

(1) by redesignating subsections (b) and (c) as subsections (c) and (d), respectively, and inserting after subsection (a) the following:

“(b) DUTY OF THE ADMINISTRATOR.—In addition to other duties specified in this Act, the Administrator and the Secretary, respectively, shall have the following duties and authorities:

“(1) The Administrator shall, and no other person may, issue Engine International Air Pollution Prevention certificates in accordance with Annex VI and the International Maritime Organization’s Technical Code on Control of Emissions of Nitrogen Oxides from Marine Diesel Engines, on behalf of the United States for a vessel of the United States as that term is defined in section 116 of title 46, United States Code. The issuance of Engine International Air Pollution Prevention certificates shall be consistent with any applicable requirements of the Clean Air Act or regulations prescribed under that Act.

“(2) The Administrator shall have authority to administer regulations 12, 13, 14, 15, 16, 17, 18, and 19 of Annex VI to the Convention.

“(3) The Administrator shall, only as specified in section 8(f), have authority to enforce Annex VI of the Convention.”;

(2) in subsection (c), as redesignated, by redesignating paragraph (2) as paragraph (4), and inserting after paragraph (1) the following:

“(2) In addition to the authority the Secretary has to prescribe regulations under this Act, the Administrator shall also prescribe any necessary or desired regulations to carry out the provisions of regulations 12, 13, 14, 15, 16, 17, 18, and 19 of Annex VI to the Convention.

“(3) In prescribing any regulations under this section, the Secretary and the Administrator shall consult with each other, and with respect to regulation 19, with the Secretary of the Interior.”; and

(3) by adding at the end of subsection (c), as redesignated, the following:

“(5) No standard issued by any person or Federal authority, with respect to emissions from tank vessels subject to regulation 15 of Annex VI to the Convention, shall be effective until 6 months after the required notification to the International Maritime Organization by the Secretary.”.

#### SEC. 6. CERTIFICATES.

Section 5 (33 U.S.C. 1904) is amended—

(1) in subsection (a) by striking “The Secretary” and inserting “Except as provided in section 4(b)(1), the Secretary”;

(2) in subsection (b) by striking “Secretary under the authority of the MARPOL protocol.” and inserting “Secretary or the Administrator under the authority of this Act.”; and

(3) in subsection (e) by striking “environment.” and inserting “environment or the public health and welfare.”.

#### SEC. 7. RECEPTION FACILITIES.

Section 6 (33 U.S.C. 1905) is amended—

(1) in subsection (a) by adding at the end the following:

“(3) The Secretary and the Administrator, after consulting with appropriate Federal agencies, shall jointly prescribe regulations setting criteria for determining the adequacy of reception facilities for receiving ozone depleting substances, equipment containing such substances, and exhaust gas cleaning residues at a port or terminal, and stating any additional measures and requirements as are appropriate to ensure such adequacy. Persons in charge of ports and terminals shall provide reception facilities, or ensure that reception facilities are available, in accordance with those regulations. The Secretary and the Administrator may jointly prescribe regulations to certify, and may issue certificates to the effect, that a port’s or terminal’s facilities for receiving ozone depleting substances, equipment containing such substances, and exhaust gas cleaning residues from ships are adequate.”;

(2) in subsection (b) by inserting “or the Administrator” after “Secretary”;

(3) in subsection (e) by striking paragraph (2) and inserting the following:

“(2) The Secretary may deny the entry of a ship to a port or terminal required by the MARPOL Protocol, this Act, or regulations prescribed under this section relating to the provision of adequate reception facilities for garbage, ozone depleting substances, equipment containing those substances, or exhaust gas cleaning residues, if the port or terminal is not in compliance with the MARPOL Protocol, this Act, or those regulations.”;

(4) in subsection (f)(1) by striking “Secretary is” and inserting “Secretary and the Administrator are”; and

(5) in subsection (f)(2) by striking “(A)”.

#### SEC. 8. INSPECTIONS.

Section 8(f) (33 U.S.C. 1907(f)) is amended to read as follows:

“(f)(1) The Secretary may inspect a ship to which this Act applies as provided under section 3(a)(5), to verify whether the ship is in compliance with Annex VI to the Convention and this Act.

“(2) If an inspection under this subsection or any other information indicates that a violation has occurred, the Secretary, or the Administrator in a matter referred by the Secretary, may undertake enforcement action under this section.

“(3) Notwithstanding subsection (b) and paragraph (2) of this subsection, the Administrator shall have all of the authorities of the Secretary, as specified in subsection (b) of this section, for the purposes of enforcing regulations 17 and 18 of Annex VI to the Convention to the extent that shoreside violations are the subject of the action and in any other matter referred to the Administrator by the Secretary.”.

#### SEC. 9. AMENDMENTS TO THE PROTOCOL.

Section 10(b) (33 U.S.C. 1909(b)) is amended—

(1) by striking “Annex I, II, or V” and inserting “Annex I, II, V, or VI”; and

(2) by inserting “or the Administrator as provided for in this Act,” after “Secretary.”.

#### SEC. 10. PENALTIES.

Section 9 (33 U.S.C. 1908) is amended—

(1) by striking “Protocol,” each place it appears and inserting “Protocol,”;

(2) in subsection (b)—

(A) by inserting “or the Administrator as provided for in this Act,” after “Secretary,” the first place it appears;

(B) in paragraph (2), by inserting “, or the Administrator as provided for in this Act,” after “Secretary”; and

(C) in the matter after paragraph (2)—

(i) by inserting “or the Administrator as provided for in this Act” after “Secretary,” the first place it appears; and

(ii) by inserting “, or the Administrator as provided for in this Act,” after “Secretary” the second and third places it appears;

(3) in subsection (c), by inserting “, or the Administrator as provided for in this Act,” after “Secretary” each place it appears; and

(4) in subsection (f), by inserting “or the Administrator as provided for in this Act” after “Secretary,” the first place appears.

#### SEC. 11. EFFECT ON OTHER LAWS.

Section 15 (33 U.S.C. 1911) is amended to read as follows:

#### “SEC. 15. EFFECT ON OTHER LAWS.

“Authorities, requirements, and remedies of this Act supplement and neither amend nor repeal any other authorities, requirements, or remedies conferred by any other provision of law. Nothing in this Act shall limit, deny, amend, modify, or repeal any other authority, requirement, or remedy available to the United States or any other person, except as expressly provided in this Act.”.

#### SEC. 12. LEGAL ACTIONS.

Section 11 (33 U.S.C. 1910) is amended—

(1) by redesignating paragraph (3) of subsection (a) as paragraph (4), and inserting after paragraph (2) the following:

“(3) against the Administrator where there is alleged a failure of the Administrator to perform any act or duty under this Act which is not discretionary; or”;

(2) by striking “concerned,” in subsection (b)(1) and inserting “concerned or the Administrator.”; and

(3) by inserting “or the Administrator” after “Secretary” in subsection (b)(2).

Mr. DODD. Mr. President, I ask unanimous consent that the committee substitute amendment be agreed to, the bill, as amended, be read a third time and passed, the motions to reconsider be laid upon the table, with no intervening action or debate, and that any statements related to the bill be printed in the RECORD.

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

The committee amendment in the nature of a substitute was agreed to.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill (H.R. 802), as amended, was read the third time and passed.

#### CONGRATULATING THE CALIFORNIA STATE UNIVERSITY, FRESNO BULLDOGS BASEBALL TEAM

Mr. DODD. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 604, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 604) congratulating the California State University Fresno Bulldogs baseball team for winning the 2008 National Collegiate Athletics Association Division I College World Series.

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

Mr. DODD. 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 that any statements related to the bill be printed in the RECORD.

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

The resolution (S. Res. 604) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

#### S. RES. 604

Whereas on June 25, 2008, the student athletes of the California State University, Fresno Bulldogs baseball team, in the sixth elimination game faced by the Fresno State Bulldogs, finished a true Cinderella story season, winning the 2008 National Collegiate Athletics Association Division I College World Series Championship (referred to in this preamble as the “2008 NCAA College World Series”) by defeating the University of Georgia Bulldogs, 2 games to 1, in a best-of-3 championship;

Whereas the 2008 NCAA College World Series is the second championship for the California State University;

Whereas the Fresno State Bulldogs are the lowest-seeded team in college sports history to win a championship;

Whereas the Fresno State Bulldogs won 6 elimination games to win the 2008 NCAA College World Series, which is a testament to the resilience, fortitude, and “never say die” attitude of the team;

Whereas the Fresno State Bulldogs beat number 3-ranked Arizona State University, number 6-ranked Rice University, number 2-ranked University of North Carolina, and number 8-ranked University of Georgia to win the 2008 NCAA College World Series;

Whereas the Fresno State Bulldogs tied the record of most runs, 62, in the College World Series;

Whereas the Fresno State Bulldogs elimination game, a 19-10 win against Georgia just 1 day earlier, produced College World Series records for most runs in a game by 1 team, most combined runs, most hits by 1 team, most combined hits, and longest game;

Whereas the Fresno State Bulldogs played 78 games this year, more than any other team in the United States;

Whereas playing with a torn ligament in his left thumb, right fielder Steve Detwiler had 4 hits in 4 at-bats, including 2 home runs and 6 runs batted in, during the championship game;

Whereas Justin Wilson, the winning pitcher, pitching on just 3 days rest, was able to pitch 129 pitches, 86 of which were strikes over 8 strong innings, allowing just 5 hits, 1 run, and striking out 9 batters;

Whereas Tommy Mendonca, third baseman for the 2008 NCAA College World Series champion Fresno State Bulldogs, was named the “Most Outstanding Player”, tying the College World Series record with 4 home runs;

Whereas the Fresno State Bulldogs have 5 players on the 2008 NCAA College World Series all-tournament team, including third baseman Tommy Mendonca, second baseman Erik Wetzell, outfielder Steve Susdorf, outfielder Steve Detwiler, and pitcher Justin Wilson;

Whereas the Fresno State Bulldogs have shown great character, comradery, resilience, and sportsmanship on the way to winning the national championship;

Whereas the fellow students, families, alumni, faculty, and fans of the Fresno State Bulldogs have been a great part of this championship, showing great support with many individuals wearing “Underdogs to Wonderdogs” t-shirts; and

Whereas the Fresno State Bulldogs have instilled within the City of Fresno and the State of California great pride and excitement: Now, therefore, be it

*Resolved*, That the Senate—

(1) congratulates the California State University Fresno Bulldogs baseball team for winning the 2008 National Collegiate Athletics Association Division I College World Series; and

(2) recognizes the achievements of the players, coaches, students, and staff whose hard work and dedication made winning the championship possible.

#### 60TH ANNIVERSARY OF THE BERLIN AIRLIFT

Mr. DODD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 605, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 605) commemorating the 60th anniversary of the Berlin Airlift and honoring the veterans of Operation Vittles.

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

Mr. DODD. 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. 605) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

#### S. RES. 605

Whereas in spring of 1948 Berlin was isolated within the Soviet occupation zone and had only 35 days' worth of food and 45 days' worth of coal remaining for the city;

Whereas military planners in the United States and the United Kingdom determined that 1,534 tons of flour, wheat, fish, milk, and other food items would be required daily to feed the 2,000,000 residents of Berlin;

Whereas military planners determined that 3,475 tons of coal and gasoline would be required daily to keep the city of Berlin heated and powered;

Whereas, on June 1, 1948, the United States Air Force created the Military Air Transport Service, the predecessor to Air Mobility Command, to organize and conduct airlift missions;

Whereas, on June 26, 1948, “Operation Vittles” began when 32 United States Air Force C-47 Dakotas departed West Germany for Berlin hauling 80 tons of cargo, and the first British aircraft launched on June 28, 1948;

Whereas Major General William H. Tunner, a veteran of the aerial supply line over the Himalayas in World War II, took command of “Operation Vittles” on July 28, 1948;

Whereas Major General Tunner pioneered many new and innovative tactics and procedures for the airlift, including the creation of air corridors for ingress and egress, staggering altitudes of the aircraft, and implementing instrument flight rules which allowed aircraft to land as frequently as every 3 minutes;

Whereas one pilot, 1st Lieutenant Gail S. Halvorsen, who became known as the “Candy Bomber”, initiated “Operation Little Vittles” to bring hope to the children of Berlin, by dropping handkerchief parachutes containing chocolate and chewing gum as a symbol of American goodwill, ultimately resulting in more than 3 tons of candy being dropped in more than 250,000 miniature parachutes;

Whereas, on Easter Sunday, April 17, 1949, airlifters reached the pinnacle of “Operation Vittles” by delivering 13,000 tons of cargo, including the equivalent of 600 railroad cars full of coal, setting the single day record for the Berlin Airlift;

Whereas 39 British and 31 American airmen made the ultimate sacrifice during the Berlin Airlift, and 8 British and 17 American aircraft were lost;

Whereas airlifters delivered more than 2,300,000 tons of food and supplies on 278,228 total flights into Berlin;

Whereas the Soviet Union was forced to lift the blockade in light of the success of the 15-month airlift operation;

Whereas the Berlin Airlift marked the first use of airpower to provide hope and humanitarian assistance, and to win a strategic victory against enemy aggression and intimidation;

Whereas the enormous effort and cooperation of the Berlin Airlift laid the foundation for a deep and lasting friendship between the

people of the United States and the people of Germany; and

Whereas, today, air mobility continues to play a vital role in United States foreign policy by helping to advance freedom and alleviate suffering around the world: Now, therefore, be it

*Resolved*, That Congress—

(1) recognizes the 60th anniversary of the Berlin Airlift as the largest and longest running humanitarian airlift operation in history;

(2) honors the service and sacrifice of the men and women who participated in and supported the Berlin Airlift;

(3) commends the close friendship forged between the American, British, and German people through the Berlin Airlift; and

(4) applauds the men and women of the United States Air Force's Air Mobility Command, who, in the best traditions of the Berlin Airlift, still work diligently to provide hope, save lives, and deliver freedom around the world in support of the United States' foreign policy objectives.

#### CONDITIONAL ADJOURNMENT OR RECESS OF THE HOUSE AND SENATE

Mr. DODD. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H. Con. Res. 379, which was received from the House.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 379) providing for a conditional adjournment of the House of Representatives and a conditional recess or adjournment of the Senate.

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

Mr. DODD. Mr. President, I ask unanimous consent that the concurrent resolution be agreed to, the motion to reconsider be laid upon the table, with no intervening action or debate.

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

The concurrent resolution (H. Con. Res. 379) was agreed to, as follows:

#### H. CON. RES. 379

*Resolved by the House of Representatives (the Senate concurring)*, That when the House adjourns on the legislative day of Thursday, June 26, 2008, or Friday, June 27, 2008, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 2 p.m. on Tuesday, July 8, 2008, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the Senate recesses or adjourns on any day from Thursday, June 26, 2008, through Friday, July 4, 2008, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand recessed or adjourned until noon on Monday, July 7, 2008, or such other time on that day as may be specified in the motion to recess or adjourn, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first.

SEC. 2. The Speaker of the House and the Majority Leader of the Senate, or their respective designees, acting jointly after consultation with the Minority Leader of the House and the Minority Leader of the Senate, shall notify the Members of the House