

House and Senate for their leadership. Congratulations to all who are working to make CS08 a huge success.

CHIEF DAN PACKER: IN
MEMORIAM

HON. DAVID G. REICHERT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Friday, August 1, 2008

Mr. REICHERT. Madam Speaker, I rise today in honor of Chief Dan Packer, the former Chief of East Pierce Fire and Rescue who gave the ultimate sacrifice in the line of duty Saturday, July 26, 2008, in Northern California.

Packer, the only chief of the East Pierce district and the past president of Washington Fire Chiefs, arrived in Northern California on June 25, 2008, to assist in the Panther Creek fire as a Division Supervisor. He was called to duty by the U.S. Forest Service and immediately leaped at the opportunity to serve and protect in another community.

Chief Packer began his career as a firefighter in Burien, Washington, in 1981. In 1995, he took over as the fire chief of Bonney Lake, Washington, and transformed the department of six firefighters into East Pierce Fire and Rescue. The district now serves nearly 75,000 people in the areas of Bonney Lake, Sumner, Lake Tapps, South Prairie and Wilkeson; about 142 square miles total. Aside from his duties as a day-to-day leader at East Pierce Fire and Rescue, Chief Packer argued patiently, eloquently and reasonably before the State Legislature in order to make the people he served in Pierce County safer.

During a time of reflection such as this, many phrases continue to appear while describing the kind of servant Chief Packer was. I read Chief Packer was "a firefighter's fire chief," a "visionary leader," and a "great and exceptional man." The residents of East Pierce County have lost a wonderful leader and I grieve with you. To the fire personnel who worked under and alongside Chief Packer: I understand your pain. I have experienced losing a partner in the line of duty.

Most of all Madam Speaker, we grieve with the family of Chief Packer. He was a son, a husband, father and grandfather; his sacrifice was also their sacrifice and their loss. But they can live with the comfort in his spirit and the hope that his spirit lives on to inspire others with his true heroism and willingness to serve to protect all of us. That is the spirit of a first responder and the memory of Chief Packer we must always honor and never forget.

INTRODUCTION OF THE WORKER
SAVINGS ACCOUNT ACT

HON. JOHN M. McHUGH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, August 1, 2008

Mr. McHUGH. Madam Speaker, I rise today to introduce legislation, the Worker Savings Account Act of 2008, which is designed to help Americans should they become unemployed.

American workers today are less likely to spend their careers with a single employer,

particularly as United States companies face increasing global competition. These forces—technological advances, increased trade, lower transportation costs, and enhanced communications—have greatly facilitated the movement of jobs offshore, including both services and high-skilled sectors. Corporations have sought to streamline their operations through technological innovations, outsourcing, layoffs, and moving to lower-cost locations. Not surprisingly, the total number of U.S. manufacturing jobs has fallen by 1.8 million since November 2001, from 15.8 million to 14 million.

The loss of employment is not limited to those impacted by the global economy, but is something virtually every worker could experience. In fact, 19 million Americans were laid off or discharged from their employment in 2006. A 2005 Government Accountability Office (GAO) report found that 85 percent of American workers born between 1957 and 1964 were unemployed at least once between 1979 and 2002.

There are a variety of benefits that may be available to Americans to help them during times of unemployment. These include those provided through the Unemployment Compensation (UC), Trade Adjustment Act (TAA), Alternative Trade Adjustment Act (ATAA), Disaster Unemployment Assistance (DUA), and the Workforce Investment Act (WIA) programs.

For example, the UC program is the cornerstone of the government's efforts to assist unemployed workers with their continued income needs. Established in 1935, the UC program provides critical support to covered workers who become involuntarily unemployed. In December 2007, approximately 2.7 million unemployed workers received UC benefits in a given week.

The average weekly UC recipient currently gets \$281 and monies are usually available for up to 26 weeks, although this Congress recently enacted legislation with my support to temporarily provide an additional 13 weeks. In fiscal year 2007, the average regular UC benefit duration was 15 weeks or almost four months. When one considers rising costs, particularly for gasoline and food, it is not surprising that some estimates indicate that about 42 million Americans are living paycheck to paycheck. It is clear that many of our citizens are not well prepared for periods of unemployment. This is particularly evident when one notes that financial planners often advise people to build up three to six months in emergency savings to cover necessities such as monthly mortgage and car payments, utilities, insurance, food, home maintenance, and health care.

The Worker Savings Account Act is designed to help Americans enhance their personal safety nets. The measure would allow people to establish Worker Savings Accounts (WSAs) to supplement the benefits they might otherwise receive while unemployed including assistance received through the UC, TAA, ATAA, DUA, and WIA programs. Moreover, the Act clearly states that a person's decision to have a WSA shall in no way diminish their entitlement to receive those payments.

Like traditional Individual Retirement Accounts (IRAs), WSAs would have an annual contribution limit of \$5,000, indexed to inflation. However, employers would be able to provide matching contributions of up to \$5,000 annually. Contributions to WSAs would be permitted until the account owner actually elects

to take Social Security retirement benefits. At that time, a WSA account owner could choose to roll over their WSA funds into a 401(k) or IRA; alternatively, the WSA funds could be withdrawn without penalty but subject to taxation. Prior to a WSA account owner's decision to take Social Security payments, WSA funds could be withdrawn without penalty and tax-free as long as the owner lost their employment through no fault of their own or they had become disabled.

To encourage lower-income Americans to take advantage of the opportunity to contribute to WSAs, the Worker Savings Account Act would provide a refundable tax credit of up to \$1,000 for eligible individuals. This tax credit would be indexed to inflation and recipients could receive up to \$5,000 over the course of their career.

Madam Speaker, while this legislation would help every American build or enhance their personal safety net, it would be particularly helpful to my constituents. To illustrate, in June 2008, five of the 11 counties I represent in Northern and Central New York had unemployment figures that exceeded the national and state rates. Accordingly, I ask my colleagues to join with me as I work to enact the Worker Savings Account Act of 2008.

CONFERENCE REPORT ON H.R. 4040,
CONSUMER PRODUCT SAFETY
IMPROVEMENT ACT OF 2008

SPEECH OF

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 30, 2008

Mr. RANGEL. Madam Speaker, I rise today to express my support of H.R. 4040, the Consumer Product Safety Committee, CPSC, Reform Act, introduced by Representative BOBBY L. RUSH on November 1, 2007.

The passage and enactment of the CPSC Reform Act is necessary to ensure our children's safety from unsafe products that threaten their health and well-being. Unfortunately, the year of 2007 is known as a Year of Recall, with one million toys recalled from the American market. The danger that these recalled toys posed to our children is frightening. Children suffered the threat of unnecessary deaths and injuries from contact with contaminated and poisoned toys and products. Lead, phthalate and other dangerous chemicals are widely used in products, creating a health threat for our young children and their parents.

This threat can be and must be prevented. By demanding that toy manufacturers stop using deadly chemicals and ensuring safety with legislative and governmental assistance, we can save our kids. The American government has the ability to protect our children and prevent future tragedies. The CPSC Reform Act proposes a strengthening of the authority of the Government to act to ensure safety of American citizens.

I strongly support the Reform Act. The enactment of this important bill shall not be delayed. With the holiday season coming soon, a new flow of toys and products will arrive and we need to have greater assurance of their safety. The legislation can prevent the risk, protecting our vulnerable children. We must act now, refusing any hazardous chemicals in products of our children.

SUMMARY AS OF MARCH 6, 2008—PASSED
SENATE AMENDED

CPSC Reform Act—(Sec. 3) Amends the Consumer Product Safety Act to authorize appropriations: (1) to carry out the Act and any other provision of law the Consumer Product Safety Commission (CPSC) is authorized or directed to carry out; (2) for the office of Inspector General; (3) to make capital improvements to the research, development, and testing facility of the CPSC; and (4) for research into safety issues related to the use of nanotechnology in consumer products.

(Sec. 4) Requires the CPSC, subject to the availability of appropriations, to increase by at least 500 the number of its full-time employees and by at least 50 the number of its port-of-entry and overseas production facility inspectors. Requires the CPSC to develop and implement a professional career development program. Requires the CPSC to develop standards for training product safety inspectors and technical staff employed by the CPSC.

(Sec. 5) Urges the President to nominate members to fill any vacancy in CPSC membership as expeditiously as practicable. Removes a provision limiting the funding for the number of CPSC Commissioners to no more than three.

(Sec. 6) Adds CPSC annual, semiannual, and other regular periodic reports to the list of reports required to be submitted indefinitely under the Federal Reports Elimination and Sunset Act of 1995.

(Sec. 7) Modifies provisions concerning the public disclosure of information regarding a consumer product where disclosure will permit the public to ascertain readily the identity of the manufacturer or private labeler, including decreasing some waiting periods before the CPSC may disclose information and providing for expedited court actions.

Requires the CPSC to maintain on its website a publicly available, searchable database that includes any reports received by the CPSC of injuries, illness, death, or risk of such injury, illness, or death related to the use of consumer products received by the CPSC from consumers, government agencies, and nongovernmental sources other than information provided to the CPSC by manufacturers, private labelers, or retailers. Allows inclusion in the database of comments by manufacturers, labelers, or retailers.

(Sec. 8) Modifies procedures for promulgating consumer product safety rules under the Consumer Product Safety Act or the Flammable Fabrics Act or regulations under the Federal Hazardous Substances Act. Allows, under the Consumer Product Safety Act, submission of an existing standard or portion of a standard as a proposed consumer product safety standard.

Removes provisions providing that an action for judicial review of a flammability standard or regulation survives any change in the persons occupying the office of CPSC commissioner or any vacancy in such office.

(Sec. 9) Expands the authority of the CPSC to prohibit the stockpiling of a product (for the purpose of circumventing a consumer product safety rule) to which a consumer product safety rule applies.

(Sec. 10) Requires third party laboratory testing (and related certification) of certain products for use by, or care of, a child seven or younger that are subject to a consumer product safety standard or a rule.

Requires, if an advertisement, label, or package contains a reference to a consumer product safety standard, that there be a statement regarding whether the product meets all requirements of that standard.

Requires the CPSC, with regard to consumer products in general and children's

products in particular, to: (1) establish protocols and standards regarding certification or continuing guarantees of compliance; and (2) provide for accreditation of the third party laboratories. Prohibits importation of children's products lacking certification.

Authorizes the CPSC, by rule, to extend to other consumer products (or to classes or categories of consumer products) a requirement that a product's manufacturer subject to a consumer product safety standard certify that the product conforms to the standard or is not a banned hazardous product.

Allows the CPSC, in establishing standards for such third party laboratories, to consider standards and protocols by independent standard-setting organizations. Requires that the final standard for certification incorporate the most current scientific and technological standards and techniques.

(Sec. 11) Amends the Federal Hazardous Substances Act to require, when a product's packaging or retail display must include a choking warning (as with balloons, small balls, or marbles), that associated advertising that provides a direct means of purchase (including on Internet sites or in catalogs or other distributed materials) also bear the warning. Treats that requirement as a consumer product safety standard.

Requires the manufacturer of a children's product or other consumer product to place distinguishing marks on the product or its packaging that will enable the ultimate purchaser to ascertain the manufacturer, production time period, and cohort of production.

(Sec. 12) Requires each manufacturer of a consumer product or other product or substance over which the CPSC has jurisdiction under any Act (except for motor vehicle equipment) to notify the CPSC of certain substantial product hazards. (Current law requires such notification only regarding a consumer product, but makes no reference to other products or substances over which the CPSC has jurisdiction.)

(Sec. 13) Modifies requirements regarding action plans of manufacturers, distributors, or retailers to deal with products that present a substantial hazard.

(Sec. 14) Requires manufacturers and their subcontractors, importers, retailers, or distributors of a product or substance to identify each other upon CPSC request.

(Sec. 15) Makes it unlawful to sell, offer for sale, manufacture, distribute, or import any product or substance regulated under any Act enforced by the CPSC that is not in conformity with an applicable consumer product safety standard, is subject to voluntary corrective action, is subject to an order issued under provisions relating to imminent hazards or substantial product standards, or has been designated a banned hazardous substance under the Federal Hazardous Substances Act.

Authorizes the CPSC, notwithstanding any other provision of law, to prohibit the export of a product or substance that is: (1) not in conformity with applicable CPSC requirements and does not violate applicable safety standards established by the importing country; (2) subject to an order issued under provisions relating to imminent hazards or substantial product standards, or has been designated a banned hazardous substance under the Federal Hazardous Substances Act; or (3) subject to voluntary corrective action taken by the manufacturer, subject to exception.

Prohibits selling, offering for sale, distributing, or importing any consumer product bearing a registered safety certification mark owned by an accredited conformity assessment body if use of the mark is (or should have been) known to be unauthorized. Prohibits exercising or attempting to exercise undue influence on a third party laboratory.

(Sec. 16) Increases the maximum civil penalties under the Consumer Product Safety Act, the Federal Hazardous Substances Act, and the Flammable Fabrics Act. Requires a finding of aggravated circumstances in order to impose a civil penalty over \$10 million. Modifies criminal penalties under those Acts. Adds mitigation of undue adverse economic impacts on small businesses to the factors to be considered in determining the amount of civil penalties.

(Sec. 17) Prohibits changing, by rule or regulation (or by reference in any preamble, statement of policy, executive branch statements, or other matter associated with the publication of any such rule or regulation), provisions of the Consumer Product Safety Act, the Federal Hazardous Substances Act, the Flammable Fabrics Act, and the Poison Packaging Prevention Act of 1970 that establish the extent to which those Acts preempt or otherwise affect any other federal, state, or local law, any rule or regulation, or any state cause of action.

(Sec. 18) Authorizes the CPSC to make certain information obtained by the CPSC available to any federal, state, local, or foreign government agency, provided there is an agreement that the information will be maintained in confidence and used only for law enforcement or consumer protection.

(Sec. 19) Authorizes the CPSC, by rule, to require the posting of an escrow, proof of insurance, or security by manufacturers, distributors, or persons who have committed multiple significant violations of any CPSC-enforced Act in an amount sufficient to cover recall or holding and destruction costs.

(Sec. 20) Allows states to bring actions to enforce any Act enforced by the CPSC, except during the pendency of an action brought by the CPSC. Regulates the use of information by private counsel retained to assist a state.

(Sec. 21) Creates protections for public and private sector whistle-blowers. Allows a court to grant all relief necessary to make the employee whole, including injunctive relief, compensatory damages, reinstatement, back pay (with interest), compensation for any special damages, litigation costs, expert witness fees, and reasonable attorney fees.

(Sec. 22) Treats any children's product designed or intended for use by, or care of, a child seven or younger that contains lead over a specified level as a banned hazardous substance under the Federal Hazardous Substances Act. Excludes components that are not accessible to a child and will not become physically exposed through normal and reasonably foreseeable product use and abuse. Prohibits considering paint, coatings, or electroplating to be a barrier that would render lead in the substrate inaccessible to a child. Allows the CPSC to exclude lead crystal.

Requires the CPSC, if it determines it is not feasible for electronic devices, including batteries, to comply with that requirement, to issue standards and establish a schedule for full compliance. Allows the CPSC to establish more stringent levels than those specified in this Act.

Lowers the lead threshold at which paint becomes a banned hazardous product.

(Sec. 23) Requires the CPSC to study the feasibility of establishing a measurement standard based on a units-of-mass-per-area standard that is statistically comparable to the parts-per-million measurement standard now used in laboratory analysis.

(Sec. 24) Requires the Government Accountability Office (GAO) to study disparities in the risks and incidence of preventable injuries and deaths among minority children related to products intended for use by children. Requires a report to the Committee on

Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate. Authorizes appropriations.

(Sec. 25) Amends the Poison Prevention Packaging Act of 1970 to prohibit constraining provisions relating to household substance special packaging to protect children to require a cost-benefit analysis in connection with the establishment of a standard.

(Sec. 26) Requires the CPSC's Inspector General to conduct reviews and audits of implementation of the Consumer Product Safety Act by the CPSC and report annually to the CPSC, the Senate Committee on Commerce, Science, and Transportation, and the House of Representatives Committee on Energy and Commerce.

Requires the Inspector General to review CPSC employee complaints about failures of other employees to properly enforce rules or regulations of any Act enforced by the CPSC and the process by which corrective action plans are negotiated with such employees and report to the CPSC and such committees.

Requires the Inspector General to review whether, and to what extent, there have been unauthorized and unlawful disclosures of information by CPSC Members, officers, or employees to CPSC-regulated persons that are not authorized to receive such information and report to the CPSC and such committees.

(Sec. 27) Requires the CPSC to establish and maintain: (1) on its home page a direct link to the CPSC's Office of Inspector General; and (2) on the home page of its Inspector General website a mechanism by which individuals may anonymously report cases of waste, fraud, or abuse regarding the CPSC.

(Sec. 28) Establishes, as a consumer product safety rule, a requirement that each portable gasoline container conform to the child-resistance requirements in a specified standard issued by ASTM International.

(Sec. 29) Considers a specified ASTM-International standard on toy safety to be a consumer product safety rule.

(Sec. 30) Requires the CPSC, notwithstanding any other provision of law, to establish as a mandatory consumer product safety standard a specified American National Standard for four-wheeled all-terrain vehicles developed by the Specialty Vehicle Institute of America. Makes it unlawful for any manufacturer or distributor to import or distribute any new all-terrain vehicle unless: (1) the vehicle complies with the standard, is subject to an all-terrain vehicle action plan, and bears a label certifying such compliance and certain other information; and (2) the manufacturer or distributor is in compliance with the action plan.

Prohibits the importation of new three-wheeled all-terrain vehicles until a mandatory consumer product safety rule applicable to three-wheeled all-terrain vehicles is in effect.

Requires the Comptroller General to study the utility, recreational, and other benefits of certain all-terrain vehicles and the costs associated with accidents and injuries involving all-terrain vehicles.

(Sec. 31) Requires, notwithstanding specified provisions of the Consumer Product Safety Improvement Act of 1990 or any amendment by the American National Standards Institute and Underwriters Laboratories of specified standards, that all automatic residential garage door operators that directly drive the door in the closing direction include an external secondary entrapment protection device that does not require contact with a person or object for the garage door to reverse. Provides for an exception, requires the CPSC to review and if necessary revise its standard, and eliminates

the exception if the revised standard adopts the requirement of the first sentence of this paragraph.

(Sec. 32) Sets a deadline for the CPSC to issue a final rule in a specified proceeding relating to portable generators.

Requires the CPSC to report to the Senate Committee on Commerce, Science, and Transportation regarding charcoal briquettes.

(Sec. 33) Sets a deadline for the CPSC to issue a final rule mandating general safety standards for cigarette lighters in specified proceedings.

(Sec. 34) Danny Keysar Child Product Safety Notification Act—Requires the CPSC to assess the effectiveness of any voluntary consumer product safety standards for durable products for children under five years of age and promulgate consumer product safety rules that are the same or more stringent than the voluntary standards. Makes it unlawful for any commercial user (including, but not limited to hotels, motels, or similar transient lodging facilities and day care centers) to manufacture, sell, lease, or otherwise place in the stream of commerce any new or used crib, including a portable crib and a crib-pen, that is not in compliance with the mandatory rule.

Requires the CPSC to promulgate final consumer product safety rules that require manufacturers of durable products for children under five years to: (1) provide consumers with postage-paid consumer registration forms with each such product and maintain the submitted information in order to improve recall effectiveness; and (2) permanently label the product with information about the manufacturer and product.

Requires the CPSC to study, and report to Congress on, the effectiveness of such rules in facilitating product recalls.

Allows a manufacturer of such durable products to use a recall notification technology in lieu of such registration forms if the CPSC finds that the technology is at least as effective as the forms. Requires the CPSC to review recall notification technology and report to Congress.

(Sec. 35) Repeals provisions allowing the CPSC to regulate a product under the Consumer Product Safety Act (if the product has a risk of injury which could be reduced to a sufficient extent by action under the under the Federal Hazardous Substances Act, the Poison Prevention Packaging Act of 1970, or the Flammable Fabrics Act) only if the CPSC by rule finds that it is in the public interest to do so.

(Sec. 36) Requires the CPSC to enter into a memorandum of understanding with the Secretary of Homeland Security for the assignment by the Commission of at least one full-time equivalent personnel to work at the National Targeting Center of the U.S. Customs and Border Protection to identify products intended for importation that pose a high risk to consumer safety. Allows the CPSC to waive that requirement if it determines that the assignment would not improve effectiveness in identifying such products before importation.

(Sec. 37) Requires the CPSC to develop a risk assessment methodology for identification of shipments of consumer products that are intended for import and would be refused admission under specified provisions of the Consumer Product Safety Act, including, as far as practicable, using the International Trade Data System (ITDS) to evaluate and assess information before shipments enter U.S. customs territory. Authorizes appropriations.

(Sec. 38) Requires the CPSC to publish a list of product defects that constitute a substantial product hazard.

Replaces provisions requiring the exportation (or, on application, destruction) of im-

ports refused admission with provisions requiring the Secretary of Homeland Security to destroy any product refused admission unless the product is exported within a specified period after refusal.

Requires (currently, allows) the CPSC, by rule, to condition importation of a consumer product on the manufacturer's compliance with certain inspection and record keeping requirements.

Requires (currently, allows) the CPSC to provide information to other federal agencies with which it is cooperating under an existing permanent surveillance program to prevent the entry of unsafe consumer products.

Prohibits constraining this section to prevent the Secretary of Homeland Security from prohibiting entry or directing the destruction or export of a consumer product under any other provision of law.

Replaces all references to the Secretary of the Treasury in provisions relating to imported products with references to the Secretary of Homeland Security.

(Sec. 39) Requires the CPSC to: (1) establish and maintain a database with information about violations of consumer product safety rules, including related statements by manufacturers or suppliers; and (2) make the database available on a real-time basis to the Commissioner responsible for the U.S. Customs and Border Protection of the Department of Homeland Security to be used to determine whether a container being imported contains consumer products that are in violation of a consumer product safety standard and whether action should be taken under imported products provisions. Prohibits other disclosure of the information, except for law enforcement or national security. Prohibits the CPSC and the Commissioner responsible for the U.S. Customs and Border Protection of the Department of Homeland Security from imposing a civil or criminal penalty solely on the basis of information from the database. Authorizes appropriations.

(Sec. 40) Treats any children's toy or child care article that contains any combination of specified phthalates as a banned hazardous substance under the Federal Hazardous Substances Act. Prohibits certain alternatives to those phthalates. Allows certain related state or local laws.

(Sec. 41) Requires the CPSC to establish a standard for equestrian helmets.

(Sec. 42) Authorizes the CPSC, if it finds that a product presents a substantial hazard, and that certain actions under existing provisions are in the public interest, to order a manufacturer, distributor, or retailer to distribute notice of the actions to the public. Specifies the required contents of the notice. Allows the CPSC to require that a notice be distributed in a language other than English if the CPSC determines that doing so is necessary to adequately protect the public.

Requires the CPSC to make certain information available to the public as the information becomes available to the CPSC, including progress reports and incident updates, statistics regarding injuries and deaths, and certain communications from consumers to the CPSC.

(Sec. 43) Requires the Comptroller General to: (1) assess the effectiveness of the authorities and provisions of the Consumer Product Safety Act in preventing unsafe consumer products from entering U.S. customs territory; (2) develop a plan to improve effectiveness; and (3) report to Congress regarding inspection of foreign manufacturing plants by the CPSC and requiring foreign manufacturers to consent to the jurisdiction of U.S. courts regarding CPSC enforcement actions.

(Sec. 44) Bans importation of toys manufactured by companies that have shown a

persistent pattern substantial product hazards or that present a risk of injury to the public of such a magnitude that the CPSC has determined that a permanent ban on all toys manufactured by such company is equitably justified. Requires a related annual report to Congress.

(Sec. 45) Requires the CPSC to conduct a study on the use of formaldehyde in the manufacture of textile and apparel articles, or in any component of such articles, to identify any risks to consumers.

ON THE BIRTH OF SARAH LILIAN PHILIPS

HON. JOE WILSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 1, 2008

Mr. WILSON of South Carolina. Madam Speaker, I am happy to congratulate my friend Sunny Philips and her husband Jay Philips of Columbia, SC on the birth of their daughter Sarah Lilian Philips. Sarah Lilian Philips was born on July 31, 2008, weighing 6 pounds and 3 ounces. She has been born into a loving home where she will be raised by parents who are devoted to her well-being and bright future. I am particularly happy to share my birthday with Sarah Lilian Philips.

I am so excited for this new addition to the Philips family. On behalf of my wife Roxanne, and our entire family, we want to wish Sunny, Jay, Sarah Lilian and her three sisters Rigby, Maddy, and Nettie good health and happiness.

THE CONSUMER ENERGY RELIEF ACT OF 2008

HON. JANICE D. SCHAKOWSKY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, August 1, 2008

Ms. SCHAKOWSKY. Madam Speaker, today I rise to introduce H.R. 6653, the Consumer Energy Relief Act. This legislation will provide Americans short- and long-term relief from rising energy costs by implementing a comprehensive strategy to reduce America's oil dependence while also driving down the price of gasoline.

In January 2001, when President Bush took office, the price of oil was \$30 per barrel, and the average price for a gallon of gasoline was about \$1.50. After 7½ years of energy policies spearheaded by President Bush, Vice President CHENEY, two oil men in their own right, and their friends in the oil industry, oil companies in the United States are earning record profits, the cost per barrel of oil has spiked to \$134 and Americans are spending at least \$3.96 on a gallon of gasoline.

Energy costs this high place a tremendous burden on the American people at a time when our economy is already on the verge of recession. The Consumer Relief Act takes important steps to reduce gas prices, eliminate our dependence on oil for fuel, and provide real relief to the American people by addressing the root causes of the spike in energy costs.

First, it will impose tighter regulations on excessive speculation. While the speculation market is a necessary function of America's

economy, the deregulation of the market under the Bush administration has allowed the oil and gas market to be manipulated. Experts have testified that excessive speculation may be responsible for inflating prices by as much as \$20 to \$60 more per barrel. By regulating the speculation market, this bill will restore stability to international commodity trading and protect the American people from exorbitant gas prices.

Secondly, this bill will grant the Federal Trade Commission the authority to investigate and punish companies that artificially inflate the price of energy. The need for this provision is clear. An investigation of 1,000 gas stations in New Jersey resulted in tickets for 350 violations of gasoline price gouging-related offenses. Among the citations issued were: 62 violations for the pump not accurately metering, or measuring, fuel, 46 violations for per-gallon prices being different on each side of the pump, 37 violations for fuel grades (octane rating labels) not posted, 26 violations for inaccurate octane ratings, 19 violations for inaccurate total sale price calculation and 14 violations for multiple price changes in a 24-hour period. This investigation is indicative of what is occurring all over the country. Price gouging has become an epidemic.

Lastly, H.R. 6653 addresses the causes of our Nation's energy crisis by infusing a major investment in the research and development of renewable energy as well as providing financial assistance for the purchase of energy efficient appliances and vehicles. This investment will provide immediate relief to Americans by helping reduce their energy costs in the short-term by providing financial assistance for the purchase of efficient appliances and vehicles, and in the long-term by reducing our Nation's dependence on foreign oil by injecting much needed capital for the development of alternative energy.

The Consumer Energy Relief Act pays for this investment by establishing a windfall profits tax on oil companies who have benefited from President Bush's policies that protect the profit margins of oil companies over the tight budgets of hard-working Americans. Just today we learned that ExxonMobil is projected to earn a record \$52 billion this year and that the five largest oil companies in the United States are expected \$168 million.

Madam Speaker, American families and businesses are reeling from record prices—the result of 7 years of missed opportunities and an energy policy this White House has literally allowed the oil industry to write. Their policy is working for only one group: the oil companies which are earning record profits while Americans are paying record prices. The failure to diversify our energy sources with bold investments in renewable energy and more efficient technology, leaves us dangerously dependent on foreign oil, and hurts our economy and American families. The Consumer Energy Relief Act sets the United States on a different course, and I urge my colleagues to support it.

MOTION TO ADJOURN

HON. MARK UDALL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Friday, August 1, 2008

Mr. UDALL of Colorado. Madam Speaker, I must oppose this motion to adjourn, because

I think the House should continue trying to pass legislation to improve our national energy policies.

Regrettably, so far our repeated efforts to do that have been thwarted by the refusal of our friends on the other side of the aisle to support any of the proposals that have been considered.

They seem ready to put a perceived political advantage over working on a bipartisan basis to achieve results.

Otherwise, I cannot explain their recent votes on energy legislation.

Looking back, we see that a majority of Congressional Republicans have time and again voted against sensible energy legislation.

They have voted against renewable energy, against the first new vehicle efficiency standards in 32 years—saving \$1,000 in fuel costs per car per year—and against reducing transit fares for commuter rail and buses.

They have voted against expedited drilling in Alaska's National Petroleum Reserve and against adding a due-diligence requirement that could stimulate expedited exploration and development on other Federal lands already leased for that purpose.

They also voted against releasing 10 percent of the record amounts of oil stored in the Strategic Petroleum Reserve (to be replaced with heavy oil that is better suited for that storage), even though that addition to the supplies on the market could ease gas prices.

And, finally, too many of our Republican colleagues opposed better regulation of the commodity markets, to reduce the ability of speculators to artificially increase the price of oil, even though the bill had been approved in the Agriculture Committee by voice vote and was supported by the committee's ranking Republican member.

So, I certainly understand why many of our colleagues are prepared to give up for now and adjourn today in order to begin the normal August district work period.

But I think we owe it to our constituents and to the country to stay here at least for now, and to continue working on energy legislation. And for that reason, I cannot vote for this motion to adjourn.

STATEMENT IN HONOR OF LEE KLING

HON. RUSS CARNAHAN

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Friday, August 1, 2008

Mr. CARNAHAN. Madam Speaker, I rise today to recognize the outstanding contributions made by fellow Missourian, Lee Kling, an individual who placed the needs of country above his own.

Like many great Americans, Lee did not stand steadfastly by; instead, he insisted on getting involved. He saw his plight not in terms of one or a few, but as one shared by many.

Sadly, we have lost a great American in Lee Kling.

He was a man who invested in his community and family, and always found the time to give.

No job was too little or big for Lee. Whether at the center of Presidential politics, involved in efforts to save military bases, or rebuilding