

## COMMITTEE ON THE JUDICIARY

Mr. SANDERS. Mr. President, I ask unanimous consent that the Senate Committee on the Judiciary be authorized to meet to conduct a hearing entitled "Regulatory Preemption: Are Federal Agencies Usurping Congressional and State Authority?" On Wednesday, September 12, 2007, at 11 a.m. in room 226 of the Dirksen Senate Office Building.

*Witness list:*

The Honorable Donna Stone, Delaware General Assembly [R-32], President, National Conference of State Legislatures, Dover, DE; Alan Untereiner, Attorney, Robbins, Russell, Englert, Orseck & Untereiner LLP, Washington, DC; Collyn Peddie, Attorney, Williams Kherkher, Houston, TX; Viet Dinh, Professor of Law, Georgetown University Law School, Washington, DC; David Vladeck, Professor of Law, Georgetown University Law Center, Washington, DC.

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

## COMMITTEE ON RULES AND ADMINISTRATION

Mr. SANDERS. Mr. President, I ask unanimous consent that the Committee on Rules and Administration be authorized to meet during the session of the Senate on Wednesday, September 12, 2007, at 9:30 a.m., in order to conduct a hearing to receive testimony on the Nomination of Robert C. Tapella of Virginia, to be Public Printer, Government Printing Office.

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

## DISTRICT OF COLUMBIA HOUSE VOTING RIGHTS ACT OF 2007—MOTION TO PROCEED

Mr. REID. Mr. President, I ask unanimous consent that Tuesday, September 18, at a time to be determined by the majority leader, following consultation with the Republican leader, the Senate proceed to consideration of Calendar No. 257, S. 1257, a bill to provide the District of Columbia a voting seat and the State of Utah an additional seat in the House of Representatives.

The PRESIDING OFFICER (Mr. SANDERS). Is there objection?

Mr. McCONNELL. Mr. President, there is an objection on this side of the aisle.

The PRESIDING OFFICER. Objection is heard.

## CLOTURE MOTION

Mr. REID. Mr. President, I now move to proceed to Calendar No. 257, S. 1257, and I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

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. 257, S. 1257, a bill to provide the District of Columbia a voting seat, and for other purposes.

Harry Reid, Joe Lieberman, Patrick Leahy, Russell D. Feingold, Benjamin L. Cardin, Robert P. Casey, Jr., Bernard Sanders, Barbara A. Mikulski, Byron L. Dorgan, Patty Murray, Dianne Feinstein, Mary Landrieu, Kent Conrad, Robert Menendez, Mark Pryor, Ken Salazar, Jim Webb.

Mr. REID. Mr. President, I ask unanimous consent that the mandatory quorum be waived.

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

Mr. REID. I now withdraw the motion.

The PRESIDING OFFICER. The motion is withdrawn.

Mr. REID. Mr. President, I ask unanimous consent that the cloture vote on this motion to proceed occur at 2:30 p.m., Tuesday, September 18, and that the 15 minutes immediately prior to that be for debate with respect to the motion, with the time equally divided and controlled between the two leaders or their designees.

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

Mr. REID. Mr. President, I ask unanimous consent that if cloture is invoked on the motion to proceed, the motion be agreed to, the bill be returned to the calendar, and the Senate resume consideration of H.R. 1585, the Defense authorization bill; provided further that if cloture is invoked and the bill is returned to the calendar, then the majority leader, after consultation with the Republican leader, may turn to the consideration of S. 1257 at a later time.

The PRESIDING OFFICER. Is there objection?

Mr. McCONNELL. Mr. President, once again, on this side of the aisle there is an objection.

The PRESIDING OFFICER. Objection is heard.

## UNANIMOUS-CONSENT AGREEMENT—H.R. 1124

Mr. REID. Mr. President, I ask unanimous consent that on Tuesday, September 18, following morning business, the Senate proceed to the consideration of H.R. 1124, under the following limitations; that the only amendments in order be the following; a Coburn amendment, at the desk, on the topic of scholarships; that it be considered and agreed to; another Coburn amendment on the subject of public colleges, which is also at the desk; that there be a total of 65 minutes for debate with respect to the bill and amendments, with Senator COBURN controlling 30 minutes, Senator VOINOVICH controlling 20 minutes, and Senator AKAKA controlling 15 minutes; that upon the use or yielding back of time, the Senate proceed to vote in relation to the Coburn amendment; that upon disposition of the Coburn amendment, the

bill, as amended, be read a third time, and the Senate vote on passage of the bill; that no points of order be considered, and if there are any, they be waived by virtue of this agreement.

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

## TO DESIGNATE A PORTION OF INTERSTATE ROUTE 395 LOCATED IN BALTIMORE, MARYLAND, AS "CAL RIPKEN WAY"

Mr. REID. Mr. President, I ask unanimous consent the Senate proceed to the immediate consideration of H.R. 3218.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 3218) to designate a portion of Interstate Route 395 located in Baltimore, Maryland, as "Cal Ripken Way."

There being no objection, the Senate proceeded to consider the bill.

Mr. REID. I just note in passing, the Orioles could use Cal Ripken today.

I ask unanimous consent that the bill be read three times and passed, the motion to reconsider be laid upon the table, and any statements be printed in the RECORD.

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

The bill (H.R. 3218) was ordered to a third reading, was read the third time, and passed.

Mr. REID. In fact, even though he has been retired a number of years, I think he could still fit into that team as well.

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

## FEDERAL CHARTER TO KOREAN WAR VETERANS ASSOCIATION, INCORPORATED

Mr. REID. I ask unanimous consent the Senate proceed to the consideration of Calendar No. 347, S. 1692.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 1692) to grant a Federal charter to Korean War Veterans Association, Incorporated.

There being no objection, the Senate proceeded to consider the bill.

Mr. REID. I ask unanimous consent the bill be read three times, passed, the motion to reconsider be laid upon the table, and any statements be printed in the RECORD.

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

The bill (S. 1692) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 1692

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

## SECTION 1. GRANT OF FEDERAL CHARTER TO KOREAN WAR VETERANS ASSOCIATION, INCORPORATED.

(a) GRANT OF CHARTER.—Part B of subtitle II of title 36, United States Code, is amended—

(1) by striking the following:

“CHAPTER 1201—[RESERVED]”;

and

(2) by inserting after chapter 1103 the following new chapter:

**“CHAPTER 1201—KOREAN WAR VETERANS ASSOCIATION, INCORPORATED**

“Sec.

“120101. Organization.

“120102. Purposes.

“120103. Membership.

“120104. Governing body.

“120105. Powers.

“120106. Restrictions.

“120107. Tax-exempt status required as condition of charter.

“120108. Records and inspection.

“120109. Service of process.

“120110. Liability for acts of officers and agents.

“120111. Annual report.

“120112. Definition.

**“§ 120101. Organization**

“(a) FEDERAL CHARTER.—Korean War Veterans Association, Incorporated (in this chapter, the ‘corporation’), a nonprofit organization that meets the requirements for a veterans service organization under section 501(c)(19) of the Internal Revenue Code of 1986 and that is organized under the laws of the State of New York, is a federally chartered corporation.

“(b) EXPIRATION OF CHARTER.—If the corporation does not comply with the provisions of this chapter, the charter granted by subsection (a) shall expire.

**“§ 120102. Purposes**

“The purposes of the corporation are those provided in the articles of incorporation of the corporation and shall include the following:

“(1) To organize as a veterans service organization in order to maintain a continuing interest in the welfare of veterans of the Korean War, and rehabilitation of the disabled veterans of the Korean War to include all that served during active hostilities and subsequently in defense of the Republic of Korea, and their families.

“(2) To establish facilities for the assistance of all veterans and to represent them in their claims before the Department of Veterans Affairs and other organizations without charge.

“(3) To perpetuate and preserve the comradeship and friendships born on the field of battle and nurtured by the common experience of service to the United States during the time of war and peace.

“(4) To honor the memory of the men and women who gave their lives so that the United States and the world might be free and live by the creation of living memorial, monuments, and other forms of additional educational, cultural, and recreational facilities.

“(5) To preserve for the people of the United States and posterity of such people the great and basic truths and enduring principles upon which the United States was founded.

**“§ 120103. Membership**

“Eligibility for membership in the corporation, and the rights and privileges of members of the corporation, are as provided in the bylaws of the corporation.

**“§ 120104. Governing body**

“(a) BOARD OF DIRECTORS.—The composition of the board of directors of the corporation, and the responsibilities of the board, are as provided in the articles of incorporation of the corporation.

“(b) OFFICERS.—The positions of officers of the corporation, and the election of the officers, are as provided in the articles of incorporation.

**“§ 120105. Powers**

“The corporation has only those powers provided in its bylaws and articles of incorporation filed in each State in which it is incorporated.

**“§ 120106. Restrictions**

“(a) STOCK AND DIVIDENDS.—The corporation may not issue stock or declare or pay a dividend.

“(b) POLITICAL ACTIVITIES.—The corporation, or a director or officer of the corporation as such, may not contribute to, support, or participate in any political activity or in any manner attempt to influence legislation.

“(c) LOAN.—The corporation may not make a loan to a director, officer, or employee of the corporation.

“(d) CLAIM OF GOVERNMENTAL APPROVAL OR AUTHORITY.—The corporation may not claim congressional approval, or the authority of the United States, for any activity of the corporation.

“(e) CORPORATE STATUS.—The corporation shall maintain its status as a corporation incorporated under the laws of the State of New York.

**“§ 120107. Tax-exempt status required as condition of charter**

“If the corporation fails to maintain its status as an organization exempt from taxation under the Internal Revenue Code of 1986, the charter granted under this chapter shall terminate.

**“§ 120108. Records and inspection**

“(a) RECORDS.—The corporation shall keep—

“(1) correct and complete records of account;

“(2) minutes of the proceedings of the members, board of directors, and committees of the corporation having any of the authority of the board of directors of the corporation; and

“(3) at the principal office of the corporation, a record of the names and addresses of the members of the corporation entitled to vote on matters relating to the corporation.

“(b) INSPECTION.—A member entitled to vote on any matter relating to the corporation, or an agent or attorney of the member, may inspect the records of the corporation for any proper purpose, at any reasonable time.

**“§ 120109. Service of process**

“The corporation shall have a designated agent in the District of Columbia to receive service of process for the corporation. Notice to or service on the agent is notice to or service on the corporation.

**“§ 120110. Liability for acts of officers and agents**

“The corporation is liable for any act of any officer or agent of the corporation acting within the scope of the authority of the corporation.

**“§ 120111. Annual report**

“The corporation shall submit to Congress an annual report on the activities of the corporation during the preceding fiscal year. The report shall be submitted at the same time as the report of the audit required by section 10101(b) of this title. The report may not be printed as a public document.

**“§ 120112. Definition**

“For purposes of this chapter, the term ‘State’ includes the District of Columbia and the territories and possessions of the United States.”.

(b) CLERICAL AMENDMENT.—The item relating to chapter 1201 in the table of chapters at the beginning of subtitle II of title 36, United States Code, is amended to read as follows:

“1201. Korean War Veterans Association, Incorporated ..... 120101”.

**SUPPORTING THE WE DON’T SERVE TEENS CAMPAIGN**

Mr. REID. Mr. President, I ask unanimous consent we now proceed to S. Res. 318, which was submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows: A resolution (S. Res. 318) supporting the We Don’t Serve Teens campaign.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. I ask unanimous consent the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid on the table.

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

The resolution (S. Res. 318) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 318

Whereas the 2005 National Survey on Drug Use and Health estimates there are 11,000,000 underage alcoholic beverage drinkers in the United States;

Whereas research shows that young people who start drinking alcoholic beverages before the age of 15 are 4 times more likely to develop an alcohol-related disorder later in life;

Whereas surveys show that 17 percent of 8th graders, 33 percent of high school sophomores, and 47 percent of high school seniors report recent drinking;

Whereas, in a 2003 survey of drinkers ages 10 to 18, 65 percent said they got the alcohol from family members or friends—some took alcohol from their own home or a friend’s home without permission, and in other cases adults, siblings, or friends provided the alcohol;

Whereas the Surgeon General issued a national Call to Action against underage drinking in March 2007, asking Americans to do more to stop current underage drinkers from using alcohol and to keep other young people from starting;

Whereas the Leadership to Keep Children Alcohol Free initiative is a coalition of Governors’ spouses, Federal agencies, and public and private organizations which specifically targets prevention of drinking in the 9- to 15-year-old age group;

Whereas the National Alliance to Prevent Underage Drinking is a coalition of public health, law enforcement, religious, treatment and prevention, and other organizations with the goal of supporting and promoting implementation of a comprehensive strategy to reduce underage drinking;

Whereas the best protections against underage drinking are comprehensive prevention and enforcement strategies that include educating parents and members of the community;

Whereas beverage alcohol is a unique product and is regulated in such a way as to encourage social responsibility;

Whereas parents should be encouraged to talk to their children about the dangers of underage drinking;

Whereas the goal of the We Don’t Serve Teens campaign is to educate parents and community leaders about effective ways of reducing underage drinking;

Whereas the We Don’t Serve Teens campaign seeks to unite State officials, business leaders, parents, and community leaders in fighting underage drinking;