

coming in, with 60 percent coming from offshore, and it is not going to be just a shame, it is going to be a catastrophe for this country if we don't put in place the infrastructure to expand our opportunities to produce renewable energy in this country and therefore make us less dependent on sources of foreign oil.

We are going to use our fossil fuels. I support the production of domestic oil and natural gas. I support the continued use of our coal. I increased the President's request by 30 percent for the fossil fuels account, in the appropriations bill that is written in the Energy and Water Development Appropriations Subcommittee that I chair. The President talks a lot about this stuff, but he doesn't commit himself to it. I increased by 30 percent his fossil fuels account. Why? Because coal is our most abundant resource. We are going to have to use it. The question is not whether, it is when we use it, and how. We ought to invest in the research and technology to allow us to use coal in zero emissions plants. I believe we can do that. We can't do this with the baby steps coming from this President. He wants to just baby-step along; a little money here, a little money there. If we are going to make a commitment to use our fossil fuels, we have to make that commitment. But even as we do that, much more needs to be done to deal with the renewable side. We can't at the same time try to advance the interests of fossil fuels in a way that does not contribute to climate change and then say we are going to ignore the renewable side. We have to do both. We have to use the research and the capability of technology to unlock our opportunity to continue to use fossil fuels, but then we have to commit ourselves—our country has to commit itself to renewable energy and to the ethanol and biofuels industry.

The reason I wanted to make this point is, I saw last evening on "NBC News" a big feature story about this subject. I saw it in the New York Times. I saw it in the Wall Street Journal.

You ought not be surprised. I mean, bowl me over? The major gasoline companies do not want to sell E85 because they believe it competes with them? The fact is, what competes with them is the solution to making us less dependent on foreign sources of oil.

It is unbelievable to me that we have this little planet of ours. We circle the Sun, we have 6.4 billion neighborhoods, and half of them have never made a telephone call, half live on less than \$2 a day, and we end up on this little spot called the United States. Our lifestyle is pretty unbelievable. What we have built is special. But we are prodigious consumers of energy, and now we have worked ourselves into a position where we use so much energy in the form of oil from outside of our country, and so much of it comes from very troubled areas of the world, that if we do not in a sober way understand our responsibility to address that, shame on us; and our future will not be very bright.

This is not just some other issue. This is a big issue. The standard of living in this country rests on the issue of our being able to provide the energy. The quality of life in this country rests on our ability to get the energy and produce the energy and acquire the energy, even as we protect the airshed with respect to climate change. All of that is important.

Mr. President, I think this is an important issue. I am going to work with my colleagues. Hopefully, we can get an Energy bill, and when we get this Energy bill we will get this resolved in the right way.

Mr. President, how much time remains?

The ACTING PRESIDENT pro tempore. There remains 3½ minutes.

#### CHINA

Mr. DORGAN. I don't have enough time, but I want to show my colleagues something I find absolutely fascinating. Let me suggest on a different subject I will consume the 3.5 minutes.

This is the Nail House. This house is in the middle of a whole dug-out excavation area. This is in China. The Chinese Government, the developers, decided we are going to go in, and we are clearing this whole place out. One family said: No, you can't do that to me. It is not legal. It is not fair. We are not going to move. So they came in and excavated around the entire house. Here is the little house in China.

I tell you that because we just released, last week, the Congress Executive Commission on China Annual Report. It is the 2007 annual report. I am a cochairman, SANDY LEVIN, Congressman SANDY LEVIN, is the chairman. I am the cochairman of the Congressional Executive Commission on China. This describes a whole series of things on China, those who are in prison today in China as a result of advocating for human rights and other related issues.

I will tell this story about the Nail House. They call it the Nail House because it is stuck right up out of the excavation. The story did not have such a happy ending for the Nail House. The Chinese, eventually—they must have thought this was funny, the Chinese authorities, by digging around this fellow's house—but they eventually came in and tore the whole thing down and this property was lost. It is pretty hard to take on the Chinese Government.

But one of the things in this report we talk about is what is happening with technology in China, and the ability, outside of the purview of the Communist Government, to control everything; the ability of people to communicate.

Now, the Chinese have thousands of thought police trying to figure out who is visiting the Internet and trying to prevent them from visiting certain sites on the Internet. But there is a trend that is going on in China that is very interesting. Internet use rose from 620,000 in the last 10 years, 620,000, to 160 million Internet users.

Mobile phone ownership went from 3 million to 500 million in the last 12 years, 500 million. China has an estimated 20 million blogs, where people are talking among bloggers' personalized Web pages. In the entire year of 2003, about 4 years ago, the Chinese people sent 137 billion text messages.

Now, I tell you all of that because I think it is going to change things in China. Part of this China Executive Commission is trying to understand what is happening in China. What does that mean for our future? But there are some striking examples of citizen activism these days which are very interesting. This is one, the "nail house," this family, that did not end so well.

But the local officials ignored the mass complaints. But what happened was this picture was on all of the blogs in China, it stirred up a hornet's nest of people willing to demonstrate in the streets on behalf of this family.

But there is one other issue, chemical factory protests in the southeast corner of Xiamen. The local government planned to build a hazardous chemical plant near the center of town. They publicized the information on Web sites and blogs, and citizens responded by overwhelming the local Chinese officials with a million text messages. Later they used blogs and text messages. They organized massive protests and marches that attracted thousands, and finally the local officials suspended the building of a chemical factory in the middle of Xiamen.

Mr. President, I ask unanimous consent for 2 additional minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. DORGAN. Another use of the Internet in China was on a slave labor scandal. In May and June of this year, citizen activists broke open a scandal that rocked China. Thousands of brick kilns were using kidnapped slave labor. They were men, boys, mentally ill, forced to work under heavy guard, often with no pay and very little food.

Parents looking for their missing sons organized on the Internet in China, and they were pleading for Government assistance. They were forced to cover the story in the Chinese press because there was such a mass uprising here. Finally, the Chinese Prime Minister ordered an investigation. Five hundred workers were freed. One hundred sixty people who ran the kilns were arrested. Very few party officials were seriously punished.

But the point is, things are changing. The technology is changing in China. The Burmese monks protest, the activism continues right up to today. While the Chinese Government is attempting to shut down this open and free communications with the thought police, they have got thousands of people trying to regulate Internet use, the fact is, it is not working, and technology and communications are having a profound impact and I believe will continue to have a significant impact in

the future. But I would say to my colleagues, we have some very skilled people who have worked with Congressman LEVIN and myself on the Congressional Executive Commission on China, the Annual Report, 2007.

We have the most complete list of those who are being held prisoner in China, particularly as a result of human rights issues. This booklet, if you have a chance to read it, is a great description put together by some very skilled people on exactly what is happening in China.

There is some progress, and there are areas that are of great concern. We continue to monitor and work on these issues.

I yield the floor, and suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Ms. MIKULSKI. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

#### DEPARTMENTS OF COMMERCE AND JUSTICE, AND SCIENCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2008

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of H.R. 3093, which the clerk will report.

The legislative clerk read as follows:

A bill (H.R. 3093) making appropriations for the Departments of Commerce and Justice, and Science, and Related Agencies for the fiscal year ending September 30, 2008, and for other purposes.

Pending:

Inouye amendment No. 3214, to establish a fact-finding Commission to extend the study of a prior Commission to investigate and determine facts and circumstances surrounding the relocation, internment, and deportation to Axis countries of Latin Americans of Japanese descent from December 1941 through February 1948, and the impact of those actions by the United States, and to recommend appropriate remedies.

Bingaman-Smith amendment No. 3208, to amend the Omnibus Crime Control and Safe Streets Act of 1968 to clarify that territories and Indian tribes are eligible to receive grants for confronting the use of methamphetamine.

Vitter amendment No. 3277, to prohibit funds from being used in contravention of section 642(a) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996.

Thune amendment No. 3317, to provide, in a fiscally responsible manner, additional funding for U.S. attorneys to prosecute violent crimes in Indian country.

The ACTING PRESIDENT pro tempore. The Senator from Maryland is recognized.

Ms. MIKULSKI. Mr. President, to bring our colleagues up to date, we are resuming consideration of the appropriations on Commerce, Justice, and Science. Working on a very collegial and bipartisan basis, our staffs, the Mikulski staff and the Shelby staff, have worked through the evening working to clear amendments. We believe we are making very good progress.

Where we are now is the Senator from South Carolina will be offering some amendments, and we will probably be having a debate before the noon hour, and at that time we would like to have our colleagues visit with us on how they intend to deal with the amendments they have filed.

I wish to share with my colleagues on both sides of the aisle, it is intent of the Democratic leader, Senator REID that we will finish this bill tonight. Senator REID has instructed me as the manager of this bill to complete action, even if it means staying well into the evening.

We do not have to do that because we have just a core group of amendments. If the Democrats would talk to me during the first vote, and the Republicans would talk to Senator SHELBY, we can move to dispose of them, either to withdraw them, clear them or we ask our colleagues to offer them.

I wished to thank the Senator from South Carolina for being here so promptly. I wish to thank Senator SHELBY and his staff for their work.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from South Carolina.

#### AMENDMENT NO. 3286

Mr. DEMINT. Mr. President, I ask unanimous consent to set aside the pending amendment and call up amendment No. 3286.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The clerk will report.

The legislative clerk read as follows:

The Senator from South Carolina [Mr. DEMINT] proposes an amendment numbered 3286.

Mr. DEMINT. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The amendment (No. 3286) is as follows:

(Purpose: To provide that none of the funds made available under the Act may be used to circumvent any statutory or administrative formula-driven or competitive awarding process to award funds to a project in response to a request from a member of Congress, and for other purposes)

On page 97, between lines 6 and 7, insert the following:

SEC. 528. None of the funds made available under this Act may be used to circumvent any statutory or administrative formula-driven or competitive awarding process to award funds to a project in response to a request from a Member of Congress (or any em-

ployee of a Member or committee of Congress), unless the specific project has been disclosed in accordance with the rules of the Senate or House of Representatives, as applicable.

Mr. DEMINT. Mr. President, I actually have two amendments this morning. I will speak briefly on both of them.

I believe both sides have agreed these are good ideas, and I believe one will be accepted, and the other we are going to have a vote at 12, as I understand it.

But the first amendment relates to earmarking and the wasteful earmarks we have talked about often on the Senate floor. Much has been done to make earmarks more transparent, to have more earmarks disclosed.

I think as we do that, we are probably getting a better focus as a Federal Government of how we should be spending our money. But old habits die very hard. It has been very difficult for a number of Members of the House and the Senate to give up this practice of being able to send money wherever they want back in their own State or anywhere in the country.

As we have made it harder to do earmarks in the open, we have found that a number of Members of Congress or their staffs have been calling agencies to request that earmarks be done without Congress's approval at all. This type of "phone marking" has created a new loophole.

This amendment we are offering would disallow any use of funds for that type of earmarking. If I can read the amendment it is very simple.

Again, I believe both sides agree on it.

It says:

None of the funds made available under this Act may be used to circumvent any statutory or administrative formula-driven competitive awarding process to award funds to a project in response to a request from a Member of Congress (or any employee of a Member or committee of Congress), unless the specific project has been disclosed in accordance with the rules of the Senate or House of Representatives, as applicable.

That is all there is to this amendment, is to disallow this whole idea of picking up the phone and deciding where taxpayer money should go. I understand the other side is prepared to accept or have a voice vote on this amendment.

The ACTING PRESIDENT pro tempore. The Senator from Maryland.

Ms. MIKULSKI. Mr. President, I wish to acknowledge the spirit of reform of the Senator from South Carolina. We too support the spirit of reform on these matters. I support this amendment. I do believe we can accept it.

Mr. President, I ask unanimous consent that the amendment be agreed to.

The ACTING PRESIDENT pro tempore. Is there objection?

Without objection, it is so ordered.

The amendment (No. 3286) was agreed to.

The ACTING PRESIDENT pro tempore. The Senator from South Carolina.

#### AMENDMENT NO. 3289

Mr. DEMINT. Mr. President, I ask unanimous consent to set aside the