

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 3988. An act to designate the facility of the United States Postal Service located at 3701 Altamesa Boulevard in Fort Worth, Texas, as the "Master Sergeant Kenneth N. Mack Post Office Building".

H.R. 4166. An act to designate the facility of the United States Postal Service located at 701 East Copeland Drive in Lebanon, Missouri, as the "Steve W. Allee Carrier Annex".

H.R. 4203. An act to designate the facility of the United States Postal Service located at 3035 Stone Mountain Street in Lithonia, Georgia, as the "Specialist Jamaal RaShard Addison Post Office Building".

H.R. 4211. An act to designate the facility of the United States Postal Service located at 725 Roanoke Avenue in Roanoke Rapids, North Carolina, as the "Judge Richard B. Allsbrook Post Office".

H.R. 4240. An act to designate the facility of the United States Postal Service located at 10799 West Alameda Avenue in Lakewood, Colorado, as the "Felix Sparks Post Office Building".

H.R. 4454. An act to designate the facility of the United States Postal Service located at 3050 Hunsinger Lane in Louisville, Kentucky, as the "Iraq and Afghanistan Fallen Military Heroes of Louisville Memorial Post Office Building", in honor of the servicemen and women from Louisville, Kentucky, who died in service during Operation Enduring Freedom and Operation Iraqi Freedom.

H.R. 5135. An act to designate the facility of the United States Postal Service located at 201 West Greenway Street in Derby, Kansas, as the "Sergeant Jamie O. Maugans Post Office Building".

H.R. 5220. An act to designate the facility of the United States Postal Service located at 3800 SW. 185th Avenue in Beaverton, Oregon, as the "Major Arthur Chin Post Office Building".

H.R. 5400. An act to designate the facility of the United States Postal Service located at 160 East Washington Street in Chagrin Falls, Ohio, as the "Sgt. Michael M. Kashkoush Post Office Building".

H.R. 5472. An act to designate the facility of the United States Postal Service located at 2650 Dr. Martin Luther King Jr. Street, Indianapolis, Indiana, as the "Julia M. Carson Post Office Building".

H.R. 5489. An act to designate the facility of the United States Postal Service located at 6892 Main Street in Gloucester, Virginia, as the "Congresswoman Jo Ann S. Davis Post Office."

At 5:12 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that in accordance with the request of the Senate, the bill (H.R. 493) to prohibit discrimination on the basis of genetic information with respect to health insurance and employment, and all accompanying papers are hereby returned to the Senate.

ENROLLED BILL SIGNED

At 7:30 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

H.R. 4286. An act to award a congressional gold medal to Daw Aung San Suu Kyi in recognition of her courageous and unwavering commitment to peace, nonviolence, human rights, and democracy in Burma.

H.R. 4169. An act to authorize the placement in Arlington National Cemetery of an American Braille tactile flag in Arlington National Cemetery honoring blind members of the Armed Forces, veterans, and other Americans; to the Committee on Veterans' Affairs.

H.R. 5492. An act to authorize the Board of Regents of the Smithsonian Institution to construct a greenhouse facility at its museum support facility in Suitland, Maryland, and for other purposes; to the Committee on Rules and Administration.

H.R. 5493. An act to provide that the usual day for paying salaries in or under the House of Representatives may be established by regulations of the Committee on House Administration; to the Committee on Rules and Administration.

The following concurrent resolution was read, and referred as indicated:

H. Con. Res. 209. Concurrent resolution expressing the sense of Congress that the Museum of the American Quilter's Society, located in Paducah, Kentucky, should be designated as the "National Quilt Museum of the United States"; to the Committee on Energy and Natural Resources.

MEASURES DISCHARGED

The following measure was discharged from the Committee on Health, Education, Labor, and Pensions by unanimous consent, and referred as indicated:

S. 2902. A bill to ensure the independent operation of the Office of Advocacy of the Small Business Administration, ensure complete analysis of potential impacts on small entities of rules, and for other purposes; to the Committee on Small Business and Entrepreneurship.

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

H.R. 5715. An act to ensure continued availability of access to the Federal student loan program for students and families.

The following bill was read the first and second times by unanimous consent, and placed on the calendar:

H.R. 1922. To designate the Jupiter Inlet Lighthouse and the surrounding Federal land in the State of Florida as an Outstanding Natural Area and as a unit of the National Landscape Conservation System, 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-6005. A communication from the Under Secretary of Defense (Comptroller), transmitting, pursuant to law, the report of a violation of the Antideficiency Act that has been identified as Navy case number 07-05; to the Committee on Appropriations.

EC-6006. A communication from the Under Secretary of Defense (Comptroller), trans-

mitting, pursuant to law, the report of a violation of the Antideficiency Act that has been identified as case number 05-01; to the Committee on Appropriations.

EC-6007. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency that was declared in Executive Order 13413 of October 27, 2006, relative to the Democratic Republic of the Congo; to the Committee on Banking, Housing, and Urban Affairs.

EC-6008. A communication from the Special Counsel, Office of the Comptroller of the Currency, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Regulatory Review Amendments" (RIN1557-AC79) received on April 24, 2008; to the Committee on Banking, Housing, and Urban Affairs.

EC-6009. A communication from the Program Manager, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Grants to States for Operation of Qualified High Risk Pools" (RIN0938-AO46) received on April 24, 2008; to the Committee on Finance.

EC-6010. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, weekly reports relative to post-liberation Iraq for the period of February 15, 2008, through April 15, 2008; to the Committee on Foreign Relations.

EC-6011. A communication from the Assistant Administrator, Bureau for Legislative and Public Affairs, U.S. Agency for International Development, transmitting, pursuant to law, the report of action on a nomination for the position of Assistant Administrator, received on April 24, 2008; to the Committee on Foreign Relations.

EC-6012. A communication from the General Counsel, Federal Retirement Thrift Investment Board, transmitting, pursuant to law, the report of a rule entitled "Participant's Choices of TSP Funds" (5 CFR Part 1601) received on April 24, 2008; to the Committee on Homeland Security and Governmental Affairs.

EC-6013. A communication from the Director, Administrative Office of the U.S. Courts, transmitting, pursuant to law, a report relative to the applications for the interception of wire and other communications during fiscal year 2007; to the Committee on the Judiciary.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-322. A resolution adopted by the Board of County Commissioners of Miami-Dade County of the State of Florida urging the Florida Legislature to ensure that insurance companies comply with HB 1-A and pass savings on to policyholders; to the Committee on Banking, Housing, and Urban Affairs.

POM-323. A resolution adopted by the Board of County Commissioners of Miami-Dade County of the State of Florida urging the Florida Legislature to pass legislation allowing counties additional flexibility related to deferral of property taxes, to the Committee on Homeland Security and Governmental Affairs.

POM-324. A resolution adopted by the Board of County Commissioners of Miami-Dade County of the State of Florida urging the Florida Legislature to place a constitutional amendment on the statewide ballot

intended to strengthen the prohibition on unfunded mandates; to the Committee on Homeland Security and Governmental Affairs.

POM-325. A resolution adopted by the Board of County Commissioners of Miami-Dade County of the State of Florida urging the Florida Legislature to pass legislation increasing statutory fees for service of process; to the Committee on the Judiciary.

POM-326. A resolution adopted by the Commission of the City of Miami of the State of Florida urging Congress to support the re-enactment of the Federal Assault Weapons Ban; to the Committee on the Judiciary.

POM-327. A resolution adopted by the Coconut Creek City Commission of the State of Florida urging Congress to re-enact the Federal Assault Weapons Ban; to the Committee on the Judiciary.

POM-328. A resolution adopted by the Board of County Commissioners of Miami-Dade County of the State of Florida urging the Florida Legislature to strengthen laws related to assault weapons; to the Committee on the Judiciary.

POM-329. A concurrent resolution adopted by the Legislature of the State of Louisiana urging Congress to take actions necessary to call a constitutional convention to propose an amendment to include the Posse Comitatus Act as a constitutional prohibition; to the Committee on Armed Services.

HOUSE CONCURRENT RESOLUTION NO. 38

Whereas, the United States Constitution provides that, on the application of the legislatures of two-thirds of the several states, the congress shall call a convention for the purpose of proposing an amendment or amendments to the United States Constitution, which amendment or amendments when so proposed by such a convention must be ratified by the legislatures of, or conventions in, three-fourths of the states to become valid; and

Whereas, the Posse Comitatus Act, 18 U.S.C. 1385, was originally passed in 1878 to remove the Army from civilian law enforcement and to return it to its role of defending the borders of the United States; and

Whereas, the Posse Comitatus Act provides that whoever, except in cases and under circumstances expressly authorized by the constitution or act of congress, willfully uses any part of the Army or the Air Force as a posse comitatus or otherwise to execute the laws shall be fined or imprisoned. Therefore, be it

Resolved, That the Legislature of Louisiana does hereby memorialize the United States Congress to call a convention pursuant to Article V of the United States Constitution for the sole purpose of proposing an amendment to add the Posse Comitatus Act to the United States Constitution. Be it further

Resolved, That the Congress of the United States is hereby requested to provide as the mode of ratification that said amendment shall be valid to all intents and purposes and become a part of the Constitution of the United States when ratified by the legislatures of three-fourths of the several states. Be it further

Resolved, That the Legislature of the Louisiana does hereby memorialize the presiding officers of the legislative bodies of the several states to apply to the Congress of the United States to call a convention for the sole purpose of proposing this amendment to the Constitution of the United States. Be it further

Resolved, That a copy of this Resolution be transmitted to the presiding officers of the Senate and the House of Representatives of the Congress of the United States of America and to each member of the Louisiana con-

gressional delegation and to the presiding officers of each house of the legislative bodies of the several states of the Union.

POM-330. A concurrent resolution adopted by the Senate of the State of Louisiana urging Congress to provide refundable credits received by Louisiana homeowners to offset Louisiana Citizens Property Insurance Assessments; to the Committee on Banking, Housing, and Urban Affairs.

SENATE CONCURRENT RESOLUTION NO. 11

Whereas, the Legislature of Louisiana in Act No. 4 of the Second Extraordinary Session of the Louisiana Legislature provided relief to Louisiana homeowners from the large assessments levied on their homeowner's insurance premiums by the Louisiana Citizens Property Insurance Corporation as provided by law; and

Whereas, the levy of such assessments was made necessary by the unprecedented and widespread damage and destruction caused to homes by hurricanes Katrina and Rita; and

Whereas, the assessments on all homeowners were necessary for them to provide protection and coverage for their neighbors; and

Whereas, the Internal Revenue Service is threatening to force these already burdened citizens to report the amounts received as credits as income for federal tax purposes, raising the possibility that they will likely owe significant federal taxes. Therefore, be it

Resolved, That the Legislature of Louisiana memorializes the commissioner of the Internal Revenue Service and the Congress of the United States to take every action to provide that the amounts received by Louisiana homeowners to offset Louisiana Citizens Property Insurance Assessments on their homeowner's insurance premiums because of the unprecedented damage and destruction of homes in the recent hurricanes shall not be considered as income for federal tax purposes. Be it Further

Resolved, That a copy of this Resolution shall be transmitted to the commissioner of the Internal Revenue Service, the secretary of the United States Senate, the clerk of the United States House of Representatives, and to each member of the Louisiana delegation to the United States Congress.

POM-331. A resolution adopted by the Legislature of the State of New York urging the New York State Congressional delegation to oppose S. 40/H.R. 3200; to the Committee on Banking, Housing, and Urban Affairs.

LEGISLATIVE RESOLUTION NO. 4858

Whereas, regulation, oversight, and consumer protection have traditionally and historically been powers reserved to state governments under the McCarran-Ferguson Act of 1945; and

Whereas, state legislatures are more responsive to the needs of their constituents and the need for insurance products and regulation to meet their state's unique market demands; and

Whereas, many states, including New York, have recently enacted and amended state insurance laws to modernize market regulation and provide insurers with greater ability to respond to changes in market conditions; and

Whereas, state legislatures, the National Conference of Insurance Legislators (NCOIL), the National Association of Insurance Commissioners (NAIC), and the National Conference of State Legislatures (NCSL) continue to address uniformity issues between states by the adoption of model laws that address market conduct, product approval, agent and company licensing, and rate deregulation; and

Whereas, initiatives are being contemplated by certain members of the United States Congress that have the potential to destroy the state system of insurance regulation and create an unwieldy and inaccessible federal bureaucracy—all without consumer and constituent demand; and

Whereas, such initiatives include S. 40/H.R. 3200—the National Insurance Act of 2007—proposed optional federal charter legislation that would bifurcate insurance regulation and result in a quagmire of federal and state directives that would promote ambiguity and confusion; and

Whereas, S. 40/H.R. 3200 would allow companies to opt out of state insurance regulatory oversight and evade important state consumer protections; and

Whereas, the mechanism set up under S. 40/H.R. 3200 does not, and cannot by its very nature, respond, as state regulation does, to states' individual and unique insurance markets and constituent concerns; and

Whereas, S. 40/H.R. 3200 has the potential to compromise state guaranty fund coverage, and employers could end up absorbing losses otherwise covered by these safety nets for businesses affected by insolvencies; and

Whereas, S. 40/H.R. 3200 would ultimately impose the costs of a new and needless federal bureaucracy upon businesses and the public; and

Whereas, many state governments derive general revenue dollars from the regulation of the business of insurance, including nearly \$14 billion in premium taxes generated in 2006; in fiscal year 2005-06, insurance taxes generated \$987 million in the State of New York; Now, therefore, be it

Resolved, That the Congress of the United States be and hereby is respectfully memorialized by this Legislative Body to express its strong opposition to S. 40/H.R. 3200 and any other such federal legislation that would threaten the power of state legislatures, governors, insurance commissioners, and attorneys general to oversee, regulate, and investigate the business of insurance, and to protect consumers; and be it further

Resolved, That copies of this Resolution, suitably engrossed, be transmitted to the President of the Senate of the United States, the Speaker of the House of Representatives, and to each member of the Congress of the United States from the State of New York.

POM-332. A joint resolution adopted by the Legislature of the State of Idaho urging Congress to take action to help stop children and employees from accessing Internet pornography; to the Committee on Commerce, Science, and Transportation.

HOUSE JOINT MEMORIAL NO. 7

Whereas, the Internet has been an extremely important means of exchanging information, and is relied upon in Idaho for business, education, recreation and other uses; and

Whereas, many Internet sites contain material that is pornographic, either obscene or inappropriate for children, and a majority of these sites originate within the United States but outside of the state of Idaho; and

Whereas, the availability of Internet pornography on the job costs Idaho employers significant numbers of work hours, strains employers' computer equipment, reduces productivity and leads to potentially hostile work environments for men and women; and

Whereas, while the custody, care and nurturing of children resides primarily with parents, the widespread availability of Internet pornography and the ability of children to circumvent existing filtering technology defeat the best attempts at parental supervision or control; and

Whereas, Internet pornographers are using evolving techniques to lure Idaho children

and others into viewing and purchasing pornographic material, defying existing technology designed to block adult content; and

Whereas, current methods for protecting computers and computer networks from unwanted Internet content are expensive, block more than the intended content and are easily circumvented; and

Whereas, because children, employees and others may seek out pornography, warnings and other labels meant to help avoid inadvertent hits on pornographic sites may simply increase the likelihood that these sites will be visited; and

Whereas, credit card verification systems burden credit card companies, are expensive and time consuming to establish and maintain and these systems inhibit legal speech, and other forms of age verification have not been practicable; and

Whereas, prior congressional attempts to address children's access to Internet pornography have been held unconstitutional or otherwise have not passed constitutional scrutiny and have not been based on technology that allows individual Internet users to select what kind of Internet content enters their homes and workplaces; and

Whereas, protecting the physical and psychological well-being of Idaho's children by shielding them from inappropriate materials is a compelling interest of the Legislature of the State of Idaho; and

Whereas, although the state of Idaho has taken rigorous action in an attempt to shield Idaho's children from obscenity and other inappropriate adult content, it cannot effectively curb the programs with Internet pornography within its borders without the support of the United States government; and

Whereas, the United States remains in control of the Internet through the Department of Commerce and the National Telecommunications and Information Association; and

Whereas, the United States has the ability to create appropriate policies and enforcement tools to effectively deal with these issues: Now, therefore, be it

Resolved, by the members of the Second Regular Session of the Fifty-ninth Idaho Legislature, the House of Representatives and the Senate concurring therein, that we strongly urge the United States Congress to take action to help stop children and employees from accessing Internet pornography and that legislation be enacted to facilitate a technology-based solution that allows parents and employers to subscribe to Internet access services that exclude adult content. Be it further

Resolved, That the Chief Clerk of the House of Representatives be, and she is hereby authorized and directed to forward a copy of this Memorial to the President of the Senate and the Speaker of the House of Representatives of Congress, and the congressional delegation representing the State of Idaho in the Congress of the United States.

POM-333. A resolution adopted by the Senate of the State of New Jersey urging Congress to enact legislation concerning public disclosure of companies outsourcing jobs; to the Committee on Commerce, Science, and Transportation.

SENATE RESOLUTION NO. 24

Whereas, in recent years, a number of companies have replaced highly-skilled workers from New Jersey with lower-paid, foreign laborers, in a practice known as outsourcing; and

Whereas, these outsourcing trends coincide with the U.S. job market's longest slump since the 1930s; and

Whereas, many white-collar occupations, including technology and computer special-

ists, financial analysts, accountants, office support, and call-center employees are among the most vulnerable to outsourcing; and

Whereas, the preservation of jobs in New Jersey is of critical importance to the economic well-being of the State; and

Whereas, the economic dislocation caused by a company outsourcing jobs threatens the health, safety, and welfare of the people in this State; and

Whereas, Forrester Research, Inc. predicts that 3.3 million U.S. jobs will be sent offshore by 2015, accounting for 2 percent of the entire workforce and \$136 billion in wages; and

Whereas, numerous citizens in the State of New Jersey are unaware that in many circumstances they are not conducting business with a U.S. company but are communicating with a third-party contractor in another country via telephone or Internet; and

Whereas, a public list disclosing companies which outsource or are planning to outsource, would help provide a public awareness to discourage outsourcing practices and enable local and state governments to prepare incentives for companies to retain essential U.S. jobs, now, therefore, be it

Resolved, by the Senate of the State of New Jersey:

1. The Congress of the United States is respectfully memorialized to enact legislation requiring annual publication of a list disclosing companies planning or currently in the practice of outsourcing U.S. jobs to other countries.

2. Duly authenticated copies of this resolution, signed by the Speaker of the General Assembly and attested by the Clerk thereof, shall be transmitted to the presiding officers of the United States Senate and the House of Representatives, and to each member of Congress elected from the State of New Jersey.

S. RES. 24

This resolution memorializes Congress to enact legislation requiring annual publication of a list disclosing companies planning or currently in the practice of outsourcing U.S. jobs to other countries.

A large number of companies across the nation and in New Jersey have replaced highly skilled and educated workers with lower-paid, foreign laborers. This practice is referred to as "outsourcing" or "offshoring." Outsourcing U.S. jobs is growing at an alarming rate. Forrester Research, Inc. predicts that 3.3 million U.S. jobs will be sent offshore by 2015. The federal government does not maintain a list of companies that currently, or plan to, outsource jobs to other countries. Enacting legislation requiring publication of such a list not only raises public awareness, but also allows state and local governments to prepare initiatives targeted to keep companies from outsourcing critical U.S. jobs.

POM-334. A resolution adopted by the Senate of the State of New Jersey urging the establishment of a funding program for local communities establishing "quiet zones" along certain light rail lines; to the Committee on Commerce, Science, and Transportation.

SENATE RESOLUTION NO. 13

Whereas, the Federal Railroad Administration (FRA) in the United States Department of Transportation published a final rule on April 27, 2005, which was subsequently amended on August 17, 2006, concerning the use of locomotive horns at highway-rail grade crossings; and

Whereas, the final amended rule requires that locomotive horns be sounded at every public highway-rail grade crossing, with certain exceptions, including those areas designated "quiet zones"; and

Whereas, certain light rail lines which operate on railroad freight tracks, such as the River LINE in southern New Jersey, must comply with the stringent requirements of the FRA regarding the establishment of "quiet zones" by implementing supplementary safety measures, such as the installation of four-quadrant gates and lights at all public crossings, and conduct a diagnostic team review, which may involve the expenditure of hundreds of thousands of dollars by local communities for the safety equipment and engineering studies required to qualify for a "quiet zone" designation; and

Whereas, the cost of these measures must be undertaken by local communities, rather than the State, without any funds specifically provided for this purpose by the federal government; and

Whereas, it is in the public interest for the Government of the United States to establish a funding program to defray the costs incurred by local communities to establish "quiet zones" along these light rail lines: Now, therefore, be it

Resolved, by the Senate of the State of New Jersey:

1. This House respectfully requests the Government of the United States to establish a funding program to defray the safety equipment and engineering costs incurred by local communities to establish "quiet zones" along light rail lines operating on railroad freight tracks.

2. Duly authenticated copies of this resolution, signed by the President of the Senate and attested by the Secretary thereof, shall be transmitted to the Vice-President of the United States, the Speaker of the United States House of Representatives, every member of Congress elected from this State, the Secretary of Transportation of the United States and the Administrator of the Federal Railroad Administration in the United States Department of Transportation.

POM-335. A concurrent resolution adopted by the Senate of the State of Mississippi urging Congress to support passage of the Secure Rural Schools and Community Self-Determination Act; to the Committee on Energy and Natural Resources.

SENATE CONCURRENT RESOLUTION 556

Whereas, in December 2000, the Secure Rural Schools and Community Self-Determination Act, a Federal act, was signed into law; and

Whereas, the Secure Rural Schools and Community Self-Determination Act provides federal funds to counties and school districts with national forest lands located within the county boundaries; and

Whereas, 33 counties have substantial tracts of land in public ownership which can neither be developed nor taxed to generate revenue from economic activity or taxation; and

Whereas, these counties have United States National Forests within its boundaries and have received critical funds for roads and schools based on revenues generated from these forests; and

Whereas, the payments provided to these counties have been a consistent and necessary source of funding for the schools, teachers and students; and

Whereas, in December 2007, the United States Congress removed the reauthorization of the Secure Rural Schools and Community Self-Determination Act from the Energy Legislation to which it was attached. This legislation was subsequently passed and signed into law without reauthorization for the Secure Rural Schools and Community Self-Determination Act; and

Whereas, the funding provided through the Secure Rural Schools and Community Self-

Determination Act will significantly contribute to the local economy of these counties by providing the necessary funds for schools and roads, which is vital for sustained economic development; and

Whereas, these counties depend on the funding from the Secure Rural Schools and Community Self-Determination Act and unless the funding is secured through legislation as deemed appropriate by the Mississippi congressional delegation, these counties will lose critical funding that it has received for decades; now, therefore, be it

Resolved, by the Senate of the State of Mississippi, the House of Representatives concurring therein. That we, the members of the Legislature of the State of Mississippi, respectfully request that the United States Congress pass the Secure Rural Schools and Community Self-Determination Act so that these Mississippi counties may continue to adequately maintain the roads and schools and sustain economic development in the state; and be it further

Resolved. That the Secretary of the Senate is directed to transmit copies of this resolution to President George W. Bush, the Secretary of the United States Senate, the Clerk of the United States House of Representatives, the Governor of the State of Mississippi, each member of the Mississippi congressional delegation, and that copies be made available to members of the Capitol Press Corps.

POM-336. A resolution adopted by the California State Lands Commission urging the federal government to adopt policies that address climate change; to the Committee on Environment and Public Works.

RESOLUTION

Whereas, California's 1,100 mile coastline, with its beautiful beaches, wild cliffs, abundant fish stocks and fragile environment is a national treasure and a valuable state resource, which is at the heart of a tourist industry that generates nearly five billion dollars in state and local taxes each year; and is central to the state's forty-six billion dollar ocean economy; and

Whereas, the California State Lands Commission has jurisdiction over the state-owned tide and submerged lands from the shoreline out three nautical miles into the Pacific Ocean, as well as the lands underlying California's bays, lakes, and rivers; and

Whereas, the Commission is charged with managing these lands pursuant to the Public Trust Doctrine, a common law precept that requires these lands be protected for public use and needs involving commerce by means of navigation, fisheries, water related recreation and environmental protection; and

Whereas, the impacts of climate change will profoundly affect the public trust values of the lands under the Commission's jurisdiction and the utility of these lands to the public and the environment; and

Whereas, climate change is expected to cause oceans to rise by 18 to 59 centimeters by the end of this century according to a 2007 report by the United Nations Intergovernmental Panel on Climate Change (some other estimates are higher); and

Whereas, over the course of the 21st century, temperatures are projected to increase by 3 to 10 degrees Fahrenheit, causing ocean temperature to increase, which could cause more intense storms to hit California; and

Whereas, these climate change effects would dramatically alter the environment of the California ocean and coast, reducing beaches and wetlands and damaging important infrastructure, including the ports that contribute to California's role in the global economy; and

Whereas, of the world's annual human generated emissions of greenhouse gases, which

are the cause of climate change, California emits 1.4%, and the United States emits almost 25%; and

Whereas, California has taken the lead nationally on the issue of climate change and passed AB 32 in 2006, which requires the California Air Resources Board to adopt regulations by 2011 to reduce greenhouse gas emissions in California to 1990 levels by 2020;

Whereas, while California has adopted the most innovative and proactive program in the United States for fighting climate change, the federal government has refused to take similar actions to control greenhouse gas emissions and has refused to ratify the Kyoto Treaty, a worldwide agreement to begin to reduce these harmful emissions; and

Whereas, on December 21, 2005, California displayed its leadership on the issue of climate change when the California Air Resources Board sent a request to the U.S. Environmental Protection Agency (U.S. EPA) for a waiver under the Clean Air Act that would allow California to adopt stricter vehicle greenhouse gas regulations on new vehicles than the regulations imposed by the federal government; and

Whereas, the Clean Air Act specifically allows California to request a waiver from the national emission standard for new motor vehicle engines and impose stricter emission standards than the federal government; and

Whereas, Congress granted California the ability to impose stricter emission standards under the Clean Air Act because it recognized the State's unique problems and pioneering efforts with regard to air emissions; and

Whereas, for the past 30 years the U.S. EPA has granted California more than 40 such waivers, while previously denying none; and

Whereas, on February 29, 2008, the U.S. EPA, for the first time in the history of the Clean Air Act, denied California's December 21, 2005 request to impose stricter emission standard for new motor vehicle engines than those imposed by the federal government; and

Whereas, the U.S. EPA denied California's request for waiver even though it recognized that "global climate change is a serious challenge" and that "the conditions related to global climate change in California are substantial;" and therefore be it

Resolved by the California State Lands Commission. That it encourages the U.S. EPA to reconsider and reverse its February 29, 2008 decision that denied California its request for a waiver under the Clean Air Act and precluded the State from imposing strict vehicle greenhouse gas regulations on new vehicles; and

Resolved. That the California State Lands Commission strongly supports federal policy making that follows the leadership of California in reducing greenhouse gas emissions to combat the causes of climate change; and be it further

Resolved. That the Commission's Executive Officer transmit copies of this resolution to the Administrator of the U.S. EPA, to the President and Vice President of the United States, to the Governor of California, to the Majority and Minority Leaders of the United States Senate, to the Speaker and Minority Leader of the United States House of Representatives, and to each Senator and Representative from California in the Congress of the United States.

POM-337. A resolution adopted by the Legislature of the State of Louisiana urging Congress to take the actions necessary to provide the state of Louisiana with one-hundred-year flood protection; to the Committee on Environment and Public Works.

HOUSE CONCURRENT RESOLUTION No. 39

Whereas, in the aftermath of the flooding and devastation caused by Hurricane Betsy

in 1965, the Congress promised the citizens of southeast Louisiana Category 3 Hurricane Protection, for which the local citizenry contributed significant cost-share funding; and

Whereas, the United States Army Corps of Engineers before Hurricane Katrina informed Louisiana that it was protected against a hurricane likely to come no more frequently than once in two hundred years; and

Whereas, improvements along the entire Mississippi River system, including its tributaries, and the construction of flood protection reservoirs in states more than one thousand miles from the Gulf Coast deprived the Mississippi River of enormous amounts of sediment needed to sustain coastal lands in Louisiana; and

Whereas, southeast Louisiana has played a major role in the shipping and oil and gas industries, benefitting the quality of life and economy of the nation as a whole; and

Whereas, the activities of these industries along Louisiana's coast and the construction of the Mississippi River Gulf Outlet, in conjunction with the engineering of the entire Mississippi River system that provided economic benefit and flood protection hundreds of miles upriver from Louisiana which deprived Louisiana of the natural load of sediment, has led directly to the disappearance of two thousand one hundred square miles of Louisiana's coastal lands; and

Whereas, these benefits to the rest of the nation have substantially reduced natural barriers to storm surge and thus enormously increased the vulnerability of Louisiana to hurricanes far beyond what it would otherwise be; and

Whereas, on August 29, 2005, Hurricane Katrina devastated southeast Louisiana by overtopping levees and breaching floodwalls, with high winds, torrential rains, and flooding causing catastrophic damage to public and private properties in southeast Louisiana, severely impacting the population, local economy, and tax base of these parishes, and reducing the funding capabilities of their respective levee districts; and

Whereas, true one-hundred-year protection for southeast Louisiana must be approached from a regional perspective with a contiguous system that eliminates all gaps; and

Whereas, in the aftermath of Hurricane Katrina, one-hundred-year protection for southeast Louisiana was reevaluated by the United States Army Corps of Engineers and approved by Congress; however, the current local cost-share requirement for this protection is estimated to be a minimum of one billion six hundred million dollars for southeast Louisiana, and without payment of this substantial sum, this much-needed protection will not be constructed or will be substantially delayed, jeopardizing the safety and property of the people of southeast Louisiana; and

Whereas, since much of southeast Louisiana is still rebuilding and attempting to bring in new development, intervention is required on the federal level to address local cost-share and other local responsibilities in order to construct this much-needed protection; and

Whereas, the secretary of the United States Army Corps of Engineers has the discretion to allow local cost share to be paid over a thirty-year period, and this discretion has been applied in situations not as exigent as Louisiana's situation. Therefore, be it

Resolved. That the Legislature of Louisiana does hereby memorialize the Congress of the United States and the Louisiana congressional delegation to take such actions as are necessary to appropriate one hundred percent federal share for one-hundred-year flood protection for southeast Louisiana. Be it further

Resolved, That in the event one hundred percent federal cost participation is not authorized, the Congress is hereby urged and requested to take the following actions:

(1) Authorize one-hundred-year flood protection for southeast Louisiana at no greater than historic share percentages.

(2) Authorize local cost-share participation to be paid over a thirty-year period.

(3) Authorize credit for past contributions.

(4) Authorize credit for operations and maintenance expenses paid by local government prior to completion of projects by the United States Army Corps of Engineers.

(5) Authorize credit to local levee districts at fair market value for borrow materials provided to the United States Army Corps of Engineers; and be it further

Resolved, That a copy of this Resolution be transmitted to the presiding officers of the Senate and the House of Representatives of the Congress of the United States of America and to each member of the Louisiana congressional delegation.

POM-338. A concurrent resolution adopted by the Legislature of the State of Louisiana urging Congress to appropriate sufficient funds to construct one-hundred-year flood protection for southeast Louisiana; to the Committee on Environment and Public Works.

HOUSE CONCURRENT RESOLUTION NO. 22

Whereas, in the aftermath of the flooding and devastation caused by Hurricane Betsy in 1965, the Congress of the United States promised the citizens of southeast Louisiana that they would have Category 3 hurricane protection, for which the local citizenry contributed significant cost-share funding; and

Whereas, the United States Army Corps of Engineers before Hurricane Katrina informed Louisiana that it was protected against a hurricane likely to come no more frequently than once in two hundred years; and

Whereas, levee improvements along the entire Mississippi River system, including its tributaries, and the construction of flood protection reservoirs in states more than one thousand miles from the Gulf Coast deprived the Mississippi River of enormous amounts of sediment needed to sustain coastal lands in Louisiana; and

Whereas, southeast Louisiana has played a major role in the shipping and oil and gas industries which provide benefits to enhance the quality of life and the stability of the economy of the nation as a whole; and

Whereas, the activities of these industries along Louisiana's coast in addition to the construction of the Mississippi River Gulf Outlet, in conjunction with the engineering of the entire Mississippi River, have led directly to the disappearance of well over two thousand one hundred square miles of Louisiana's coastal lands; and

Whereas, the benefits that have been derived by the rest of the nation from Louisiana's working coast and waterways have, in turn, substantially reduced Louisiana's natural barriers to storm surge and thus enormously increased the state's vulnerability to the impacts from hurricanes far beyond what it would otherwise have been; and

Whereas, on August 29, 2005, Hurricane Katrina devastated southeast Louisiana with high winds, torrential rains, and flooding which caused the overtopping of levees and breaching of floodwalls, causing catastrophic damage to public and private properties throughout southeast Louisiana, severely impacting the population, the local economy, and the tax base of these parishes, reducing the level of revenue collected by their respective levee districts; and

Whereas, true one-hundred-year protection for southeast Louisiana must be approached

from a regional perspective with a contiguous system that eliminates all gaps; and

Whereas, in the aftermath of Hurricane Katrina, one-hundred-year flood and hurricane protection for southeast Louisiana was reevaluated by the United States Army Corps of Engineers and approved by Congress; however, the current local cost-share requirement for this protection is estimated to be a minimum of one billion six hundred million dollars for just the projects in southeast Louisiana, and without payment of this substantial sum this much-needed protection will not be constructed or will be substantially delayed, jeopardizing the safety and property of the people of southeast Louisiana; and

Whereas, since much of southeast Louisiana is still rebuilding and attempting to bring in new development, intervention is required on the federal level to address local cost-share and other local responsibilities in order to construct this much-needed protection; and

Whereas, the secretary of the Army has the discretion to allow local cost-share to be paid over a thirty-year period, and this discretion has been applied in situations not as exigent as Louisiana's: Now, therefore, be it

Resolved, That the Legislature of Louisiana does hereby memorialize the Congress of the United States and Louisiana's congressional delegation to ensure the appropriation of a one hundred percent federal share for one-hundred-year flood protection for southeast Louisiana; and be it further

Resolved, That in the event one hundred percent federal cost participation is not authorized, the Congress of the United States is hereby requested and urged to take the following actions:

(1) Authorize one-hundred-year flood protection for southeast Louisiana at a historic share percentage.

(2) Authorize that local cost-share participation may be paid over a thirty-year period.

(3) Authorize match credit for past expenditures and construction.

(4) Authorize cost-share credit for operations and maintenance expenses paid by local government prior to completion of projects by the United States Army Corps of Engineers.

(5) Authorize cost-share credit to local levee districts at fair market value for borrowed materials provided to the Corps; and be it further

Resolved, That a copy of this Resolution be transmitted to the presiding officers of the Senate and the House of Representatives of the Congress of the United States of America and to each member of the Louisiana congressional delegation.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. KENNEDY, from the Committee on Health, Education, Labor, and Pensions, with an amendment in the nature of a substitute:

S. 1760. A bill to amend the Public Health Service Act with respect to the Healthy Start Initiative.

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, Mrs. FEINSTEIN, Mrs. CLINTON, Mr. DURBIN, Mr. KERRY, and Mr. MENENDEZ):

S. 2928. A bill to ban bisphenol A in children's products; to the Committee on Commerce, Science, and Transportation.

By Mr. KENNEDY:

S. 2929. A bill to temporarily extend the programs under the Higher Education Act of 1965; considered and passed.

By Mr. CASEY:

S. 2930. A bill to amend title 37, United States Code, to extend to members with dependents the second basic allowance for housing for members of the National Guard and Reserve and retired members without dependents who are mobilized in support of a contingency operation, and for other purposes; to the Committee on Armed Services.

By Ms. SNOWE (for herself, Ms. STABENOW, and Mr. JOHNSON):

S. 2931. A bill to amend title XVIII of the Social Security Act to exempt complex rehabilitation products and assistive technology products from the Medicare competitive acquisition program; to the Committee on Finance.

By Mrs. MURRAY (for herself and Mr. BURR):

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; to the Committee on Health, Education, Labor, and Pensions.

By Mr. SMITH (for himself, Mr. CONRAD, and Mr. KOHL):

S. 2933. A bill to improve the employability of older Americans; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2934. A bill to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to provide a plot allowance for spouses and children of certain veterans who are buried in State cemeteries; to the Committee on Veterans' Affairs.

By Mr. LAUTENBERG (for himself, Mr. MENENDEZ, Mrs. FEINSTEIN, Mr. LEVIN, Mr. LIEBERMAN, Mr. WHITEHOUSE, Mr. REED, and Mr. SCHUMER):

S. 2935. A bill to prevent the destruction of terrorist and criminal national instant criminal background check system records; to the Committee on the Judiciary.

By Mrs. DOLE:

S. 2936. A bill to amend title XXI of the Social Security Act to reauthorize the State Children's Health Insurance Program, to limit income eligibility expansions under that program until the lowest income eligible individuals are enrolled, and for other purposes; to the Committee on Finance.

By Mr. TESTER:

S. 2937. A bill to provide permanent treatment authority for participants in Department of Defense chemical and biological testing conducted by Deseret Test Center and an expanded study of the health impact of Project Shipboard Hazard and Defense, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. GRAHAM (for himself, Mr. BURR, Mr. MCCAIN, Mr. CHAMBLISS, Mr. LIEBERMAN, Mr. CORNYN, Mr. ALEXANDER, Mrs. HUTCHISON, Mr. MARTINEZ, Mr. STEVENS, Mr. COCHRAN, Ms. COLLINS, Mr. BARRASSO, Mr. DOMENICI, Mrs. DOLE, Mr. WICKER, Mr. ISAKSON, and Mr. INHOFE):

S. 2938. A bill to amend titles 10 and 38, United States Code, to improve educational assistance for members of the Armed Forces and veterans in order to enhance recruitment and retention for the Armed Forces, and for other purposes; to the Committee on Veterans' Affairs.