

adults, and as we grow older. Current and past Presidents have recognized the month of May, the beginning of spring, as "Physical Fitness and Sports Month" for over 20 years. Around South Dakota and across the country, local YMCAs, afterschool programs, and other organizations take time during the month of May to recognize the need to get fit, stay active, and look at new ways to promote physical activity. This year, I am pleased we are able to recognize the importance of physical fitness through the Senate.

As we talk more about health care reform and the uninsured, it is important to remember that each of us has a responsibility concerning our own care and to educate our children on the importance of staying healthy. Too often I hear from constituencies, such as school groups and health care providers, that childhood obesity and diabetes are on the rise—and it is not just affecting our health, but also our pocketbooks.

According to my State and the Centers for Disease Control, more than 50,000 South Dakotans have diabetes and projections show that number will continue to increase. Diabetes of course can cause severe complications and takes a tremendous toll on our society. The disease is associated with significant personal and social costs due to impaired health and quality of life.

Heart disease is another significant and often related illness to diabetes that effects millions of Americans and costs Medicare and Medicaid, and therefore taxpayers, millions each year. In South Dakota, approximately 1,743 deaths—24.8 percent of all deaths—in 2006 were caused by cardiovascular diseases, including stroke.

Now much of the burden of heart disease is due to smoking—and that is another problem we will continue to tackle through education at the state and local levels. But it is also helpful to know that both heart disease and type 2 diabetes are largely preventable. Also, obesity and inactivity are two of the major risk factors associated with these diseases—which means a healthy diet and regular physical activity at all ages can go a long way toward improving our quality of life and reducing our health care bills.

For adults, it is recommended that minimum physical activity consist of moderate activity for 30 minutes, 5 days a week, or more vigorous activity for 20 minutes, 3 days a week. My daughters and I happen to have a passion for running, which is particularly popular this time of year in South Dakota.

The month of May is also a time to recognize the importance of sports to our State and to our schools. Getting involved in your local school team—high school or college—or in other local teams is a great way to stay motivated and focused through school and to develop healthy habits that will last for many years. It is also a tremen-

dously important part of community life in South Dakota.

I am proud that this resolution has been endorsed by YMCA of the USA, AAHPERD—American Alliance for Health, Physical Education, Recreation & Dance—the American Heart Association, American Diabetes Association, and the National Coalition for Promoting Physical Activity.

Ms. CANTWELL. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 546) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 546

Whereas regular physical activity helps increase endurance, strengthen bones and muscles, control weight, and reduce anxiety and stress, and may improve blood pressure and cholesterol levels;

Whereas about $\frac{3}{4}$ of young people in the ninth through 12th grades do not engage in recommended levels of physical activity, and daily participation in high school physical education classes has declined over the last 7 years;

Whereas 39 percent of adults report they are not physically active, and only 3 in 10 adults engage in the recommended amount of physical activity;

Whereas, in 2004, more than 9,000,000 children and adolescents in the United States between the ages of 6 and 19 were considered overweight;

Whereas obesity and inactivity are 2 major risk factors for developing type 2 diabetes, a disease that affects millions of people in the United States;

Whereas many chronic diseases may be prevented by living a healthy lifestyle that includes regular physical activity and a balanced diet;

Whereas, according to the Centers for Disease Control and Prevention, the American Heart Association, and the American College of Sports Medicine, minimum physical activity for adults consists of moderate activity for 30 minutes 5 days a week or vigorous activity for 20 minutes 3 days a week;

Whereas, according to a 1996 report by the Surgeon General, positive experiences with physical activity at a young age help to lay the foundation for being active throughout life;

Whereas the President's Council on Physical Fitness and Sports promotes regular physical activity to achieve and maintain good health and to prevent chronic disease and offers motivational tools through the President's Challenge program for people of all ages to track physical activity; and

Whereas the month of May has been recognized since 1983 as National Physical Fitness and Sports Month to encourage physical fitness and activity and to promote health in children and adults of all ages: Now, therefore, be it

Resolved, That the Senate—

(1) designates—

(A) May 2008 as "National Physical Fitness and Sports Month"; and

(B) the week of May 1 through May 7, 2008, as "National Physical Education and Sports Week"; and

(2) encourages the people of the United States to observe the month and the week with appropriate ceremonies and activities.

NORTH AMERICAN OCCUPATIONAL SAFETY AND HEALTH WEEK AND OCCUPATIONAL SAFETY AND HEALTH PROFESSIONALS DAY

Ms. CANTWELL. Mr. President, I ask unanimous consent that the Senate now proceed to the immediate consideration of S. Res. 547, submitted earlier today by Senator DURBIN.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

A resolution (S. Res. 547) designating the week of May 4 through May 10, 2008, as "North American Occupational Safety and Health Week" and May 7, 2008, as "Occupational Safety and Health Professionals Day."

There being no objection, the Senate proceeded to consider the resolution.

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

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 547) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 547

Whereas every year more than 5,700 people die from job-related injuries and 4,400,000 more incur occupational injuries and illnesses in the United States;

Whereas transportation crashes continue to be the number 1 cause of on-the-job deaths, and overall in 2005 there were 6,159,000 transportation accidents resulting in 43,433 deaths, 2,700,000 injuries, and an estimated \$230,600,000,000 in tangible costs;

Whereas businesses spend \$170,000,000,000 a year on costs associated with occupational injuries and illnesses;

Whereas it is imperative that employers, employees, and the general public are aware of the importance of preventing illness and injury in the workplace—wherever that workplace may be, such as on the road, in the air, the classroom, the store, the plant, or the office;

Whereas each year the families, friends, and co-workers of victims of on-the-job accidents suffer intangible losses and grief, especially when proper safety measures could have prevented worker injury or death;

Whereas everyday millions of people go to and return home from work safely due, in part, to the efforts of occupational safety, health, and environmental practitioners who work day in and day out identifying hazards and implementing safety and health advances across industries and workplaces, aimed at eliminating workplace fatalities, injuries, and illnesses;

Whereas our society has long recognized that a safe and healthy workplace positively impacts employee morale, health, and productivity;

Whereas the purpose of the North American Occupational Safety and Health Week (NAOSH) is to raise awareness among employees, employers, and the general public of the benefits of investing in occupational safety and health;

Whereas the more than 32,000 members of the American Society of Safety Engineers,

along with the more than 150,000 combined members of the American Association of Occupational Health Nurses, the American Heart Association, and the National Association of Homebuilders, will be mobilizing to encourage safe practices, and increase the quality of life for employees and employers;

Whereas the theme of NAOSH Week 2008 is "safety is good business", highlighting that businesses operate more efficiently and are more respected when they use effective safety and health management systems; and

Whereas, on May 7, 2008, occupational safety and health professionals will be recognized during the 3rd annual Occupational Safety and Health Professionals Day for the work they do to keep people safe at work: Now, therefore, be it

Resolved, That the Senate—

(1) designates the week of May 4 through 10, 2008, as "North American Occupational Safety and Health Week";

(2) designates May 7, 2008, as "Occupational Safety and Health Professionals Day";

(3) commends occupational safety, health, and environmental practitioners for their ongoing commitment to protecting people, property, and the environment;

(4) commends those businesses that encourage a strong safety culture and incorporate occupational safety and health into their business strategies;

(5) encourages all industries, organizations, community leaders, employers, and employees to join with the American Society of Safety Engineers to support activities aimed at increasing awareness of the importance of preventing illness, injury, and death in the workplace, during the week of May 4 through May 10, 2008, and throughout the year; and

(6) urges all people of the United States to continue to act responsibly and to be safe at work so that the millions of people who go to work return home safely every day to their families and friends.

ENERGY

Ms. CANTWELL. Mr. President, there are many items we were taking care of, but I think the Senate, including the Presiding Officer, in the last several days has spent a lot of time talking about the high prices of gasoline and how the consumers are being impacted by it.

I come to the floor tonight to continue that discussion and to say to the American people and the people of Washington State whom I represent that we are going to be aggressive and vigilant about looking into the oil market and why gas prices have risen over 100 percent in a year when there has been no disruption of supply, when there has been no shortage, when most oil companies testified that oil should be at \$60 a barrel, why we are at these high gas prices.

Many of my colleagues have been out on the floor speaking. I keep pointing to the fact that the price of oil has been at over \$118 a barrel. I don't know what they closed at today. Many consumers have been paying anywhere from \$3.56 a gallon to \$4.22 a gallon for diesel. Oil futures—I keep emphasizing this—oil futures are part of what drives the day-to-day price of oil. When oil futures are so high, that helps set the price in the day-to-day, what is called the spot market. We know oil futures

now will be over \$100 a barrel for several years. We know this is a very big indicator of the challenge we face in keeping gasoline prices low.

Many of my colleagues have been out here talking about ANWR, how we should drill in the Arctic Wildlife Refuge and we will solve our problems. I do not support drilling in the wildlife refuge because I think it is a very special place because it is a wildlife refuge. More importantly, in this case, it is not going to solve our energy crisis. Drilling in the Arctic Wildlife Refuge will, at the height of its production 10 or 20 years from now, if it actually occurs, will reduce gas prices by about a penny a gallon. We are talking about a few dollars of savings over a year's period of time. We are not talking about a solution.

The United States has 3 percent of the world's oil reserves. We are not going to drill our way out of this problem. So we need to act.

Many of my colleagues have said it is about the fact that there is not enough gas supply; we don't have enough inventory. And we hear from oil analysts who give testimony or write articles in the paper that "gasoline inventories are higher than the historical average at this time of year . . . so there is really no need to worry about the supply being too tight." This is an oil analyst who said this in March. Here is somebody analyzing the market who says it is not about the supply being too tight.

We had some people say it is all about refineries, if we just went ahead with refineries producing more and there are all these environmental regulations and they cannot produce more oil. According to CEOs of oil companies, that is not the issue because the CEO of Shell testified that—this is before a Senate committee—"We are not aware of any environmental regulations that have prevented us from expanding refinery capacity or siting a new refinery." That is not what the problem is either.

We know it is not any existing regulations because here is another CEO of an oil company who said: At this time, we are not aware any projects have been directly prevented as a result of any specific Federal or State regulation.

I have gone over some of these charts, and I am going over them again tonight because I think it is important for us to get to the bottom of what is going on. We owe it to our consumers, to our constituents to make sure that strong Federal statutes are in place that prohibit market manipulation and that they are enforced and that if markets are out of control—and by that I mean there is no justification for the price—we have somebody in the Federal Government, a Federal agency that is going to police that market and hold people accountable for the manipulation of supply and price.

During the summer season, we actually think consumption in the United

States is projected to decline. So this notion somehow that the summer driving season is upon us and all of a sudden the price should go up because more people are going to be driving taking vacations and it is going to have an impact and that is why the price should go up is just not correct. This is a statement by the Energy Information Agency that it declined over last year by three-tenths of a percent and is expected to decline by four-tenths of a percent for the summer. It is not really about the fact that all of a sudden just because it is summer we should pay higher gas prices.

I have shown this chart about supply and demand because it shows in the orange color what demand have been and what supply has been, the yellow line. What is interesting is that supply and demand has been fairly consistent over time; that is, we see some anomalies there, but pretty much supply and demand are being met. So someone cannot say we had in 2007 or 2008 a big gap and that is why today prices are 100 times what they were, over 100 percent from where they were a year ago. You cannot say that because supply and demand are basically constant.

That leaves us to say, What is the problem? What is going on and what is causing this problem? When I think about this issue about what America needs to do to make sure oil markets are policed, to make sure oil markets are functioning, to make sure oil, a commodity that is so important to us in the United States as it relates to our economy, is really properly policed by proper Federal agencies, I look at where this is.

I have said a couple times on the floor now it seems to me that hamburger in America has more regulation as it relates to the futures market than oil does. I am sure some will say: What is the Senator from Washington talking about? What I am talking about is basically this chart which is that cattle futures, which are traded on several platforms, basically do not have any exemptions. They have to comply with all the rules and regulations of the futures market. That means they have to register, people have to know who is buying and selling on that market. They have daily reporting requirements. That means there has to be transparency. And there are speculative limits. Those speculative limits in the market for something such as cattle futures basically say if price gets out of control, then they stop the market. They stop the market; they don't let it just careen out of control.

Yet we look at oil—besides the NYMEX, oil has been traded on these mini-platforms, and you ask: Does it have to meet any of these same requirements as beef? No. Look over here and they are exempt. There is no check mark here. They are exempt. They are an exempt commodity. Why? Because in 2000, they were given an exemption called the Enron loophole that basically said those trades don't have to