

driving up energy prices and forces big oil to reinvest some of their record-breaking profits into alternative and renewable sources of energy that are both good for the environment, the consumer, and break our dependence on foreign oil.

Our bill will also attack the broader bill's speculation, punish price gouging, and put additional pressure on the OPEC cartel. I urge my colleagues on both sides of the aisle to support it. I am hopeful we can move on this resolution as soon as possible so American consumers no longer have to carry the heavy burden of high energy prices all by themselves.

#### SUBMITTED RESOLUTIONS

#### SENATE RESOLUTION 561—COMMEMORATING THE 50TH ANNIVERSARY OF THE NORTH AMERICAN AEROSPACE DEFENSE COMMAND

Mr. ALLARD (for himself, Mr. SALAZAR, Mr. BENNETT, Mr. CRAPO, Mr. HAGEL, and Mr. NELSON of Nebraska) submitted the following resolution; which was considered and agreed to:

S. RES. 561

Whereas, on May 12, 1958, the United States and Canada signed an official agreement creating the bi-national North American Aerospace Defense Command (NORAD) and formally acknowledged their mutual commitment to defending their citizens from air attacks;

Whereas 2008 marks the 50th anniversary of the creation of the North American Aerospace Defense Command and the outstanding efforts of American and Canadian service men and women defending North America;

Whereas the North American Aerospace Defense Command is a unique and fully integrated bi-national United States and Canadian command;

Whereas the North American Aerospace Defense Command is headquartered at Peterson Air Force Base in Colorado Springs, Colorado, and administered by the United States Air Force, with 3 subordinate regional centers located at Elmendorf Air Force Base, Alaska, Tyndall Air Force Base, Florida, and Canadian Forces Base, Winnipeg, Manitoba;

Whereas the mission of the North American Aerospace Defense Command is to "prevent air attacks against North America, safeguard the sovereign airspaces of the United States and Canada by responding to unknown, unwanted, and unauthorized air activity approaching and operating within those airspaces, and provide aerospace and maritime warning for North America";

Whereas, through joint support arrangements with other commands, the North American Aerospace Defense Command, including United States Strategic Command at Offutt Air Force Base, Nebraska, detects, validates, and warns of attacks against North America whether by aircraft, missile, or space vehicle;

Whereas the North American Aerospace Defense Command and United States Northern Command (USNORTHCOM) joint command center serves as a central collection and coordination site for a worldwide system of sensors designed to provide the commander and the governments of Canada and the United States with an accurate picture of any aerospace threat;

Whereas the commander of the North American Aerospace Defense Command provides integrated tactical warning and attack assessments to the governments of the United States and Canada;

Whereas the North American Aerospace Defense Command uses a network of satellites, ground-based and airborne radar, fighters and helicopters, and ground-based air defense systems to detect, intercept, and, if necessary, engage any air-breathing threats to North America;

Whereas North American Aerospace Defense Command assists in the detection and monitoring of aircraft suspected of illegal drug trafficking;

Whereas the Alaskan NORAD Region located at Elmendorf Air Force Base is supported by both the Eleventh Air Force and Air National Guard units;

Whereas the May 2006 North American Aerospace Defense Command Agreement renewal added a maritime warning mission to its slate of responsibilities, which entails a shared awareness and understanding of the ongoing activities conducted in United States and Canadian maritime approaches, maritime areas, and inland waterways;

Whereas the horrific events of September 11, 2001, demonstrated the North American Aerospace Defense Command's continued relevance to North American security;

Whereas, since 2001, the Continental NORAD region, which is divided into 2 defense sectors—the Western Defense Sector, with its headquarters located at McChord Air Force Base, Washington, and the Eastern Defense Sector, with its headquarters located at Rome, New York—has been the lead agency for Operation Noble Eagle, an ongoing mission to protect the continental United States from further airborne aggression from inside and outside of America's borders;

Whereas, in the spring of 2003, North American Aerospace Defense Command fighters based at Tyndall Air Force Base, Florida, intercepted 2 hijacked aircraft that originated in Cuba and escorted them to Key West, Florida;

Whereas the continued service with valor and honor of American and Canadian men and women serving at the North American Aerospace Defense Command is central to North America's ability to confront and successfully defeat threats of the 21st century; and

Whereas the continuation of the longstanding and successful relationship between the United States and Canada through the North American Aerospace Defense Command is paramount to the future security of the people of the United States and Canada; Now, therefore, be it

*Resolved*, That the Senate—

(1) recognizes the contributions made by the North American Aerospace Defense Command to the security of North America; and

(2) commemorates 50 years of excellence and distinctive service to the United States and Canada.

#### SENATE RESOLUTION 562—HONORING CONCERNS OF POLICE SURVIVORS AS THE ORGANIZATION BEGINS ITS 25TH YEAR OF SERVICE TO FAMILY MEMBERS OF LAW ENFORCEMENT OFFICERS KILLED IN THE LINE OF DUTY

Ms. MURKOWSKI (for herself, Mr. BIDEN, Mr. BROWN, Mr. MENENDEZ, Ms. MIKULSKI, Mr. CRAIG, Mr. WHITEHOUSE, Mr. BAUCUS, Mr. DODD, Mrs. FEINSTEIN, Mr. INOUE, Mr. LAUTENBERG, Mrs. LIN-

COLN, Mr. NELSON of Florida, Mr. PRYOR, Mr. SMITH, Ms. STABENOW, Mr. STEVENS, Mr. TESTER, and Mr. THUNE) submitted the following resolution; which was considered and agreed to:

S. RES. 562

Whereas Concerns of Police Survivors has showed the highest amount of concern and respect for tens of thousands of family members of officers killed in the line of duty;

Whereas those families bear the most immediate and profound burden of the absences of their loved ones;

Whereas Concerns of Police Survivors is starting its 25th year as a bedrock of strength for the families of the Nation's lost heroes;

Whereas it is essential that the Nation recognize the contributions of Concerns of Police Survivors to those families; and

Whereas National Police Week, observed each year in the week containing May 15, is the most appropriate time to honor Concerns of Police Survivors: Now, therefore, be it

*Resolved*, That the Senate—

(1) recognizes and thanks Concerns of Police Survivors for assisting in the rebuilding of the lives of family members of law enforcement officers killed in the line of duty across the United States;

(2) honors Concerns of Police Survivors and recognizes the organization as it begins its 25th year of service to the families of the fallen heroes of the Nation;

(3) urges the people of the United States to join with the Senate in thanking Concerns of Police Survivors; and

(4) recognizes with great appreciation the sacrifices made by police families and thanks them for providing essential support to one another.

#### SENATE RESOLUTION 563—DESIGNATING SEPTEMBER 13, 2008, AS "NATIONAL CHILDHOOD CANCER AWARENESS DAY"

Mr. ALLARD (for himself and Mrs. CLINTON) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 563

Whereas more than 10,000 children under the age of 15 in the United States are diagnosed with cancer annually;

Whereas every year more than 1,400 children under the age of 15 in the United States lose their lives to cancer;

Whereas childhood cancer is the number one disease killer and the second overall leading cause of death of children in the United States;

Whereas 1 in every 330 children under the age of 20 will develop cancer, and 1 in every 640 adults aged 20 to 39 has a history of cancer;

Whereas the 5-year survival rate for children with cancer has increased from 56 percent in 1974 to 79 percent in 2000, representing significant improvement from previous decades; and

Whereas cancer occurs regularly and randomly and spares no racial or ethnic group, socioeconomic class, or geographic region: Now, therefore, be it

*Resolved*, That Congress—

(1) designates September 13, 2008, as "National Childhood Cancer Awareness Day";

(2) requests that the Federal Government, States, localities, and nonprofit organizations observe the day with appropriate programs and activities, with the goal of increasing public knowledge of the risks of cancer; and

(3) recognizes the human toll of cancer and pledges to make its prevention and cure a public health priority.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 4750. Mr. CHAMBLISS (for himself and Mr. ISAKSON) submitted an amendment intended to be proposed by him to the bill H.R. 980, to provide collective bargaining rights for public safety officers employed by States or their political subdivisions; which was ordered to lie on the table.

SA 4751. Mr. REID (for Mr. GREGG (for himself and Mr. KENNEDY)) proposed an amendment to the bill H.R. 980, supra.

SA 4752. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill H.R. 980, supra; which was ordered to lie on the table.

SA 4753. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill H.R. 980, supra; which was ordered to lie on the table.

SA 4754. Mr. VITTER submitted an amendment intended to be proposed to amendment SA 4751 proposed by Mr. REID (for Mr. GREGG (for himself and Mr. KENNEDY)) to the bill H.R. 980, supra; which was ordered to lie on the table.

SA 4755. Mr. HATCH submitted an amendment intended to be proposed to amendment SA 4751 proposed by Mr. REID (for Mr. GREGG (for himself and Mr. KENNEDY)) to the bill H.R. 980, supra.

SA 4756. Mr. VITTER submitted an amendment intended to be proposed by him to the bill H.R. 980, supra; which was ordered to lie on the table.

SA 4757. Mr. VITTER submitted an amendment intended to be proposed by him to the bill H.R. 980, supra; which was ordered to lie on the table.

SA 4758. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill H.R. 980, supra; which was ordered to lie on the table.

SA 4759. Mr. LEAHY (for himself, Mrs. CLINTON, Mr. CARDIN, and Mr. OBAMA) proposed an amendment to amendment SA 4751 proposed by Mr. REID (for Mr. GREGG (for himself and Mr. KENNEDY)) to the bill H.R. 980, supra.

SA 4760. Mr. ALEXANDER (for himself and Mr. CORKER) proposed an amendment to amendment SA 4751 proposed by Mr. REID (for Mr. GREGG (for himself and Mr. KENNEDY)) to the bill H.R. 980, supra.

SA 4761. Mr. CORKER proposed an amendment to amendment SA 4751 proposed by Mr. REID (for Mr. GREGG (for himself and Mr. KENNEDY)) to the bill H.R. 980, supra.

#### TEXT OF AMENDMENTS

**SA 4750.** Mr. CHAMBLISS (for himself and Mr. ISAKSON) submitted an amendment intended to be proposed by him to the bill H.R. 980, to provide collective bargaining rights for public safety officers employed by States or their subdivisions; which was ordered to lie on the table; as follows:

In section 8(b), insert after “under this Act,” the following: “individuals employed by the office of the sheriff in States that do not provide the rights and responsibilities described in section 4(b) for law enforcement officers prior to the date of enactment of this Act”.

**SA 4751.** Mr. REID (for Mr. GREGG (for himself and Mr. KENNEDY)) proposed an amendment to the bill H.R.

980, to provide collective bargaining rights for public safety officers employed by States or their political subdivisions; as follows:

Strike all after the enacting clause and insert the following:

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Public Safety Employer-Employee Cooperation Act of 2008”.

#### SEC. 2. DECLARATION OF PURPOSE AND POLICY.

The Congress declares that the following is the policy of the United States:

(1) Labor-management relationships and partnerships are based on trust, mutual respect, open communication, bilateral consensual problem solving, and shared accountability. Labor-management cooperation fully utilizes the strengths of both parties to best serve the interests of the public, operating as a team, to carry out the public safety mission in a quality work environment. In many public safety agencies it is the union that provides the institutional stability as elected leaders and appointees come and go.

(2) State and local public safety officers play an essential role in the efforts of the United States to detect, prevent, and respond to terrorist attacks, and to respond to natural disasters, hazardous materials, and other mass casualty incidents. State and local public safety officers, as first responders, are a component of our Nation’s National Incident Management System, developed by the Department of Homeland Security to coordinate response to and recovery from terrorism, major natural disasters, and other major emergencies. Public safety employer-employee cooperation is essential in meeting these needs and is, therefore, in the National interest.

(3) The Federal Government needs to encourage conciliation, mediation, and voluntary arbitration to aid and encourage employers and the representatives of their employees to reach and maintain agreements concerning rates of pay, hours, and working conditions, and to make all reasonable efforts through negotiations to settle their differences by mutual agreement reached through collective bargaining or by such methods as may be provided for in any applicable agreement for the settlement of disputes.

(4) The absence of adequate cooperation between public safety employers and employees has implications for the security of employees and can affect interstate and intrastate commerce. The lack of such labor-management cooperation can detrimentally impact the upgrading of police and fire services of local communities, the health and well-being of public safety officers, and the morale of the fire and police departments. Additionally, these factors could have significant commercial repercussions. Moreover, providing minimal standards for collective bargaining negotiations in the public safety sector can prevent industrial strife between labor and management that interferes with the normal flow of commerce.

#### SEC. 3. DEFINITIONS.

In this Act:

(1) **AUTHORITY.**—The term “Authority” means the Federal Labor Relations Authority.

(2) **EMERGENCY MEDICAL SERVICES PERSONNEL.**—The term “emergency medical services personnel” means an individual who provides out-of-hospital emergency medical care, including an emergency medical technician, paramedic, or first responder.

(3) **EMPLOYER; PUBLIC SAFETY AGENCY.**—The terms “employer” and “public safety agency” mean any State, or political subdivision of a State, that employs public safety officers.

(4) **FIREFIGHTER.**—The term “firefighter” has the meaning given the term “employee engaged in fire protection activities” in section 3(y) of the Fair Labor Standards Act of 1938 (29 U.S.C. 203(y)).

(5) **LABOR ORGANIZATION.**—The term “labor organization” means an organization composed in whole or in part of employees, in which employees participate, and which represents such employees before public safety agencies concerning grievances, conditions of employment, and related matters.

(6) **LAW ENFORCEMENT OFFICER.**—The term “law enforcement officer” has the meaning given such term in section 1204 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796b).

(7) **MANAGEMENT EMPLOYEE.**—The term “management employee” has the meaning given such term under applicable State law in effect on the date of enactment of this Act. If no such State law is in effect, the term means an individual employed by a public safety employer in a position that requires or authorizes the individual to formulate, determine, or influence the policies of the employer.

(8) **PERSON.**—The term “person” means an individual or a labor organization.

(9) **PUBLIC SAFETY OFFICER.**—The term “public safety officer”—

(A) means an employee of a public safety agency who is a law enforcement officer, a firefighter, or an emergency medical services personnel;

(B) includes an individual who is temporarily transferred to a supervisory or management position; and

(C) does not include a permanent supervisory or management employee.

(10) **STATE.**—The term “State” means each of the several States of the United States, the District of Columbia, and any territory or possession of the United States.

(11) **SUBSTANTIALLY PROVIDES.**—The term “substantially provides” means compliance with the essential requirements of this Act, specifically, the right to form and join a labor organization, the right to bargain over wages, hours, and conditions of employment, the right to sign an enforceable contract, and availability of some form of mechanism to break an impasse, such as arbitration, mediation, or fact-finding.

(12) **SUPERVISORY EMPLOYEE.**—The term “supervisory employee” has the meaning given such term under applicable State law in effect on the date of enactment of this Act. If no such State law is in effect, the term means an individual, employed by a public safety employer, who—

(A) has the authority in the interest of the employer to hire, direct, assign, promote, reward, transfer, furlough, lay off, recall, suspend, discipline, or remove public safety officers, to adjust their grievances, or to effectively recommend such action, if the exercise of the authority is not merely routine or clerical in nature but requires the consistent exercise of independent judgment; and

(B) devotes a majority of time at work exercising such authority.

#### SEC. 4. DETERMINATION OF RIGHTS AND RESPONSIBILITIES.

(a) **DETERMINATION.**—

(1) **IN GENERAL.**—Not later than 180 days after the date of enactment of this Act, the Authority shall make a determination as to whether a State substantially provides for the rights and responsibilities described in subsection (b). In making such determinations, the Authority shall consider and give weight, to the maximum extent practicable, to the opinion of affected parties.

(2) **SUBSEQUENT DETERMINATIONS.**—

(A) **IN GENERAL.**—A determination made pursuant to paragraph (1) shall remain in effect unless and until the Authority issues a