cosponsor of S. 2819, a bill to preserve access to Medicaid and the State Children's Health Insurance Program during an economic downturn, and for other purposes.

S. 2821

At the request of Ms. CANTWELL, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of S. 2821, a bill to amend the Internal Revenue Code of 1986 to provide for the limited continuation of clean energy production incentives and incentives to improve energy efficiency in order to prevent a downturn in these sectors that would result from a lapse in the tax law.

S. 2822

At the request of Mr. WYDEN, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 2822, a bill to amend the Energy Policy Act of 2005 to repeal a section of that Act relating to exportation or importation of natural gas.

S.J. RES. 28

At the request of Mr. DORGAN, the names of the Senator from Oregon (Mr. WYDEN) and the Senator from Rhode Island (Mr. WHITEHOUSE) were added as cosponsors of S.J. Res. 28, a joint resolution disapproving the rule submitted by the Federal Communications Commission with respect to broadcast media ownership.

S. RES. 470

At the request of Mr. LUGAR, the name of the Senator from Florida (Mr. MARTINEZ) was added as a cosponsor of S. Res. 470, a resolution calling on the relevant governments, multilateral bodies, and non-state actors in Chad, the Central African Republic, and Sudan to devote ample political commitment and material resources towards the achievement and implementation of a negotiated resolution to the national and regional conflicts in Chad, the Central African Republic, and Darfur, Sudan.

S. RES. 497

At the request of Mr. AKAKA, the name of the Senator from Minnesota (Mr. COLEMAN) was added as a cosponsor of S. Res. 497, a resolution expressing the sense of the Senate that public servants should be commended for their dedication and continued service to the Nation during Public Service Recognition Week, May 5 through 11, 2008.

S. RES. 504

At the request of Mrs. FEINSTEIN, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. Res. 504, a resolution condemning the violence in Tibet and calling for restraint by the Government of the People's Republic of China and the people of Tibet.

S. RES. 506

At the request of Mr. NELSON of Nebraska, the name of the Senator from Indiana (Mr. BAYH) was added as a cosponsor of S. Res. 506, a resolution expressing the sense of the Senate that funding provided by the United States to the Government of Iraq in the future for reconstruction and training for security forces be provided as a loan to the Government of Iraq.

S. RES. 509

At the request of Mr. SANDERS, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. Res. 509, a resolution recognizing the week of April 7, 2008 to April 13, 2008, as ''National Public Health Week''.

AMENDMENT NO. 4402

At the request of Mr. MENENDEZ, the names of the Senator from New York (Mrs. CLINTON), the Senator from Pennsylvania (Mr. CASEY) and the Senator from New York (Mr. SCHUMER) were added as cosponsors of amendment No. 4402 intended to be proposed to H. R. 3221, a bill to provide needed housing reform and for other purposes.

AMENDMENT NO. 4419

At the request of Mr. ENSIGN, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of amendment No. 4419 proposed to H.R. 3221, a bill to provide needed housing reform and for other purposes.

At the request of Mr. SPECTER, his name was added as a cosponsor of amendment No. 4419 proposed to H.R. 3221, supra.

AMENDMENT NO. 4446

At the request of Mr. LEAHY, the names of the Senator from Montana (Mr. BAUCUS), the Senator from Maine (Ms. SNOWE), the Senator from South Dakota (Mr. THUNE) and the Senator from Rhode Island (Mr. WHITEHOUSE) were added as cosponsors of amendment No. 4446 proposed to H.R. 3221, a bill to provide needed housing reform and for other purposes.

AMENDMENT NO. 4519

At the request of Mr. COBURN, the name of the Senator from Arizona (Mr. MCCAIN) was added as a cosponsor of amendment No. 4519 proposed to S. 2739, a bill to authorize certain programs and activities in the Department of the Interior, the Forest Service, and the Department of Energy, to implement further the Act approving the Covenant to Establish a Commonwealth of the Northern Mariana Islands in Political Union with the United States of America, to amend the Compact of Free Association Amendments Act of 2003, and for other purposes.

AMENDMENT NO. 4520

At the request of Mr. COBURN, the name of the Senator from Arizona (Mr. MCCAIN) was added as a cosponsor of amendment No. 4520 proposed to S. 2739, a bill to authorize certain programs and activities in the Department of the Interior, the Forest Service, and the Department of Energy, to implement further the Act approving the Covenant to Establish a Commonwealth of the Northern Mariana Islands in Political Union with the United States of America, to amend the Compact of Free Association Amendments Act of 2003, and for other purposes.

AMENDMENT NO. 4521

At the request of Mr. COBURN, the name of the Senator from Arizona (Mr. MCCAIN) was added as a cosponsor of amendment No. 4521 proposed to S. 2739, a bill to authorize certain programs and activities in the Department of the Interior, the Forest Service, and the Department of Energy, to implement further the Act approving the Covenant to Establish a Commonwealth of the Northern Mariana Islands in Political Union with the United States of America, to amend the Compact of Free Association Amendments Act of 2003, and for other purposes.

AMENDMENT NO. 4522

At the request of Mr. COBURN, the name of the Senator from Arizona (Mr. MCCAIN) was added as a cosponsor of amendment No. 4522 proposed to S. 2739, a bill to authorize certain programs and activities in the Department of the Interior, the Forest Service, and the Department of Energy, to implement further the Act approving the Covenant to Establish a Commonwealth of the Northern Mariana Islands in Political Union with the United States of America, to amend the Compact of Free Association Amendments Act of 2003, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mrs. FEINSTEIN:

S. 2841. A bill to amend the Oil Pollution Act of 1990 and title 46, United States Code, to establish a marine emergency protocol and requirements for double-hulling of vessel fuel tanks; to the Committee on Commerce, Science, and Transportation.

Mrs. FEINSTEIN. Mr. President, I rise today to introduce an important piece of legislation. The Marine Emergency Protocol and Hull Requirement Act will take two major steps in preventing oilspills.

First, the bill directs the United States Coast Guard to control and oversee a vessel's route and speed during dangerous conditions. This oversight is critical to protect our ships during an attack or in conditions of low visibility.

Second, the bill will keep dangerous oil and fuel out of our waterways by mandating that all large cargo ships reinforce their fuel tanks with double hulls. By doing so, many of the small mishaps that occur will not lead to major oilspills.

San Franciscans learned the hard way that further precautions and regulations are needed.

Last November, in my hometown, a large cargo ship carrying over 100,000 gallons of fuel, ran into the San Francisco Bay Bridge. The damaged ship poured 53,000 gallons of oil into the bay.

In the following hours and days there was confusion, it was difficult to obtain accurate information, and there was a general sense of frustration felt by Bay Area residents.

Here is what we knew:

On the foggy November morning, visibility was very low—less than a quarter of a mile—in the San Francisco Bay.

Under these low visibility conditions the *Cosco Busan*, a large 900-foot-long cargo ship, decided to leave for its destination despite the poor conditions.

As the ship proceeded towards the Bay Bridge, the captain was advised by the Coast Guard that his vessel may be off course. However the Coast Guard did nothing to stop the ship, which they knew was heading directly towards a pillar of the bridge.

Despite the warnings and the poor visibility, the ship continued to speed toward the bridge until it collided.

The fact is this: The Coast Guard's actions did not stop the ship from running into the pier.

It is the responsibility of the Coast Guard to make sure that preventable oilspills are prevented. Sector Commanders and Vessel Traffic Service officers track ships as they traverse harbors across the country. In this case they could see that the ship was off course, yet they did nothing. This is unacceptable.

The Marine Emergency Protocol and Hull Requirement Act will mandate that the Coast Guard act to stop a ship—such as the *Cosco Busan*—that is dangerously off course.

Yes, there was substantial human error that led to this oilspill. That is unquestionable. But the fact remains that the Coast Guard had an opportunity to stop this ship, and it did not.

The bill directs the Sector Commander of the Coast Guard, that is the top official within each of the Coast Guard's 35 regions, to assume direct authority of all vessels during conditions of enhanced danger, such as low visibility or an attack.

By doing this, we will create a central system where all decisions are made. There will not be any confusion about who should do what, or when, or how. This way, during emergency conditions when confusion abounds, all orders are coming from one central source.

The Sector Commander will have the authority to stop ships, change their course, or return them to a safe harbor. They will have the authority to alter the course of one ship, or of all ships. This authority is necessary to ensure safe navigation of dangerous waterways.

Yet even in a perfect world, the Coast Guard cannot stop all oilspills. Sometimes the circumstances are out of their control.

That is why we need to make sure that the ships in our waterways take all reasonable precautions to protect against spilling oil.

The Marine Emergency Protocol and Hull Requirement Act also mandates that all cargo vessels are built with, or install, double hull containment structures around their petroleum based fuel tanks. Doing so keeps small mishaps and collisions from turning into major oilspills.

The extra layer of protection was required for oil tankers under the Oil Pollution Act of 1990, OPA 90.

Following the 11-million gallon *Exxon Valdez* tragedy in 1989, new restrictions on oil tankers were at the center of the debate on how to prevent another catastrophic oilspill. The result of the OPA 90 legislation has been remarkable.

Compared to the 15 years before the enactment of the Oil Pollution Act, the following 15 years have seen a 90-percent drop in oilspills over 100,000 gallons.

In the same time period, there has been a 79-percent drop in spills less than 100,000 gallons.

By 2015 there will be no single-hull tank vessels operating in U.S. waters. As of 2010, only 5 percent of domestic and only 4 percent of foreign tank vessels will still have a single hull. Nearly 90 percent had single hulls in 1990.

These are incredible successes. Unfortunately one other statistic sticks out.

Since 1990, 90 percent of all oilspills have been from non-tank vessels.

Clearly, this illustrates the need for cargo ships, the main culprit of oilspills in recent years, to be subject to the Oil Pollution Act standards.

In 1990, cargo ships were left out because relatively, they carried much less oil. However, newer, larger cargo ships carry hundreds of thousands of gallons of oil as fuel, and this oil still poses a grave environmental threat.

In the *Cosco Busan* incident, and dozens of other catastrophic oilspills around the world, it was fuel oil that ended up in the water, not cargo oil. Of course this oil is just as deadly, yet under current law it is treated differently.

It is time to close this loophole.

The Marine Emergency Protocol and Hull Requirement Act also provides a reasonable timeframe for implementing these standards.

In the 1990 bill, Congress adopted a sliding scale for when vessels needed to have applied the appropriate double hull protections. The timetable was developed to allow shipping companies and ship owners to plan for the additional costs—and up to 15 years to implement them. Under this bill, we will adopt the same time-tested schedule and apply it to the conversion of cargo vessels.

The Marine Emergency Protocol and Hull Requirement Act is a commonsense bill that will unquestionably make our waters safer.

In an emergency situation, be it an attack or a condition of low visibility, the Coast Guard must assume authority over a ship in danger. It is their responsibility to guide the vessel to safety. This bill clarifies that they have the authority to do so, and it mandates that they follow through.

Similarly, vessels carrying a large volume of oil—be it as cargo or as fuel—have the responsibility to take reasonable steps to prevent that oil from spilling.

In the event of even a minor accident, a single hull breach is a very real possibility. This is why we mandated that oil tankers implement a double containment system in 1990.

It has come time to close this loophole and call all oil, oil. Fuel oil is just as detrimental and just as deadly as oil that is carried in the cargo hold of a ship. Therefore it should have to be contained with an equal level of protection.

I look forward to working with my colleagues on this very important matter, passing this important piece of commonsense legislation.

By Mr. REID (for himself, Mr. BINGAMAN, Mr. SALAZAR, and Mr. TESTER):

S. 2842. A bill to require the Secretary of the Interior to carry out annual inspections of canals, levees, tunnels, dikes, pumping plants, dams, and reservoirs under the jurisdiction of the Secretary, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. REID. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 2842

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Aging Water Infrastructure and Maintenance Act''.

SEC. 2. DEFINITIONS.

In this Act:

(1) INSPECTION.—The term ''inspection'' means an inspection of a project facility carried out by the Secretary—

(A) to assess and determine the general condition of the project facility; and

(B) to estimate the value of property, and the size of the population, that would be at risk if the project facility fails, is breached, or otherwise allows flooding to occur.

(2) PROJECT FACILITY.—The term ''project facility'' means any part or incidental feature of a reclamation or irrigation project (including any canal, levee, tunnel, dike, pumping plant, dam, or reservoir) that is—

(A) under the jurisdiction of the Secretary (including any facility owned by the Department of the Interior); and

(B) not covered by the Reclamation Safety of Dams Act of 1978 (43 U.S.C. 506 et seq.).

(3) RESERVED PROJECT FACILITY.—The term ''reserved project facility'' means any project facility at which the Secretary carries out the operation and maintenance of the project facility.

(4) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior, acting through the Commissioner of Reclamation.

(5) TRANSFERRED PROJECT FACILITY.—The term ''transferred project facility'' means a project facility the operation and maintenance of which is carried out by a non-Federal entity.

SEC. 3. INSPECTION OF PROJECT FACILITIES.

(a) INSPECTIONS.—

(1) INITIAL INSPECTION PERIOD.—

(A) IN GENERAL.—In accordance with subparagraph (B), not later than 1 year after the

date of enactment of this Act, the Secretary shall conduct an inspection of not less than 75 percent of all project facilities.

(B) SELECTION OF PROJECT FACILITIES.—In selecting project facilities to inspect during the initial inspection period under subparagraph (A), the Secretary shall take into account the risk posed by each project facility to public health or safety, or property.

(2) FINAL INSPECTION PERIOD.—Not later than 2 years after the date of enactment of this Act, the Secretary shall conduct an inspection of each project facility not inspected by the Secretary during the initial inspection period under paragraph (1)(A).

(3) REIMBURSEMENT RELATING TO INSPECTIONS OF TRANSFERRED PROJECT FACILITIES.—Notwithstanding any applicable law (including regulations), with respect to an inspection of a transferred project facility carried out under this subsection, the Secretary may not request from the non-Federal entity that carries out the operation and maintenance of the transferred project facility reimbursement for costs arising from the inspection.

(4) PERIODIC REVIEW OF INSPECTIONS.—Not later than 3 years after the date described in paragraph (2) and every 3 years thereafter, the Secretary shall carry out a review of each inspection carried out under paragraphs (1) and (2).

(b) USE OF INSPECTION DATA.—The Secretary shall use the data collected by the Secretary through the conduct of the inspections under paragraphs (1) and (2) of subsection (a)—

(1) to develop for each reserved project facility a detailed schedule for the conduct of regular maintenance;

(2) to develop for, and provide to, each non-Federal entity that carries out the operation and maintenance of a transferred project facility—

(A) a detailed schedule for the conduct of regular maintenance; and

(B) a document that contains guidance describing the manner by which to comply with the schedule described in subparagraph (A); and

(3) to create a national priorities list that contains a description of each project facility that requires the most urgent maintenance with respect to the infrastructure of the project facility.

(c) NATIONAL PRIORITIES LIST.—

(1) ANNUAL REVIEW.—Not later than 1 year after the date on which the Secretary develops the national priorities list under subsection (b)(3) and annually thereafter, the Secretary shall carry out a review of each project facility to update the list for the year covered by the review.

(2) PUBLICATION.—The national priorities list shall be published by the Secretary in the budget justification of the Department of the Interior for the year covered by the national priorities list.

(d) STATE PARTICIPATION.—In conducting an inspection of a project facility under subsection (a), the Secretary shall—

(1) notify the appropriate State agency of the State in which the project facility is located of the inspection;

(2) allow the State agency described in paragraph (1) to participate in the inspection of the project facility; and

(3) provide to the State agency described in paragraph (1) a report that describes the results of the inspection of the project facility.

SEC. 4. FEDERAL STANDARDS AND GUIDELINES FOR PROJECT FACILITIES.

(a) PROMULGATION OF STANDARDS.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, in accordance with paragraph (2), the Secretary shall promulgate final regulations to establish standards for the condition and maintenance of project facilities.

(2) CONTENTS.—The regulations promulgated by the Secretary under paragraph (1) shall contain a detailed description of each condition with which a project facility shall comply to be eligible to be considered by the Secretary—

(A) to function properly and in accordance with the objectives of the project facility; and

(B) to operate in a manner to ensure, to the maximum extent practicable—

(i) the safety of populations located in close proximity to the project facility; and

(ii) the preservation of property located in close proximity to the project facility.

(b) PROMULGATION OF GUIDELINES.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, in accordance with paragraph (2), the Secretary shall promulgate final regulations to establish guidelines—

(A) to implement this Act; and

(B) to ensure compliance with the regulations promulgated by the Secretary under subsection (a).

(2) CONTENTS.—The regulations promulgated by the Secretary under paragraph (1) shall reflect an agency-wide policy with respect to the type, and proportion of, activities relating to the operation and maintenance of a project facility that may be appropriately carried out by a non-Federal entity, taking into account—

(A) any economic benefit that may result from the carrying out of the activities by a non-Federal entity; and

(B) the capabilities of the non-Federal entity to carry out the activities.

SEC. 5. MODIFICATION OF PROJECT FACILITIES.

(a) IN GENERAL.—The Secretary shall carry out or, in accordance with subsection (b), provide to a non-Federal entity financial support to carry out, any modification to a project facility that the Secretary determines to be reasonably required to preserve the structural safety of the project facility.

(b) REIMBURSEMENT OF COSTS ARISING FROM THE REPAIR OF STRUCTURALLY DEFICIENT TRANSFERRED PROJECT FACILITIES.—

(1) COMPLIANT TRANSFERRED PROJECT FACILITIES.—

(A) IN GENERAL.—Subject to subparagraph (B), to reimburse a non-Federal entity for costs arising from the carrying out of repair activities to improve the safety of a transferred project facility, the Secretary may provide to the non-Federal entity an amount equal to 65 percent of the costs incurred by the non-Federal entity to carry out the repair activities.

(B) DETERMINATION OF SECRETARY.—The Secretary shall reimburse the non-Federal entity described in subparagraph (A) if the Secretary determines that—

(i) the transferred project facility of the non-Federal entity is structurally deficient; and

(ii) the structural deficiency is not a result of noncompliance with any regulation promulgated by the Secretary under section 4.

(2) NONCOMPLIANT TRANSFERRED PROJECT FACILITIES.—

(A) IN GENERAL.—The Secretary may carry out any repair activity that the Secretary determines to be necessary to minimize the risk of imminent harm to public health or safety, or property—

(i) if the Secretary determines that—

(I) the transferred project facility is structurally deficient; and

(II) the structural deficiency is a result of noncompliance with any regulation promulgated by the Secretary under section 4; and

(ii) after the date on which the Secretary consults with the non-Federal entity that carries out the operation and maintenance of the transferred project facility.

(B) REIMBURSEMENT.—In accordance with any applicable law (including regulations) or agreement, the Secretary may seek reimbursement from the non-Federal entity that carries out the operation and maintenance of the transferred project facility described in subparagraph (A) for costs arising from each repair activity carried out by the Secretary under that subparagraph.

SEC. 6. AUTHORIZATION OF APPROPRIATIONS.

(a) INSPECTION OF PROJECT FACILITIES.—There are authorized to be appropriated to the Secretary to carry out section 3—

(1) $5,000,000 for fiscal year 2009; and

(2) $1,500,000 for each of fiscal years 2010 through 2013.

(b) MODIFICATION OF PROJECT FACILITIES.—There are authorized to be appropriated such sums as are necessary to carry out section 5.

By Mr. KERRY:

S. 2847. A bill to amend the Federal Home Loan Bank Act to allow Federal home loan banks to invest surplus funds in student loan securities and make advances for student loan financing, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

Mr. KERRY. Mr. President, to many young people, from all walks of life, are either struggling to pay for college or flat out can't afford it. Those who aren't able to incur the steep costs of a college education are not only losing out on a degree, but setting themselves up to face a lifetime of lost opportunities, as study after study shows college graduates are the most attractive candidates for the fastest-growing and best-paying jobs of tomorrow. Greater college access, gained through financial assistance, is critical to making the American dream a reality for all.

Yet prospective student borrowers are about to encounter massive impediments to acquiring quality, affordable private loans. The credit crunch currently impacting the home mortgage sector is set to extend to the student loan marketplace. Without sufficient liquidity in the market, student borrowers will find it harder and harder to find loans for their costs of college next year. According to FinAid.org, student loan originators are increasingly choosing to exit or suspend their participation in all or part of the Federal Family Education Loan Program, FFELP—45 since last August alone.

Unfortunately, however, Federal Reserve Chairman Ben S. Bemanke has indicated that the Federal Reserve is unlikely to take aggressive action at this time to help the student loan marketplace. Therefore, I am seeking to address this significant issue by introducing the Emergency Student Loan Market Liquidity Act.

This legislation will temporarily amend the Federal Home Loan Bank Act to allow the Federal Home Loan Banks to invest surplus funds not needed for advances to its member banks for student loan-related securities. It would also allow the Federal Home Loan Banks to accept student loans and student loan-related securities as collateral. Finally, the bill authorizes each Federal Home loan Bank to provide secured advances to its members

to originate student loans or finance student loan-related activities. This will provide funds for banks to help provide critically-needed student loans during these difficult economic times.

The Federal Home Loan Banks are today an essential source of stable, low-cost funds to financial institutions for home mortgage, small business, and rural and agricultural loans. With their members, the Federal Home Loan Banks represent one of the largest sources of home mortgage and community credit. There are twelve Federal Home Loan Banks, including one in Boston, each located in different regions of the country. Their cooperative structure is ideal for serving the system's 8,100 member lenders.

Today, the Federal Home Loan Banks provide billions of dollars of primary liquidity to approximately 80 percent of the Nation's financial institutions. By providing this additional student loan authorization to its members, member institutions will be able to remain active in the student loan marketplace and help students pay for their education.

This legislation is absolutely vital to securing the opportunity of higher education for all who choose to pursue it.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 510—SUPPORTING THE GOALS AND IDEALS OF NATIONAL CYSTIC FIBROSIS AWARENESS MONTH

Mrs. MURRAY (for herself and Mr. INHOFE) submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 510

Whereas cystic fibrosis is one of the most common life-threatening genetic diseases in the United States and one for which there is no known cure;

Whereas the average life expectancy of an individual with cystic fibrosis is 37 years, an improvement from a life expectancy in the 1960s where children did not live long enough to attend elementary school, but still unacceptably short;

Whereas approximately 30,000 people in the United States have cystic fibrosis, more than half of them children;

Whereas 1 of every 3,500 babies born in the United States is born with cystic fibrosis;

Whereas more than 10,000,000 Americans are unknowing, symptom-free carriers of the cystic fibrosis gene;

Whereas the Centers for Disease Control and Prevention recommend that all States consider newborn screening for cystic fibrosis;

Whereas the Cystic Fibrosis Foundation urges all States to implement newborn screening for cystic fibrosis to facilitate early diagnosis and treatment which improves health and life expectancy;

Whereas prompt, aggressive treatment of the symptoms of cystic fibrosis can extend the lives of people who have the disease;

Whereas recent advances in cystic fibrosis research have produced promising leads in gene, protein, and drug therapies beneficial to people who have the disease;

Whereas innovative research is progressing faster and is being conducted more aggressively than ever before, due, in part, to the Cystic Fibrosis Foundation's establishment of a model clinical trials network;

Whereas, although the Cystic Fibrosis Foundation continues to fund a research pipeline for more than 30 potential therapies and funds a nationwide network of care centers that extend the length and quality of life for people with cystic fibrosis, lives continue to be lost to this disease every day;

Whereas education of the public about cystic fibrosis, including the symptoms of the disease, increases knowledge and understanding of cystic fibrosis and promotes early diagnosis; and

Whereas the Cystic Fibrosis Foundation will conduct activities to honor National Cystic Fibrosis Awareness Month in May 2008: Now, therefore, be it

Resolved, That the Senate—

(1) honors the goals and ideals of National Cystic Fibrosis Awareness Month;

(2) supports the promotion of further public awareness and understanding of cystic fibrosis;

(3) encourages early diagnosis and access to quality care for people with cystic fibrosis to improve the quality of their lives; and

(4) supports research to find a cure for cystic fibrosis by fostering an enhanced research program through a strong Federal commitment and expanded public-private partnerships.

SENATE RESOLUTION 511—RECOGNIZING THAT JOHN SIDNEY MCCAIN III, IS A NATURAL BORN CITIZEN

Mrs. MCCASKILL (for herself, Mr. LEAHY, Mr. OBAMA, Mr. COBURN, Mrs. CLINTON, and Mr. WEBB) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 511

Whereas the Constitution of the United States requires that, to be eligible for the Office of the President, a person must be a ''natural born Citizen'' of the United States;

Whereas the term ''natural born Citizen'', as that term appears in Article II, Section 1, is not defined in the Constitution of the United States;

Whereas there is no evidence of the intention of the Framers or any Congress to limit the constitutional rights of children born to Americans serving in the military nor to prevent those children from serving as their country's President;

Whereas such limitations would be inconsistent with the purpose and intent of the ''natural born Citizen'' clause of the Constitution of the United States, as evidenced by the First Congress's own statute defining the term ''natural born Citizen'';

Whereas the well-being of all citizens of the United States is preserved and enhanced by the men and women who are assigned to serve our country outside of our national borders;

Whereas previous presidential candidates, were born outside of the United States of America and were understood to be eligible to be President; and

Whereas John Sidney McCain, III, was born to American citizens on an American military base in the Panama Canal Zone in 1936: Now, therefore, be it

Resolved, That John Sidney McCain, III, is a ''natural born Citizen'' under Article II, Section 1, of the Constitution of the United States.

Mr. LEAHY. Mr. President, today I join Senator CLAIRE MCCASKILL in introducing a resolution to express the common sense of everyone here that Senator MCCAIN is a ''natural born Citizen,'' as the term is used in the Constitution of the United States. Our Constitution contains three requirements for a person to be eligible to be President—the person must have reached the age of 35; must have resided in America for 14 years; and must be a ''natural born Citizen'' of the United States. Certainly there is no doubt that Senator MCCAIN is of sufficient years on this earth and in this country given that he has been serving in Washington for over 25 years. However, some pundits have raised the question of whether he is a ''natural born Citizen'' because he was born outside of the official borders of the United States.

JOHN SIDNEY MCCAIN, III, was born to American citizens on an American Naval base in the Panama Canal Zone in 1936. Numerous legal scholars have looked into the purpose and intent of the ''natural born Citizen'' requirement. As far as I am aware, no one has unearthed any reason to think that the Framers would have wanted to limit the rights of children born to military families stationed abroad or that such a limited view would serve any noble purpose enshrined in our founding document. Based on the understanding of the pertinent sources of constitutional meaning, it is widely believed that if someone is born to American citizens anywhere in the world they are natural born citizens.

It is interesting to note that another previous presidential candidate, George Romney, was also born outside of the United States. He was widely understood to be eligible to be President. Senator Barry Goldwater was born in a U.S. territory that later became the State of Arizona so some even questioned his eligibility. Certainly the millions of Americans who voted for these two Republican candidates believed that they were eligible to assume the office of the President. The same is true today.

Because he was born to American citizens, there is no doubt in my mind that Senator MCCAIN is a natural born citizen. I recently asked Secretary of Homeland Security Michael Chertoff, a former Federal judge, if he had any doubts in his mind. He did not.

I expect that this will be a unanimous resolution of the Senate and I thank the Senator from Missouri for working with me on this.

I ask unanimous consent that the relevant excerpt from the Judiciary Committee hearing where Secretary Chertoff testified be made a part of the RECORD.

EXCERPT OF SECRETARY CHERTOFF TESTIMONY FROM APRIL 2, 2008

Chairman LEAHY. We will come back to that. I would mention one other thing, if I might, Senator Specter. Let me just ask this: I believe—and we have had some question in this Committee to have a special law