

and representation in criminal trespass actions in Penobscot County Court in Bangor, ME. In these actions, protesters have been charged with trespassing for refusing requests by the police on March 7, 2007, to leave the Margaret Chase Smith Federal Building, which houses a number of Federal offices, including Senator SUSAN COLLINS' Bangor, ME office. Trials on charges of trespass are scheduled to commence on April 29, 2008. On April 28, 2008, a defendant subpoenaed a member of the Senator's staff who had conversations with the defendant protesters during the charged events. Senator COLLINS would like to cooperate by providing testimony from that staff member. This resolution would authorize that employee to testify in connection with these actions, with representation by the Senate legal counsel of that employee and any other employee of the Senator from whom evidence may be sought.

Mr. DURBIN. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate, and any statements be printed in the RECORD.

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

The resolution (S. Res. 539) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

#### S. RES. 539

Whereas, in the cases of State of Maine v. Douglas Rawlings (CR-2007-441), Jonathan Kreps (CR-2007-442), James Freeman (CR-2007-443), Henry Braun (CR-2007-444), Robert Shetterly (CR-2007-445), and Dudley Hendrick (CR-2007-467), pending in Penobscot County Court in Bangor, Maine, a defendant has subpoenaed testimony from Carol Woodcock, an employee in the office of Senator Susan Collins;

Whereas, pursuant to sections 703(a) and 704(a)(2) of the Ethics in Government Act of 1978, 2 U.S.C. §§288b(a) and 288c(a)(2), the Senate may direct its counsel to represent employees of the Senate with respect to any subpoena, order, or request for testimony relating to their official responsibilities;

Whereas, by the privileges of the Senate of the United States and Rule XI of the Standing Rules of the Senate, no evidence under the control or in the possession of the Senate may, by the judicial or administrative process, be taken from such control or possession but by permission of the Senate;

Whereas, when it appears that evidence under the control or in the possession of the Senate may promote the administration of justice, the Senate will take such action as will promote the ends of justice consistent with the privileges of the Senate: Now, therefore, be it

*Resolved* that Carol Woodcock is authorized to testify in the cases of State of Maine v. Douglas Rawlings, Jonathan Kreps, James Freeman, Henry Braun, Robert Shetterly, and Dudley Hendrick, except concerning matters for which a privilege should be asserted.

Sec. 2. The Senate Legal Counsel is authorized to represent Carol Woodcock, and any other employee of the Senator from whom

evidence may be sought, in the actions referenced in section one of this resolution.

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

#### SMALL BUSINESS EMPOWERMENT ACT

Mr. BROWN. Mr. President, this week is the sixth annual Cover the Uninsured Week. Community organizations and foundations around the country will be hosting events to highlight the need for health reform. Across the Nation, we all know this: 47 million people lack health insurance. In my State of Ohio, 1.2 million people, 11 percent of the population, are uninsured.

It is no different in the Presiding Officer's State of Pennsylvania. But that even one American lacks health coverage is a national embarrassment. We are the wealthiest Nation in the world. We spend \$2.38 trillion a year, \$2.3 trillion a year in health care, but we cannot make sure that every American has health care coverage? Of course we can.

Every other industrialized nation on this Earth ensures access to coverage. We in this body have chosen not to. Last year Congress tried to provide health coverage to millions more low-income children. The House and Senate both passed bills twice to provide \$35 billion over 5 years in additional funding for the State Children's Health Insurance Plan. It was the biggest bipartisan initiative to expand health care coverage in years. Twice—not once but twice—the President vetoed that legislation. We spend more than \$3 billion every week in the war in Iraq. The President vetoed legislation spending \$7 billion a year to insure 4 million children; \$3 billion a week every week in Iraq; the President vetoed \$7 billion a year to insure 4 million children. These are the sons and daughters of working parents; sons and daughters of parents in Toledo, in Mansfield, in Zanesville, who are working hard and playing by the rules.

Think about this: Since I have begun to speak a few moments ago, we have, in Iraq, spent \$650,000. Yesterday in Iraq we spent \$400 million. Last week in Iraq we spent \$3 billion. Again, the President vetoed legislation \$7 billion a year for 4 million children. It was disappointing to us as advocates for children's health insurance. But mostly it was disappointing to the parents of children around my State, in Cincinnati, from Ashtabula, from Marietta to Springfield, to Lima, parents around Ohio and around the country who need health insurance for their children.

Not only do many low-income children live without health insurance, but families whose breadwinners are self-employed or who work for small businesses struggle to get health insurance too, families such as the Coltmans of Conneaut, OH, a community in the northeast corner right across the line from Pennsylvania. The Coltmans are a

large family with five children and two hard-working parents. Last year their 7-year-old son Caleb was diagnosed with leukemia. The doctors are optimistic, but treatment is wildly expensive. Last year, Kenna Coltman, Caleb's mother, left her job to work for her family business, a neighborhood grocery store. Unfortunately, this meant she had to search for new health insurance. After a long search for private insurance, the Coltmans found an affordable plan, but it was not scheduled to go into effect until August. By that time, Caleb had been diagnosed with leukemia, which was a deal breaker for the private insurer. Uninsured, facing a catastrophic illness, a parent's worst nightmare, the Coltmans had run out of options.

Kenna, the mother, a college-educated daughter herself of two Conneaut natives, recounted the experience this way.

She said: If there was absolutely any other way to get our son the care and medication he needs without totally impoverishing our family, we would do it.

In a country like ours, families should not have to worry about being thrown into abject poverty to pay for health insurance. Families want to do the right thing. They want to insure their children. They work hard, they play by the rules. But insurance is too often out of reach.

That is why today I am introducing a bill to make health insurance more viable for workers employed by small businesses. The Small Business Empowerment Act would create an insurance program for small businesses and self-employed Americans. This program is modeled after the excellent coverage that is provided to Federal workers and to Members of the House and Senate.

To keep premiums affordable, the Department of Health and Human Services would create a reinsurance mechanism to help cover high-cost enrollees. The legislation would establish a Federal commission to tackle the toughest health policy issues: how to rein in health care spending without compromising health care quality and access; how to craft an insurance package that treats all enrollees equally, regardless of what type of health care they need, which is essential; how to combat price gouging by the drug industry, the medical device industry, and the insurance industry. In other words, how to ensure our health care system is sustainable and equitable, efficient and effective. The bill was introduced to help families such as the Coltmans.

Thankfully, Caleb's current prognosis is good, and the family business seems to be turning the corner. His treatment was covered by Ohio's Medicaid I Program, another program that is crucial to providing coverage to families who are struggling; another program that is under attack by this administration as it tries to change the rules and as it cuts billions of dollars from the program.

This week and every week we need to work to keep Medicaid strong, to realize the expansion of CHIP for which we fought so hard, and to pass legislation for the self-employed and workers in small businesses. The small employer health insurance bill provides more options so that the rest of the Coltman family, including Caleb's parents, can access health insurance too. I don't want Caleb's parents in Conneaut, OH, to live in fear when their children fall down or get in an accident or catch the flu or have an allergic reaction to something they ate. They have enough on their plate already.

I look forward to working with my colleagues to protect Medicaid and the Children's Health Insurance Program and to pass this bill.

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

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

The bill clerk proceeded to call the roll.

Mr. NELSON of Florida. I ask unanimous consent that the order for the quorum call be rescinded.

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

#### NASA FUNDING

Mr. NELSON of Florida. Mr. President, the National Aeronautics and Space Administration is an incredible little Federal agency that has pulled off extraordinary feats and continues to do so—defying the laws of gravity, utilizing the principles of physics to do wondrous things—as we begin to continue our exploration of the heavens. But NASA is going through a very difficult time. First, NASA has been starved of funds. The National Aeronautics and Space Administration, in its human space program, has not been allocated enough money by this administration and a series of Congresses over the last several years in order to do everything they want to do. This was particularly acute earlier in this decade when we lost the second space shuttle, the Shuttle Columbia, in its breakup in the atmosphere upon reentry over Texas.

NASA spent \$2.8 billion just in the recovery of that disaster and in the recovery of flight. Unlike the loss 20 years earlier of Challenger and the cost of recovery from Challenger, which was provided outside of the NASA budget, this time NASA had to eat the cost of recovery out of its operational budget, therefore leaving almost \$3 billion less for NASA to operate on to do all it wants to do.

What are the things it wants to do? What do we want it to do? To fulfill the vision as enunciated several years ago by the President, that we would build a new vehicle after the space shuttle, the capsule called the Orion, the rocket called Aries, a program called Constellation that would have a new vehicle, like a capsule, like the old Apollo

capsule that only carried three astronauts, that would carry six. It would be a new human vehicle to get to and from the space station, much safer than the space shuttle, more economical, but then that the program would then expand on for us to go back to the Moon by 2020 and establish a habitation on the Moon to learn from dealing in that environment, as ultimately humankind is going to go to Mars. That is the program called Constellation.

But NASA was never provided with enough money. Over the past couple of years, this Congress, this Senate has tried to provide NASA with the money. Indeed, last year we were successful in the NASA appropriations bill in getting an additional billion dollars just to partially pay back NASA for the money it had eaten out of its operating budget on the cost of recovery of the space shuttle disaster, the Space Shuttle Columbia. But when we got to the House, in the negotiations, the White House—specifically the White House budget director—would not support the additional billion dollars. The chairman of the House Appropriations Committee then insisted that it be taken out of the budget.

NASA is right back in the place where it found itself, with not enough money to do everything it is trying to do. It is like saying you want to take 10 pounds of potatoes and stuff them into a 5-pound potato sack. It doesn't fit.

Hopefully, the new President will understand this. Does America want a successful space program and does America want a successful human space program complementary to those robotic spacecraft that do so many successful things? I think the answer is clearly yes. We have always had the high ground. This country's technological achievements have always kept us at the cutting edge as the leader in the world.

Remember when the Soviets surprised us by putting up the first satellite sputnik, and we were scrambling to catch up. Remember when they surprised us and put the first human, Yuri Gagarin, into orbit and that surprised us. And we hadn't even gotten Alan Shepard up in suborbit, and it was 10 months later before we could get the first American in orbit, former Senator John Glenn, one of the great heroes of this country.

After that, then our resolve, the Nation's focus, a Presidential declaration by a young President who said: We are going to the Moon and return. With all of that combined, along with a space race with the Soviet Union, we clearly became the leader. The spinoffs from that program into everyday life, the technological achievements—Velcro, microminiaturization, new products, a lot of the modern miracles of medicine—are direct spinoffs from the research and development of the space program. When going to the Moon, we had to have highly reliable systems that were small in volume and light in

weight. That led to a microminiaturization revolution of which we are all beneficiaries today.

The question is, Are we going to retain that leadership in space? Yet if we keep bleeding NASA of resources, we are not going to be able to. We are already facing a situation where we will not have human access to space for 5 or 6 years, when the space shuttle is shut down in 2010, and the Administrator of NASA tells us that we are not going to be able to fly the new vehicle Orion with humans until the year 2015, if that. What does that mean to us? It means we have a \$100 billion investment in orbit right now called the International Space Station that is supposed to be used for scientific research, and we are not even going to have an American vehicle to get there for 5 or 6 years. That is unacceptable.

How are we going to get there? We are going to pay the Russians to get a ride for our American astronauts on their Soyuz vehicle which had a problem last week on reentry with a too steep reentry, a ballistic reentry, 8 Gs experienced by the cosmonaut and astronaut on board. So we are going to have to negotiate with Vladimir Putin during this 5-year period, which we are going to have to buy. We are going to be laying off American space workers at the Kennedy Space Center, and we are going to be funding jobs in Moscow at who knows what price Vladimir Putin will charge us because he knows it is the only way we have to get to the International Space Station. And, by the way, if that is not enough to cause heartburn, we can't pay Russia for space flights, of which we have to go about and contract right now if they are going to build a spacecraft for 2011, when we would need it. We can't pay them for it because we are prohibited by a law that says, since they are helping Iran, a nation that we are concerned about proliferating nuclear weapons, we have to get a waiver of that law.

All of this is to say that we have a mess. If this Nation wants to be a leader in space, which I believe every American believes we should, we have to start helping NASA. We have to get the next President attuned to this issue.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Alaska.

#### ENERGY

Ms. MURKOWSKI. Mr. President, I rise this morning to talk about what everyone is talking about, which is the price of energy today. I was home in Alaska over the weekend. Everywhere I went, the price of gasoline was the main topic. Everyone wanted to talk about it. Here in the lower 48, as we are looking at high crude prices hitting the \$120-per-barrel mark yesterday, or nearing that mark, recognizing that we are seeing a nationwide average of gas prices at \$3.60 for a gallon of regular—