

board of the Northern Nevada International Center, is a member of the Reno Police Chief Advisory Board, and is a member of the Diversity Action Plan Committee of the Washoe County School District.

Mr. Zed was born in India. That is where he studied to become a Hindu chaplain. He holds degrees, including a master's degree from San Jose State University, in mass communications. He has a master's degree in business administration from the University of Nevada Reno.

I have had a long-standing association with the Indian community. I went to college in Logan, UT, Utah State University, a cold, cold place. Brigham Young, when he sent people to colonize the West, had people come back from Cache County to tell him that it couldn't be settled because it froze there every month of the year. Well, that is not quite true, but it freezes all but a couple months of the year. It is a wonderful community and a great university. It has grown a lot since I was there.

I lived off campus. I went there 2 years. I went to a junior college the first 2 years. I lived off campus. I was married. I would drive up that hill to the campus, and walking every day were students. They were Indians, coming from India to the United States to study. Utah State specialized in engineering and agriculture. These young men came from India to study at Utah State University. I would give them rides. I did that for 2 years, put as many in the car as would fit. When it came time to graduate, one of them came to me and said: Could you and Mrs. Reid stay over a day. We would like to do a traditional Indian feast for you.

Well, I am from Searchlight. I didn't know what they were talking about. But we had that traditional Indian feast. Many of them were dressed similar to Mr. Zed. That was an eye opener for me. They had all this Indian food. I am a guy from Searchlight. We like beans and rice and potatoes and, when we were lucky, some round steak. My mother used to pound it so it would be tender and we could eat it. It was unusual food for somebody from Searchlight, but we enjoyed it. It was a lot of fun. They gave us a number of gifts when the feast was over, and it was really a feast. It was all traditional Indian food.

I don't remember all they gave me, but I do remember one item. It is in my office in the Capitol. That was many years ago. We have had five children since then and lots of grandchildren. But it was a little statue of Gandhi, hand carved. It is ivory. It is done so well, you can pull the staff out of his hand. It is done really well. I have protected and saved that all these years. It is in my office. I have always had it there.

The reason I mention that is that if people have any misunderstanding about Indians and Hindus, all they

have to do is think of Gandhi. Here is a man who changed the world, a man who believed in peace. We heard the prayer: Peace, peace, peace. If there was ever a time, with this international war on terror that we are fighting now, where people have to understand how important peace is, think of Ghandi, a man who gave his life for peace, a tiny little man in physical stature but a giant in morality. Gandhi is the man that Martin Luther King, Jr., followed. His nonviolence was all based on the teachings of Gandhi. As a result of Gandhi, we had the civil rights movement, led by another man small in stature. Larger than Ghandi, Martin Luther King was not a giant of a man physically, but he was a giant of a man morally, just as Gandhi.

I think it speaks well of our country that someone representing a faith of about a billion people comes here and can speak in communication with our Heavenly Father regarding peace. I am grateful he is here. I am thankful he was able to offer this prayer of peace in the Capitol. I say to everyone concerned, think of Gandhi. If you have a problem in the world, think what this great man has done to bring peace and nonviolence to a troubled world.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader.

REMEMBERING LADY BIRD JOHNSON

Mr. McCONNELL. Mr. President, when Lady Bird Taylor met the man she would marry in the fall of 1934, her first reaction was to pull back. "Lyndon came on very strong," she said. "My instinct was to withdraw."

And when an assassin's bullet thrust her into the national spotlight on another fall day in 1963, she withdrew again. America remembers this remarkable woman for the quiet dignity with which she let a nation and a stricken wife mourn the loss of a President they loved. And our first reaction to her in those days of mourning was gratitude.

Now we mourn her passing, after a long tumultuous life that was marked above all by quiet service and a love of beauty.

She was nothing like her husband.

Lyndon Johnson was an overpowering figure who filled up every room he entered. His personality still reverberates through these walls. But he always knew what he needed to get ahead in life, and he saw in Lady Bird the tact and gentility he saw lacking in himself.

He asked her to marry him on their first date.

And soon the aspiring politician would marry this shy and pretty rancher's daughter. Sam Rayburn said it was the best thing Lyndon Johnson ever did.

Lady Bird brought a deep love of nature from east Texas to the White House, and she shared it with America. Residents and tourists in Washington have her to thank for the natural beauty that surrounds us here and that makes us proud to call this city our Nation's Capital.

Millions of travelers and commuters have her to thank for the flowers that line our roads. The blues, reds and yellows that light up America's highways are a living, lasting legacy to the woman who guided the Highway Beautification Act into law.

A friend to every First Lady since Eleanor Roosevelt, Lady Bird Johnson stepped out of the national spotlight as quietly as she stepped into it, again respecting the national mood at another painful moment in our history.

She outlived her famous husband by more than three decades, and we didn't hear or see much of her over the years. But she'd remind us from time to time that she was still here, quietly accepting an honor for her husband or launching some good environmental work. And we were always glad to see her. She became for us a kind of living assurance that beauty and grace outlive tragedy and loss.

We will miss her. We mourn with her daughters, Lynda and Luci, and their families. And we join them in honoring a very good American life that was spent in generous service to family and country.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be a period for the transaction of morning business for 30 minutes with Senators permitted to speak therein, with the time equally divided and controlled by the two leaders or their designees.

The Senator from Oklahoma.

FAIRNESS DOCTRINE

Mr. INHOFE. Mr. President, today, I want to reiterate something I talked about on Monday and maybe elaborate a little bit. I am one of the cosponsors of an amendment that several people will be discussing today, amendment No. 2020—it is primarily offered by my colleague, Senator COLEMAN, and myself and Senator DEMINT and Senator THUNE and, I believe, some others also—to prohibit the reimplementation of the Fairness Doctrine.

Over the past few weeks, the Fairness Doctrine has received quite a bit of attention. The Democrat-controlled House of Representatives had a vote on June 28, just a couple weeks ago. The House voted 309 to 115 to prohibit the

FCC from using funds to reinstate the Fairness Doctrine.

Now, the Fairness Doctrine is a regulation the FCC developed to require FCC-licensed broadcasters to provide contrasting viewpoints on controversial issues. However, the FCC conducted a review of this regulation in 1985. I remember this well. This was back during the Reagan administration. They concluded—and I am quoting now the FCC:

[W]e no longer believe that the Fairness Doctrine serves the public interest.

In explaining why the FCC reached this conclusion, the FCC wrote—I am quoting again further—

[T]he interest of the public is fully served by the multiplicity of voices in the marketplace today and that the intrusion by government—

The intrusion by government—

into the content of programming unnecessarily restricts the journalistic freedoms of broadcasters. The FCC's refusal to enforce the Fairness Doctrine was later upheld in the DC Circuit Court of Appeals.

That is a little bit of the history that took place, and there was not much controversy back in those days. Everybody pretty much agreed this is something that should be driven by the market, driven by the people, as opposed to being spoon-fed to the people by some governmental agency or anybody else.

So you might ask, why would a regulation that was found to be unnecessary over 20 years ago be controversial today? I can tell you why that is. It is because—and I happened to be in the middle of this when it happened—on June 22 I said something on a talk radio show that became quite controversial having to do with a statement I had made to a couple of the Senators of a more liberal standing in the Senate.

They believed the content—which it is—of talk radio has a huge bias toward the conservative viewpoints. Now, I had made the statement—and I hate to sound rash when I do this, but I want to be accurate—I said: Well, you guys don't really understand. This is market driven. The market is driving it. There is no market out there for your liberal tripe.

So it happened, coincidentally, that the day after I made that statement, the Center for American Progress came out with this report. It is called "The Structural Imbalance of Political Talk Radio." Now, I am not critical of the people who are behind this. It is the people from the Clinton White House. Clearly, it is John Podesta, Mark Lloyd, and many others who are in charge of this program. I am not sure. I have heard that the Center for American Progress is supposed to be maybe another viewpoint from the Heritage Foundation. You hear all kinds of things. But this is what is interesting in this report. First of all, they go through and document the fact that in talk radio 91 percent of the content is conservative. I do not disagree with that. They say only 9 percent is progressive, or I would say liberal. I do not disagree with that.

After they make their case, they try to state that there has to be a correction for it. I am going to read just a few excerpts from this report.

They said:

These findings—

Now, the findings we are talking about are the 91 percent—

may not be surprising given general impressions about the format, but they are stark and raise serious questions about whether the companies licensed to broadcast over the public airwaves are serving the listening needs of all Americans.

Now, that is really interesting, "the listening needs of all Americans." What are the listening needs of all Americans? Who is going to determine that? Anyway, that is what they seem to be hanging their hat on. They said:

Our conclusion is—

I am reading from this report which is from the Center for American Progress. That is John Podesta and Mark Lloyd and the rest of that group.

Our conclusion is that the gap between conservative and progressive talk radio is the result of multistructural problems in the U.S. regulatory system.

It goes on to explain this. And then—I am kind of a slow learner. But after I figured out what they were talking about, they were talking about there are regulations that could be violated, or the intent of regulations could be in violation here. So they talk about some prescribed regulations to correct this problem.

Now I move to page 11 of this report, and they come to this conclusion. They said:

If commercial radio broadcasters are unwilling to abide by these regulatory standards or the FCC is unable to effectively regulate in the public interest, a spectrum use fee should be levied on owners to directly support local, regional, and national public broadcasting.

You cannot get more socialistic than that in the comments. Now, the whole idea they are saying that not only then would talk show hosts who have a strong bias in one way or another lose their shows—let's say Sean Hannity, Rush Limbaugh, any of the rest of them—but they also would have to be fined and that money would go to support public broadcasting. Now, that is what caused the interest after 20 years.

When I say it is market driven, if you do not believe that, look at the effort by Al Franken and other liberals who tried to start Air America. Air America was designed to be on the liberal side. The problem was, nobody wanted to listen to it. So this is the problem that is out there, that people want to get away from what is market driven.

We went through this same exercise, I might add, not too long ago, about a year ago, I think it was. We had various—let's see, Armed Forces Radio. I have it here somewhere. There are three different radio stations that reach our troops around the world—not just in Iraq and Afghanistan but around the world. So there was an effort to prescribe programming so it

would be equally liberal and conservative. Then there was an uproar by our troops over there because they did not want that. So through their publications, the Army Times and some other publications, they determined what they wanted to listen to, and it was primarily conservative.

So that is what has brought this thing up, and several people in the House and several people in the Senate—in this body—have said: We need to get the FCC to reinstitute the Fairness Doctrine.

Now, the amendment that was passed in the House of Representatives by that huge margin I just mentioned was to prohibit the FCC from changing its viewpoint as far as the Fairness Doctrine is concerned.

I have been outspoken on this issue for some time. For example, on the Defense authorization legislation we made quite an issue out of this. By the way, I might want to add, we won that battle. We ended up now so they are getting the programming they want, and it happens to be—this is quite a coincidence—it happens to be about the same—91 percent versus 9 percent—that the people are demanding today in terms of the market. The same principle applies again.

I have long said that talk radio is market driven. There simply is not much market for some of this other stuff that is out there. Some Senators have made it clear they intend to reinstate the Fairness Doctrine, but free speech is fundamental to what it means to be an American, and it must be protected. Reimposing some form of the Fairness Doctrine threatens first amendment rights. We all know that. But really what is most important is it gets to be very similar to some of these countries we criticize all the time where the government is trying to take over what comes through their airwaves.

So I am pleased to join my many colleagues, including Senators COLEMAN, DEMINT, and THUNE, in supporting this amendment, and I urge the Senate to speak just as definitely against the Fairness Doctrine.

I have a letter from the National Association of Broadcasters. In this letter—I will not read the whole thing—it winds up by saying:

In the 20 years since elimination of the Fairness Doctrine, there has been a veritable explosion in alternative media outlets. Today, there are over 13,000 radio stations, more than 1,700 TV stations, nine broadcast TV networks, hundreds of cable and satellite channels, scores of mobile media devices and an infinite number of Internet sites that cater to every political persuasion and ideology. The Internet now enables consumers to obtain, and communicate to the world, virtually unlimited content.

Of course, this is a strong endorsement of our position by the National Association of Broadcasters. Mr. President, I ask unanimous consent that this letter be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

NATIONAL ASSOCIATION
OF BROADCASTERS,
Washington, DC, July 11, 2007.

DEAR SENATOR: I write today to express our strong opposition to a reinstatement of the so-called "Fairness Doctrine."

This discredited regulation, which stemmed from the 1940s and was eliminated two decades ago, required television and radio broadcasters to present contrasting points of view when covering controversial issues of public importance. In the Federal Communications Commission's 1985 Fairness Report, the FCC asserted that the doctrine no longer produced its desired effect and instead caused a "chilling effect" on news coverage that may also be in violation of the First Amendment.

I write to you today urging you to oppose any attempt to resurrect this long-discarded regulation. Free speech must be just that—free from government influence, interference and censorship.

The so-called Fairness Doctrine would stifle the growth of diverse views and, in effect, make free speech less free. Newsgathers, media outlets and reporters will be less willing to present ideas that might be controversial. In fact, FCC officials found that the doctrine "had the net effect of reducing, rather than enhancing, the discussion of controversial issues of public importance," and therefore was in violation of constitutional principles. ("FCC Ends Enforcement of Fairness Doctrine," Federal Communications Commission News, Report No. MM-263, August 4, 1987.)

In the 20 years since elimination of the Fairness Doctrine, there has been a veritable explosion in alternative media outlets. Today, there are over 13,000 radio stations, more than 1,700 TV stations, nine broadcast TV networks, hundreds of cable and satellite channels, scores of mobile media devices and an infinite number of Internet sites that cater to every political persuasion and ideology. The Internet now enables consumers to obtain, and communicate to the world, virtually unlimited content.

Bringing back the Fairness Doctrine is unnecessary, unwarranted, and unconstitutional.

Sincerely,

DAVID K. REHR.

Mr. INHOFE. Mr. President, I yield the floor.

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

Mr. DEMINT. Mr. President, I ask unanimous consent that I be allowed to speak for 15 minutes in morning business.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. WHITEHOUSE. Mr. President, if the Senator will amend his consent request so that both sides have equal additional time in morning business, there will be no objection.

The ACTING PRESIDENT pro tempore. Does the Senator modify his request?

Mr. DEMINT. Mr. President, I modify my request that I have 15 minutes and my colleague have 15 minutes as well.

Mr. WHITEHOUSE. No objection. I thank the Senator.

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

Mr. DEMINT. Thank you, Mr. President. I thank my colleague for yielding.

EARMARK REFORM

Mr. DEMINT. Mr. President, I first thank my colleague from Oklahoma for bringing to the floor this important issue of free speech in America, and the bill that would help to keep the FCC from imposing gag rules on talk radio and other media. But that is not the purpose of my trip to the floor today.

Mr. President, I rise today to speak about the ongoing effort in the Senate to block earmark reform. It has now been 175 days—over 6 months—since we passed our earmark transparency rules. Yet they still have not been enacted.

As my colleagues know, we passed two important earmark transparency rules back in January that, first, require public disclosure of earmarks and, second, prohibit Congress from adding secret earmarks behind closed doors in conference committees where they cannot be openly debated or voted on. Both of these rules were unanimously supported by the Senate. But now—over 6 months later—Democrats are insisting that we change or drop these rules behind closed doors.

I asked the majority leader before July 4 if we could agree to protect these earmark reforms in conference, but he said no. I am not asking for an ironclad agreement. He said they would change in conference. I asked him what changes he wanted to make to these important earmark rules that had passed unanimously, but so far we do not have a response.

In fact, in CongressDailyAM, they put it quite clearly when they said:

[Democrats] could not guarantee that DeMint's earmark language would survive negotiations with the House.

I would only correct one thing about that quote. This was actually NANCY PELOSI's language, modified slightly by Senator DURBIN, and voted on unanimously in the Senate. They are hardly my earmark requirements.

Well, there you have it. After stalling and blocking the enactment of these important ethics reforms for over 6 months, and after coming up with every excuse in the book to put them off, the Democrat leadership is now beginning to admit they plan to kill earmark reform.

It is now day 175 of business as usual in the Senate, and the party that said it would clean up the culture of corruption in Washington is already embracing it.

The majority leader and the majority whip made several statements on this issue on the Senate floor the other night, and I want to address them.

First, the majority leader said that my efforts to protect earmark reform were a "ploy," a "diversion," and a "smokescreen" to stop the ethics bill.

This accusation is completely false, and these two Senators are probably the only two people in America who be-

lieve it. I voted for the lobbying and ethics bill, and I even supported going to conference. In fact, I came to the floor on Monday and asked for consent to adopt the earmark transparency rules and to go to conference with the House on the ethics bill. But the other side objected because they only want to move forward on the ethics bill if they can gut the earmark reforms in secret.

The truth is, the only thing stopping the lobbying and ethics bill from moving forward is the Democratic leadership and their desire to kill meaningful earmark reform behind closed doors. They may want to hide their opposition to transparency by accusing me of having a secret plan to kill the bill, but Americans know the truth. They know folks in Congress love earmarks and will do anything to keep this process secret and easy for Members to designate money to their pet projects. It is clear, the only thing stopping this bill is obstruction to earmark reform.

Next, the majority leader said it was a "fantasy" for anyone to think they would kill earmark reform behind closed doors. Again, I am not sure how these things can be said with a straight face. Several Senators on the other side, including the majority leader himself, have publicly said they intend to change these rules behind closed doors, but they won't say how they are going to change them. If this is all a fantasy, then why won't they tell us what they plan to do with these reforms? This is supposed to be a bill about transparency, but the other side wants to rewrite it in secret.

But setting aside for a moment the fact that they have publicly admitted they plan to change these rules, we need to realize it is earmark reform we are talking about here. The culture of earmarking runs very deep in this town, and it is no fantasy that there are many in this body on both sides of the aisle who want to preserve that culture.

Next, the majority leader said Democrats are already complying with the rule and therefore we should trust them. The truth is the earmark disclosure the Democrats have given us is spotty at best. In fact, the Congressional Research Service says only 4 committees out of 18 have implemented even an informal disclosure rule. Even worse, it says these four informal rules cannot be enforced on the floor of the Senate.

The Defense bill we are debating right now is a perfect example. The committee put out a partial list of the earmark sponsors, but it has failed to make public the letters from these earmark sponsors certifying that they have no financial interest in the projects they have requested. This is a recipe for more Duke Cunninghams. It is a recipe for corruption.

Congressional Quarterly put it quite clearly when it stated:

The earmarks—listed in the defense bill for the first time ever—would not have been