: Held a hearing on Business Practices in the Individual Health Insurance Market: Terminations of Coverage. Testimony was heard from Abby Block, Director, Center for Drug and Health Plan Choice, Centers for Medicare and Medicaid Service, Department of Health and Human Services; and public witnesses.

The Committee also approved a Committee Report entitled ''Misleading Information from the Battlefield: The Tillman and Lynch Episodes.''

SBA'S CONTRACTING PROGRAMS

Committee on Small Business: Held a hearing on Small Business Administration's Contracting Programs and Recent GAO Examination of Programs. Testimony was heard from Jovita Carranza, Acting Administrator, SBA; and from the following officials of the GAO: William Shear, Director, Financial Markets and Community Investment; and Gregory D. Kutz, Managing Director, Forensics Audits and Special Investigations.

MODERN MEASURE OF POVERTY

Committee on Ways and Means: Subcommittee on Income Security and Family Support held a hearing on Establishing a Modern Poverty Measure. Testimony was heard from Mark Levitan, Director, Poverty Research, Center for Economic Opportunity, New York City; and public witnesses.

BRIEFING—HOT SPOTS

Permanent Select Committee on Intelligence: Subcommittee on Terrorism, Human Intelligence, Analysis and Counterterrorism met in executive session to

hold a briefing on Hot Spots. The Subcommittee was briefed by departmental witnesses.

Joint Meetings

CONSUMER PRODUCT SAFETY COMMISSION

Conferees met to resolve the differences between the Senate and House passed versions of H.R. 4040, to establish consumer product safety standards and other safety requirements for children's products and to reauthorize and modernize the Consumer Product Safety Commission, but did not complete action thereon, and recessed subject to the call.

NEW PUBLIC LAWS

(For last listing of Public Laws, see DAILY DIGEST, *pp. D907–908)*

H.R. 634, to require the Secretary of the Treasury to mint coins in commemoration of veterans who became disabled for life while serving in the Armed Forces of the United States. Signed on July 17, 2008. (Public Law 110–277)

H.R. 814, to require the Consumer Product Safety Commission to issue regulations mandating child-resistant closures on all portable gasoline containers. Signed on July 17, 2008. (Public Law 110–278)

S. 2967, to provide for certain Federal employee benefits to be continued for certain employees of the Senate Restaurants after operations of the Senate Restaurants are contracted to be performed by a private business concern. Signed on July 17, 2008. (Public Law 110–279)

COMMITTEE MEETINGS FOR FRIDAY, JULY 18, 2008

(Committee meetings are open unless otherwise indicated)

Senate

No meetings/hearings scheduled.

House

No committee meetings are scheduled.

CONGRESSIONAL PROGRAM AHEAD

Week of July 21 through July 26, 2008

Senate Chamber

On *Monday*, at approximately, 3 p.m., Senate will resume consideration of the motion to proceed to consideration of S. 3268, Stop Excessive Energy Speculation Act.

On *Tuesday*, Senate will continue consideration of the motion to proceed to consideration of S. 3268, Stop Excessive Energy Speculation Act, and vote on the motion to invoke cloture thereon.

During the balance of the week, Senate may consider any cleared legislative and executive business.

Senate Committees

(Committee meetings are open unless otherwise indicated)

Committee on Appropriations: July 23, to hold oversight hearing to examine the adequacy of defense contracting in Iraq and Afghanistan, 10:30 a.m., SD–106.

Committee on Armed Services: July 22, to hold hearings to examine the nominations of Michael Bruce Donley, of Virginia, to be Secretary, General Norton A. Schwartz, for reappointment to the grade of general and to be Chief of Staff, and General Duncan J. McNabb, for reappointment to the grade of general and to be Commander, United States Transportation Command, all of the United States Air Force, 9:30 a.m., SR–325.

Committee on Energy and Natural Resources: July 23, to hold hearings to examine the status of existing federal programs targeted at reducing gasoline demand, focusing on additional proposals for near-term gasoline demand reductions, 9:45 a.m., SD–366.

Committee on Environment and Public Works: July 22, to hold hearings to examine global warming, focusing on an update on the science and its implications, 10 a.m., SD–406.

July 23, Full Committee, to hold hearings to examine the midwest floods, focusing on ways to determine what happened and how to improve managing risk and responses in the future, 9:30 a.m., SD–406.

Committee on Finance: July 22, to hold hearings to examine Indian governments and the tax code, focusing on maximizing tax incentives for economic development, 10 a.m., SD–215.

July 24, Full Committee, to hold hearings to examine the Cayman Islands, focusing on offshore tax issues, 10 a.m., SD–215.

Committee on Foreign Relations: July 23, to hold hearings to examine the nominations of James Christopher Swan, of California, to be Ambassador to the Republic of Djibouti, Alan W. Eastham, Jr., of Arkansas, to be Ambassador to the Republic of the Congo, and W. Stuart Symington, of Missouri, to be Ambassador to the Republic of Rwanda, all of the Department of State, 10 a.m., SD–419.

Committee on Health, Education, Labor, and Pensions: July 23, Subcommittee on Children and Families, to continue hearings to examine childhood obesity, focusing on declining health of America's next generation (Part II), 2:30 p.m., SD–430.

Committee on Homeland Security and Governmental Affairs: July 22, to hold hearings to examine ways for America to gain energy security, 9:30 a.m., SD–106.

July 22, Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of

Columbia, to hold hearings to examine improving performance relating to a review of pay-for-performance systems in the Federal Government, 2 p.m., SD–342.

July 23, Full Committee, to hold hearings to examine information sharing, focusing on connecting the dots at the Federal, State, and Local levels, 10 a.m., SD–342.

July 23, Full Committee, to hold hearings to examine the nominations of Carol A. Dalton, Anthony C. Epstein, and Heidi M. Pasichow, all of the District of Columbia, all to be an Associate Judge of the Superior Court of the District of Columbia, 2:30 p.m., SD–342.

July 24, Ad Hoc Subcommittee on Disaster Recovery, to hold joint hearings with the House Committee on Homeland Security Subcommittee on Emergency Communications, Preparedness to examine ways to ensure the delivery of donated goods to survivors of catastrophes, 10 a.m., 311, Cannon Building.

July 24, Full Committee, to hold hearings to examine the nomination of James A. Williams, of Virginia, to be Administrator of General Services Administration, 10 a.m., SD–342.

July 24, Subcommittee on Federal Financial Management, Government Information, Federal Services, and International Security, to hold hearings to examine ways to improve federal program management using performance information, 2:30 p.m., SD–342.

July 25, Permanent Subcommittee on Investigations, to continue hearings to examine financial institutions located in offshore tax havens, focusing on ways to strengthen United States domestic and international tax enforcement efforts, 9:30 a.m., SD–342.

Committee on the Judiciary: July 23, to hold hearings to examine courting big business, focusing on the Supreme Court's recent decisions on corporate misconduct and laws regulating corporations, 10 a.m., SD–226.

July 23, Full Committee, to hold hearings to examine the nominations of J. Patrick Rowan, of Maryland, and Jeffrey Leigh Sedgwick, of Massachusetts, both to be an Assistant Attorney General, Department of Justice, and William B. Carr, Jr., of Pennsylvania, to be a Member of the United States Sentencing Commission, 2 p.m., SD–226.

July 24, Full Committee, to hold hearings to examine crimes associated with polygamy, focusing on the need for a coordinated state and federal response, 10 a.m., SD–226.

Committee on Veterans' Affairs: July 23, to hold an oversight hearing to examine the Department of Veterans Affairs, focusing on responding to the needs of returning United States Guard and Reserve members, 9:30 a.m., SR–418.

Select Committee on Intelligence: July 22, to hold closed hearings to examine certain intelligence matters, 2:30 p.m., SH–219.

July 24, Full Committee, to hold closed hearings to examine certain intelligence matters, 2:30 p.m., SH–219.

Special Committee on Aging: July 23, to hold hearings to examine person-centered care, focusing on reforming services and bringing elderly citizens back to the heart of society, 10:30 a.m., SD–562.

House Committees

Committee on Agriculture, July 23, Subcommittee on Department Operations, Oversight, Nutrition, and Forestry, hearing to review the short-and long-term costs of hunger in America, 10 a..m., 1300 Longworth.

July 23, Subcommittee on Specialty Crops, Rural Development, and Foreign Agriculture, hearing to review the state of health care in rural areas and the role of federal programs in addressing rural health care needs, 2:30 p.m., 1300 Longworth.

July 24, Subcommittee on Conservation, Credit, Energy, and Research, hearing to review Renewable Fuels Standard implementation and agriculture producer eligibility, 10 a.m., 1300 Longworth.

Committee on Armed Services, July 22, Subcommittee on Military Personnel, hearing on Army Medical Action Plan: Is it Working,? 2 p.m., 2212 Rayburn.

July 23, full Committee, hearing on the Comptroller General's progress report on Irag, 10 a.m., 2118 Rayburn.

July 23, Subcommittee on Military Personnel, hearing on Don't Ask, Don't Tell Review, 2 p.m., 2118 Rayburn.

Committee on Education and Labor, July 22, hearing on Innovation in Education through Business and Education STEM Partnerships, 2 p.m., 2175 Rayburn.

July 24, hearing on the Benefits of Physical and Health Education for Our Nation's Children, 10 a.m., 2175 Rayburn.

Committee on Energy and Commerce, July 22, Subcommittee on Health, hearing entitled "State Fiscal Relief: Protecting Health Coverage in an Economic Downturn," 2 p.m., 2322 Rayburn.

July 22, Subcommittee on Telecommunications and the Internet, hearing entitled "Issues in Telecommunications Competition," and on H.R. 3914, Protecting Consumers through Proper Forbearance Procedures Act, 2 p.m., 2123 Rayburn.

July 24, Subcommittee on Environment and Hazardous Materials, hearing entitled "Carbon Sequestration: Risks, Opportunities, and Protection of Drinking Water," 10 a.m., 2322 Rayburn.

July 24, Subcommittee on Oversight and Investigations, hearing entitled "Long-Term Care Insurance: Are Consumers Protected for the Long Term?" 10 a.m., 2123 Rayburn.

Committee on Financial Services, July 24, to continue hearings entitled "Systemic Risk and the Financial Markets," 10 a.m., and to hold a hearing entitled "Implications of a Weaker Dollar for Oil Prices and the U.S. Economy," 2 p.m., 2128 Rayburn.

Committee on Foreign Affairs, July 23, hearing on China on the Eve of the Olympics, 9:30 a.m., 2172 Rayburn.

July 23, Subcommittee on International Organizations, Human Rights, and Oversight, hearing and briefing on Possible Extension of the UN Mandate for Iraq: Options, 2 p.m., 2172 Rayburn.

July 24, Subcommittee on Terrorism, Nonproliferation and Trade, hearing on Saving the NPT and the Nonproliferation Regime in an Era of Nuclear Renaissance, 11 a.m., 2172 Rayburn.

Committee on the Judiciary, July 23, oversight hearing on the U.S. Department of Justice, 10:15 a.m., 2141 Rayburn.

July 24, Subcommittee on the Constitution, Civil Rights, and Civil Liberties, hearing on Lessons Learned from the 2004 Presidential Election, 1 p.m., 2141 Rayburn.

July 24, Subcommittee on Immigration, Citizenship, Refugees, Border Security, and International Law, hearing on Immigration Raids: Postville and Beyond, 11 a.m., 1310 Longworth.

Committee on Natural Resources, July 23, to mark up the following bills, H.R. 5853, Minute Man National Historical Park Boundary Revision Act; H.R. 6177, Rio Grande Wild and Scenic River Extension Act of 2008; H.R. 6159, Deafy Glade Exchange Act; H.R. 1847, National Trails System Willing Seller Act; and H.R. 5335, To amend the National Trails System Act to provide for the inclusion of new trail segments, land components, and campgrounds associated with the Trail of Tears National Historic Trail, and for other purposes, 11 a.m., 1324 Longworth.

July 24, Subcommittee on Fisheries, Wildlife and Oceans, hearing on the following bills: H.R. 6537, Sanctuary Enhancement Act of 2008; and H.R. 6204, Thunder Bay National Marine Sanctuary and Underwater Preserve Boundary Modification Act, 10 a.m., 1334 Longworth.

July 24, Subcommittee on National Parks, Forests and Public Lands, oversight hearing on Expanding Access to Federal Lands for People with Disabilities, 10 a.m., 1324 Longworth.

Committee on Oversight and Government Reform, July 23, Subcommittee on National Security and Foreign Affairs, hearing entitled ''AFRICOM: Rationales, Roles, and Progress on the Eve of Operations—Part 2,'' 10 a.m., 2154 Rayburn.

July 24, full Committee, hearing entitled ''The Medicare Drug Benefit: Are Private Insurers Getting Good Discounts for the Taxpayer?'' 10 a.m., 2154 Rayburn.

July 24, Subcommittee on Federal Workforce, Postal Service, and the District of Columbia, hearing entitled ''The Three R's of the Postal Network Plan: Realignnment, Right-Sizing, and Responsiveness,'' 2 p.m., 2154 Rayburn.

Committee on Science and Technology, July 23, Subcommittee on Energy and Environment, hearing on A National Water Initiative: Coordinating and Improving Federal Research on Water, 10 a.m., 2318 Rayburn.

July 24, Subcommittee on Technology and Innovation, hearing on The National Windstorm Impact Reduction Program: Strengthening Windstorm Hazard Mitigation, 10 a.m., 2318 Rayburn.

Committee on Small Business, July 23, Subcommittee on Investigations and Oversight, hearing entitled ''The Impact of Predators in Long-Term Care on Small Business Operators,'' 10 a.m., 1539 Rayburn.

July 24, full Committee, hearing entitled ''Economic Stimulus for Small Business: A Look Back and Assessing Need for Additional Relief,'' 10 a.m., 1539 Longworth.

Committee on Transportation and Infrastructure, July 22, Subcommittee on Economic Development, Public Buildings, and Emergency Management, hearing on Union Station: A Comprehensive hearing on the Private Management, the Public Space, and the Intermodal Uses Present and Future, 10 a.m., 2167 Rayburn.

July 24, full Committee, hearing on FMCSA's Progress in Improving Medical Oversight of Commercial Drivers, 2 p.m., 2167 Rayburn.

July 24, Subcommittee on Aviation, hearing on Aviation Security: An Update, 10 a.m., 2167 Rayburn.

Select Committee on Energy Independence and Global Warming, July 23, hearing entitled ''Immediate Relief from High Oil Prices: Deploying the Strategic Petroleum Reserve,'' 10 a.m., room to be announced.

Joint Meetings

Joint Hearing: July 24, Senate Committee on Homeland Security and Governmental Affairs, Ad Hoc Subcommittee on Disaster Recovery, to hold joint hearings with the House Committee on Homeland Security Subcommittee on Emergency Communications, Preparedness to examine ways to ensure the delivery of donated goods to survivors of catastrophes, 10 a.m., 311, Cannon Building.

Commission on Security and Cooperation in Europe: July 22, to hold hearings to examine Kazakhstan's preparation for its future Chairmanship of the Organization for Security and Co-operation in Europe (OSEC) region in 2010, focusing on plans, priorities, and challenges that face the region, 3 p.m., B318, Rayburn Building.

Next Meeting of the SENATE

3 p.m., Monday, July 21

Senate Chamber

Program for Monday: Senate will resume consideration of the motion to proceed to consideration of S. 3268, Stop Excessive Energy Speculation Act.

Next Meeting of the HOUSE OF REPRESENTATIVES

12:30 p.m., Monday, July 21

House Chamber

Program for Monday: The House will meet in pro forma session at 12:30 p.m.

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