

must. But I think we need to recognize that as we are kind of sitting back on this at this point in time, other nations are moving forward. They are making their claims to greater areas of the ocean and to its seabed. I do not think we should be left behind as a nation and lose out on significant potential energy reserves at a time when we all know that energy is at an incredible premium.

I will make the same statement I made in committee when we had the discussion on the Convention on the Law of the Sea. I urge my colleagues to support ratification of the Convention on the Law of the Sea and urge the Senate leadership to bring the treaty to the floor for a vote. With that, I yield the floor.

The PRESIDING OFFICER (Mr. WHITEHOUSE). The Senator from South Carolina is recognized.

HEALTH CARE OPTIONS

Mr. DEMINT. Mr. President, we have many important issues in front of us. We have been talking a lot about energy this week, including the high cost of gasoline and problems with ethanol mandates and potential problems with the cost of electricity. As we look at ways to reduce pollution, certainly energy is important. We have also been dealing with flood insurance. There is no shortage of issues. But we know as we talk to our constituents around the country that at the top of their list of priorities is health insurance and health care and the ability to afford the policies that are out there.

We have differences of opinion in the Senate as to how to deal with the uninsured in our country today. There is one philosophy that believes the government needs to be more involved; we need to expand government control of health care. There is another philosophy of which I am a part which believes that our job in the Senate and in the Congress and in the Federal Government is to make freedom work for everyone, and that includes people having the freedom to own their own health insurance. We believe when people do not work for a company that offers health insurance, they should have guaranteed access to affordable health insurance policies that they can take from job to job. I am encouraged that Senator MCCAIN is on the side of freedom of choice and individual ownership of plans.

We know if we are going to make individual plans work, we need to address the high cost of insurance. We know that is the biggest impediment to getting coverage when that coverage is not offered through an employer. In fact, nearly two-thirds of the uninsured are the working poor, and they cite the high cost of insurance as the primary barrier to accessing health coverage. We can talk about the uninsured, and we can talk about the high cost of insurance, but we need to address the real causes of the high cost of insur-

ance. We know if we look at the policies, if we talk to those who offer the policies—the insurance companies—we know that mandates, government mandates on those policies have a lot to do with the high cost of insurance.

States have passed more than 1,900 benefit mandates requiring insurance companies to cover everything from wigs to infertility treatments to acupuncturists to massage therapists. These may all be legitimate needs, but they are not legitimate mandates on insurance policies. When people are looking for a policy that meets their needs that they can afford, we cannot continue as governments—both State and Federal—to mandate that every policy cover every possible problem when individuals do not need those mandates to buy the policies they want. These mandates increase the cost of health insurance. According to the Congressional Budget Office, for every 1 percent increase in the cost of health insurance, 300,000 people lose their coverage.

A few States are getting the message that mandates make health insurance more expensive. There are at least 10 States that provide for mandate-lite policies which allow individuals to purchase a policy with fewer mandates and so are more tailored to their individual needs and financial situation. There are now at least 30 States that require a mandate's cost to be assessed before it is implemented. These States are getting the message. Mandates are pricing individuals out of the insurance market.

I have introduced legislation that addresses these growing problems. In December, Congressman JOHN SHADEGG of Arizona joined me in introducing the Health Care Choice Act. This legislation is important because it will allow consumers to shop for health insurance the same way they do for other insurance products. They can shop on line, by mail, over the phone, or in consultation with an insurance agent in their hometown.

Specifically, the bill would let insurers licensed in one State sell to individuals in the other 49 States. Most people are surprised that you can't do that now because in every other product category we can buy products not only in every State but all over the world. But with health insurance, we have taken a different tact, a tact that has made health insurance much more expensive because we allow a few insurance companies to monopolize the market in 50 individual States.

What we need is a national market for health insurance. Consumers will no longer be limited to picking only those policies that meet their State regulations and mandated benefits. Instead, they can examine the wide array of insurance policies qualified in one State and offered for sale in multiple States. This way, consumers can choose a policy that best suits their needs and their budget without regard to State boundaries. It makes a lot of

common sense. Individuals looking for basic health insurance coverage can opt for a policy with a few benefits they need, and such a policy will be more affordable.

On the other hand, consumers who have an interest in a particular benefit such as infertility treatments will be able to purchase a policy that includes that benefit. Equally important, it creates incentives for insurance companies to offer innovative and customized insurance products, and it will reduce the number of Americans who have sought but have been unable to afford insurance coverage.

I am thrilled that Senator JOHN MCCAIN has made this legislation one of the cornerstones of his health insurance platform because health insurance coverage should not be dictated by State or Federal legislators. Families sitting around their kitchen tables should decide what their health insurance plan should cover. I believe Senator MCCAIN's plan to address the gross health care inequity in the Tax Code and to harness the power of the marketplace through the interstate competition of insurance products, through that, Americans will be able to find affordable health insurance that offers more choice and better coverage. We know this is true.

As we talk to insurance companies, if they were allowed to offer products for all 50 States under one set of regulations, or under 50 if they choose, if they are able to have a larger pool of members, they can spread the risk and lower the rates.

The Health Care Choice Act is a commonsense way to let freedom work for every American, to let the free enterprise system work in health insurance as it does in almost every other area of our lives. I encourage my colleagues to consider the Health Care Choice Act and to move away from this idea that more government control, more government mandates is actually going to help us get more Americans insured.

I thank the Chair, and I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

(The remarks of Mr. COLEMAN are printed in today's RECORD under "Morning Business.")

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

(The remarks of Mr. BOND are printed in today's RECORD under "Morning Business.")

The PRESIDING OFFICER. The Senator from Missouri is recognized.

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

NOTICE OF PROPOSED RULEMAKING

Mr. BYRD. Mr. President, I ask unanimous consent that the attached from the Office of Compliance be printed in the RECORD today pursuant to section 304(b)(1) of the Congressional Accountability Act of 1995 (2 U.S.C. 1384(b)(1)).

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

U.S. CONGRESS,
OFFICE OF COMPLIANCE,
Washington, DC, April 16, 2008.

Hon. ROBERT C. BYRD
President Pro Tempore, U.S. Senate, Hart Office
Building, Washington, DC.

DEAR SENATOR BYRD: Section 304(b)(1) of the Congressional Accountability Act of 1995 (CAA), 2 U.S.C. 1384(b)(1), requires that, with regard to the initial proposal of substantive regulations under the CAA, the Board "shall publish a general notice of proposed rulemaking" and "shall transmit such notice to the Speaker of the House of Representatives and the President Pro Tempore of the Senate for publication in the Congressional Record on the first day on which both Houses are in session following such transmittal."

The Board of Directors of the Office of Compliance is transmitting herewith the enclosed Notice of Proposed Rulemaking. The Board requests that the accompanying Notice be published in both the House and Senate versions of the Congressional Record on the first day on which both Houses are in session following receipt of this transmittal.

Any inquiries regarding the accompanying Notice should be addressed to Tamara E. Chrisler, Executive Director of the Office of Compliance, 110 2nd Street, S.E., Room LA-200, Washington, D.C. 20540; 202-724-9250, TDD 202-426-1912, tcbr@loc.gov.

Sincerely,

SUSAN S. ROBFOGEL,
Chair, Board of Directors.

(Editor's note: The notice of Proposed Rulemaking is printed in the RECORD dated April 21, 2008, at page S3188)

BURMA

Mr. McCONNELL. Mr. President, in these last days our sympathies have been stirred by the shocking images of suffering and loss that have come from Burma. Last week's cyclone was one of the most devastating in memory. The damage to Burma's infrastructure, to its cities and towns and villages, is staggering.

The human toll won't be known for weeks. As many as 100,000 are thought to be dead. Thousands more are unaccounted for and injured. And those who survived face grave challenges. By all accounts, potable water and food are scarce, increasing the threat of disease. And shelter is hard to find.

This kind of suffering tests our powers of comprehension. But the extent of the damage, combined with the already primitive economic conditions imposed by the Burmese regime and the regime's sluggish response to the storm, means this suffering will be far greater than it otherwise might have been and will last far longer than it otherwise would.

We have heard reports that little or no notice was given to the people about the severity of the storm. And while the U.S. and other donors have expressed a clear willingness to assist, the Burmese regime has continued to resist allowing outside donors, such as the U.S., in.

The U.S. has repeatedly demonstrated its willingness to help the

victims of natural disasters. Our generous response to the 2004 tsunami is a tribute to generosity and compassion of Americans, as was our response to the flooding of Bangladesh in the early 1990s. We responded generously to the 1990 earthquake in the Philippines, an act of kindness that was met with deep gratitude. The U.S. has helped this region of the world again and again, and now we stand willing to help the people of Burma.

Precious time has been, and continues to be, wasted. Why? Because rather than focusing on preparations for the storm, the political leaders in Burma were focused on a sham constitutional referendum scheduled for this Saturday. While all of the energies of government were needed to prepare for relief efforts, the regime was thinking of solidifying its control over the country. Its only concession to the critics—as the extent of the dead, the missing, and the injured became known—was an agreement to postpone the referendum in certain parts of the country.

This is not the first time the Burmese regime has put the political risks of letting in outsiders over urgent humanitarian needs. In 2004, the same junta rejected foreign aid after the tsunami. The only difference this time is that the devastation to Burma and the Burmese people is on a much larger scale.

If Saturday's referendum were legitimate, its timing would be merely irresponsible and crass. Yet everything about this Saturday's referendum is a farce. The process leading up to it has been marked by oppressive measures that, of course, are not typically associated with free and open political debate. It's a crime, for instance, to criticize the document.

The substance of the constitution is also profoundly antidemocratic. It prohibits Aung San Suu Kyi, the leader of the party that won Burma's last free and democratic election, from holding high office. Former political prisoners and activists could find themselves unable to run for Parliament. And the Burmese military would control key ministries and hold a quarter of the seats in the national legislature.

This is not a constitution. This is a fig leaf to place over the junta's oppressive rule.

The people of Burma are already suffering from the tragedy of a terrible natural disaster. Now they are being forced to participate in a farce. Last week's cyclone revealed more than nature's power and life's fragility. It revealed, once again, the inhumanity of Burmese junta—not only in its disregard for the people suffering from the storm, but also in its callous insistence that, in the midst of so much suffering, a sham constitutional referendum validating its authority go forward.

This is a time of great sadness in Burma. It is also a time of renewed outrage at the oppressive regime that controls it. On occasion, the leaders of

such regimes reveal their warped minds to the world. This is such a time. It's my hope the world will take notice.

Mr. SMITH. Mr. President, I rise today to address the terrible toll taken by the recent cyclone in Burma.

It is unimaginable to me that the people of Burma, already struggling under the weight of tyranny, could be expected to bear further hardship. The daily trudge for existence faced by the Burmese is heart-wrenching; and yet now their suffering has increased. On Saturday, May 3, their country was struck by a horrible cyclone, an unfortunately common occurrence in Southeast Asia. U.S. diplomats estimate the death toll from this storm could be as high as 100,000, victims of a 120 mph wind and a storm surge that has obliterated entire villages. The United Nations estimates that hundreds of thousands of people have been left without basic necessities such as food, potable water, and shelter.

The Burmese military regime has compounded this crisis through political repression, economic mismanagement, and xenophobia. But the tragedy of Burma's government cannot and should not blind us to the human suffering inflicted by this most recent disaster. The international community must take immediate steps to alleviate some of the worst deprivations of this humanitarian crisis. To this end, I am proud and humbled that two of our own Oregon institutions are leading the effort in bringing comfort to the afflicted. Northwest Medical Teams and Mercy Corps are closely engaged in collecting humanitarian donations and cooperating with local partners to help the survivors in Burma. I urge the government in Burma to accept the foreign assistance offered by these groups and others around the world.

I know I speak for all Oregonians—and indeed all Americans—when I say that our hearts go out to the survivors of this storm. We stand ready to help, and I sincerely thank all those who are donating their time and resources to help those stricken by this terrible disaster.

HONORING OUR ARMED FORCES

SERGEANT GLEN E. MARTINEZ

Mr. SALAZAR. Mr. President, I rise today to honor the life of Marine Sgt Glen Martinez and to share my deep sadness at the loss of one of our Nation's finest young men. Sergeant Martinez was on his second tour in Iraq, working to restore peace and security to Al Anbar province, when a roadside bomb tore through his vehicle, killing him and three other marines. He was 31 years old.

Our thoughts and prayers are with Sergeant Martinez's wife Melissa, his parents Ron and Carol, his sister Lori, and her children Alexis and Spencer, his grandparents Isaac and Viola Martinez and Willard and Norma Martin, and all his friends and family. My heart also goes out to the community