

risk of obesity, gain weight more rapidly when they are out of school during the summer;

Whereas Summer Learning Day is designed to highlight the need for more young people to be engaged in summer learning activities and to support local summer programs that benefit children, families, and communities;

Whereas a wide array of schools, public agencies, nonprofit organizations, universities, museums, libraries, and summer camps in many States across the United States, will celebrate annual Summer Learning Day on July 10, 2008: Now, therefore, be it

*Resolved*, That the Senate—

(1) designates July 10, 2008, as “National Summer Learning Day”, in order to raise public awareness about the positive impact of summer learning opportunities on the development and educational success of the children of the United States;

(2) urges the people of the United States to promote summer learning activities, in order to send young people back to school ready to learn, to support working parents and their children, and to keep the children of the United States safe and healthy during the summer months; and

(3) urges communities to celebrate, with appropriate ceremonies and activities, the importance of high quality summer learning opportunities in the lives of young students and their families.

#### SENATE RESOLUTION 608—RELATIVE TO THE DEATH OF JESSE ALEXANDER HELMS, JR., FORMER UNITED STATES SENATOR FOR THE STATE OF NORTH CAROLINA

Mr. REID (for himself, Mr. McCONNELL, Mrs. DOLE, Mr. BURR, Mr. AKAKA, Mr. ALEXANDER, Mr. ALLARD, Mr. BARRASSO, Mr. BAUCUS, Mr. BAYH, Mr. BENNETT, Mr. BIDEN, Mr. BINGAMAN, Mr. BOND, Mrs. BOXER, Mr. BROWN, Mr. BROWNBACK, Mr. BUNNING, Mr. BYRD, Ms. CANTWELL, Mr. CARDIN, Mr. CARPER, Mr. CASEY, Mr. CHAMBLISS, Mrs. CLINTON, Mr. COBURN, Mr. COCHRAN, Mr. COLEMAN, Ms. COLLINS, Mr. CONRAD, Mr. CORKER, Mr. CORNYN, Mr. CRAIG, Mr. CRAPO, Mr. DEMINT, Mr. DODD, Mr. DOMENICI, Mr. DORGAN, Mr. DURBIN, Mr. ENSIGN, Mr. ENZI, Mr. FEINGOLD, Mrs. FEINSTEIN, Mr. GRAHAM, Mr. GRASSLEY, Mr. GREGG, Mr. HAGEL, Mr. HARKIN, Mr. HATCH, Mrs. HUTCHISON, Mr. INHOFE, Mr. INOUE, Mr. ISAKSON, Mr. JOHNSON, Mr. KENNEDY, Mr. KERRY, Ms. KLOBUCHAR, Mr. KOHL, Mr. KYL, Ms. LANDRIEU, Mr. LAUTENBERG, Mr. LEAHY, Mr. LEVIN, Mr. LIEBERMAN, Mrs. LINCOLN, Mr. LUGAR, Mr. MARTINEZ, Mr. MCCAIN, Mrs. MCCASKILL, Mr. MENENDEZ, Ms. MIKULSKI, Ms. MURKOWSKI, Mrs. MURRAY, Mr. NELSON of Florida, Mr. NELSON of Nebraska, Mr. OBAMA, Mr. PRYOR, Mr. REED, Mr. ROBERTS, Mr. ROCKEFELLER, Mr. SALAZAR, Mr. SANDERS, Mr. SCHUMER, Mr. SESSIONS, Mr. SHELBY, Mr. SMITH, Ms. SNOWE, Mr. SPECTER, Ms. STABENOW, Mr. STEVENS, Mr. SUNUNU, Mr. TESTER, Mr. THUNE, Mr. VITTER, Mr. VOINOVICH, Mr. WARNER, Mr. WEBB, Mr. WHITEHOUSE, Mr. WICKER, and Mr. WYDEN) submitted the following resolution; which was considered and agreed to:

Whereas Jesse Alexander Helms, Jr., born in Monroe, North Carolina on October 18, 1921, spent a 52-year public career dedicating himself to his country, his family, and his home State, representing North Carolina in the United States Senate for 30 years;

Whereas Jesse Alexander Helms, Jr., served in the United States Navy from 1942 until 1945;

Whereas Jesse Alexander Helms, Jr., was educated in the public schools of Monroe, North Carolina and at Wingate Junior College and Wake Forest College, served as city editor of the Raleigh Times, administrative assistant to United States Senators Willis Smith and Alton Lennon, executive director of the North Carolina Bankers Association, member of the Raleigh City Council, and a television and radio executive;

Whereas Jesse Alexander Helms, Jr., was elected to the United States Senate in 1972, and served as Chairman of the Senate Foreign Relations Committee and the Senate Agriculture Committee, ultimately serving five terms, equal to the longest of any Senator from North Carolina;

Whereas Jesse Alexander Helms, Jr., was a leader against Communism and became the first legislator of any nation to address the United Nations Security Council;

Whereas Jesse Alexander Helms, Jr., was married for 65 years to Dorothy “Dot” Coble Helms, whom he termed his “best friend” and is the father of three children;

Whereas Jesse Alexander Helms, Jr., made invaluable contributions to his community, State, Nation, and the World;

Now, therefore, be it

*Resolved*, That the Senate has heard with profound sorrow and deep regret the announcement of the death of the Honorable Jesse Alexander Helms, Jr., former Member of the United States Senate.

*Resolved*, That the Secretary of the Senate communicate these resolutions to the House of Representatives and transmit an enrolled copy thereof to the family of the deceased.

*Resolved*, That when the Senate adjourns today, it stand in adjournment as a further mark of respect to the memory of the Honorable Jesse Alexander Helms, Jr.

#### SENATE RESOLUTION 609—RECOGNIZING THE NEED FOR RAPID RECAPITALIZATION OF THE KC-135 AERIAL REFUELING FLEET THROUGH RE-COMPETITION OF THE UNITED STATES AIR FORCE'S KC-X SOLICITATION

Mrs. MURRAY (for herself, Mr. BOND, Mr. ROBERTS, and Mrs. MCCASKILL) submitted the following resolution; which was referred to the Committee on Armed Services:

S. RES. 609

Whereas aerial refueling tankers are the backbone of the worldwide airpower capability of the United States;

Whereas the United States Air Force fleet of KC-135 aerial refueling tankers is aging and needs to be recapitalized; and

Whereas recapitalization of the KC-135 medium-sized aerial refueling tanker is the top acquisition priority of the United States Air Force: Now, therefore, be it

*Resolved*, That the Senate—

(1) encourages the United States Air Force to quickly re-compete the KC-X solicitation on the terms the Government Accountability Office (GAO) recommended in its June 18, 2008, decision;

(2) recognizes that a rapid, thorough, and fair re-competition under the terms of the original KC-X request for proposals is the

best way to provide the United States Air Force with next-generation aerial refueling tanker capability in a timely manner;

(3) recognizes that the KC-X solicitation is the first phase of a three-phased strategy for recapitalizing the tanker fleet, and that the KC-X solicitation should be based on a full and transparent competition to select a single aircraft design; and

(4) supports the recommendation of the Government Accountability Office that “the Air Force reopen discussions with the offerors, obtain revised proposals, re-evaluate the revised proposals, and make a new source selection decision, consistent with this decision.”

#### SENATE RESOLUTION 610—HONORING THE MEN AND WOMEN OF THE DRUG ENFORCEMENT ADMINISTRATION ON THE OCCASION OF THE 35TH ANNIVERSARY OF THE ADMINISTRATION

Mr. BIDEN (for himself and Mr. GRASSLEY) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 610

Whereas the Drug Enforcement Administration (DEA) was created by Executive order on July 6, 1973, and merged the previously separate law enforcement and intelligence agencies responsible for narcotics control;

Whereas the first administrator of the DEA, John R. Bartels, Jr., was confirmed by the Senate on October 4, 1973;

Whereas since 1973, the men and women of the DEA have served the United States with courage, vision, and determination, protecting all the people of the United States from the scourge of drug trafficking, drug abuse, and related violence;

Whereas the DEA has adjusted and refined the tactics and methods by which the DEA targets the most dangerous drug trafficking operations to bring to justice criminals such as New York City's Nicky Barnes, key members of the infamous Colombian Medellin cartel, Thai warlord Khun Sa, several members of the Mexican Arellano-Felix organization, Afghan terrorist Haji Baz Mohammad, and international arms dealer Viktor Bout;

Whereas throughout the 35 years since the DEA was created, the DEA has continually adapted to the evolving trends of drug trafficking organizations by aggressively targeting organizations involved in the growing, manufacturing, and distribution of such substances as marijuana, cocaine, heroin, methamphetamine, Ecstasy, and controlled prescription drugs;

Whereas in 227 domestic offices, in 21 field divisions, the DEA continues to strengthen and enhance existing relationships with Federal, State, and local counterparts in every State in the Union to combat drug trafficking;

Whereas since 2000, DEA special agents have seized over 5,500 kilograms of heroin, 650,000 kilograms of cocaine, 2,300,000 kilograms of marijuana, and 13,000 kilograms of methamphetamine and almost 80,000,000 dosage units of hallucinogens, and made over 240,000 arrests;

Whereas with 87 foreign offices, located in 63 countries, the DEA has the largest international presence of any Federal law enforcement agency;

Whereas the personnel of the DEA continue to collaborate closely with international partners around the globe, including in such drug-producing countries as Colombia, Mexico, Afghanistan, and Thailand;

Whereas the results of this international collaboration since 2000 alone have led to the indictments of 63 leaders, members, and associates of the Revolutionary Armed Forces of Colombia, a designated foreign terrorist organization;

Whereas through the creation of the Diversion Control Program in 1971, the DEA now registers and regulates over 1,200,000 registrants, while simultaneously combating the continually evolving threat posed by the diversion of controlled pharmaceuticals;

Whereas the DEA continues to disrupt drug trafficking activities by denying drug trafficking organizations \$3,500,000,000 in fiscal year 2007 alone, exceeding their 5-year goal of \$3,000,000,000 annually by fiscal year 2009;

Whereas DEA special agents continue to work alongside Federal, State, and local law enforcement officials throughout the United States in a cooperative effort to put drug traffickers behind bars;

Whereas throughout the history of the DEA and its predecessor agencies, many employees and members of the task forces have given their lives in the line of duty, including: Charles Archie Wood, Stafford E. Beckett, Joseph W. Floyd, Bert S. Gregory, James T. Williams, Louis L. Marks, James E. Brown, James R. Kerrigan, John W. Crozier, Spencer Stafford, Andrew P. Sanderson, Anker M. Bangs, Wilson M. Shee, Mansel R. Burrell, Hector Jordan, Gene A. Clifton, Frank Tummillio, Richard Heath, Jr., George F. White, Emir Benitez, Gerald Sawyer, Leslie S. Grosso, Nickolas Fragos, Mary M. Keehan, Charles H. Mann, Anna Y. Mounger, Anna J. Pope, Martha D. Skeels, Mary P. Sullivan, Larry D. Wallace, Ralph N. Shaw, James T. Lunn, Octavio Gonzalez, Francis J. Miller, Robert C. Lightfoot, Thomas J. Devine, Larry N. Carwell, Marcellus Ward, Enrique S. Camarena, James A. Avant, Charles M. Bassing, Kevin L. Brosch, Susan M. Hoefler, William Ramos, Raymond J. Stastny, Arthur L. Cash, Terry W. McNett, George M. Montoya, Paul S. Seema, Everett E. Hatcher, Rickie C. Finley, Joseph T. Aversa, Wallie Howard, Jr., Eugene T. McCarthy, Alan H. Winn, George D. Althouse, Becky L. Dwojeski, Stephen J. Strehl, Juan C. Vars, Jay W. Seale, Meredith Thompson, Frank S. Wallace, Jr., Frank Fernandez, Jr., Kenneth G. McCullough, Carrol June Fields, Rona L. Chafey, Shelly D. Bland, Carrie A. Lenz, Shaun E. Curl, Royce D. Tramel, Alice Faye Hall-Walton, Elton Armstead, Larry Steilen, Terry Loftus, Jay Balchunas, and Richard E. Fass;

Whereas many other DEA employees and task force officers have been wounded or injured in the line of duty; and

Whereas over 9,000 employees of the DEA, including special agents, intelligence analysts, diversion investigators, program analysts, forensic chemists, attorneys, and administrative support personnel, along with over 2,000 task force officers, and over 2,000 vetted foreign officers, work tirelessly to hunt down and bring to justice the drug trafficking cartels that seek to poison the citizens of the United States with dangerous narcotics: Now, therefore, be it

*Resolved*, That the Senate—

(1) congratulates the Drug Enforcement Administration (DEA) on the occasion of its 35th anniversary;

(2) honors the heroic sacrifice of the DEA employees who have given their lives or have been wounded or injured in service of the United States; and

(3) gives heartfelt thanks to all the men and women of the DEA for their past and continued efforts to defend the people of the United States from the scourge of illegal drugs and terrorism.

## AMENDMENTS SUBMITTED AND PROPOSED

SA 5066. Mr. BINGAMAN (for himself, Mr. CASEY, and Mr. SPECTER) submitted an amendment intended to be proposed by him to the bill H.R. 6304, to amend the Foreign Intelligence Surveillance Act of 1978 to establish a procedure for authorizing certain acquisitions of foreign intelligence, and for other purposes; which was ordered to lie on the table.

### TEXT OF AMENDMENTS

**SA 5066.** Mr. BINGAMAN (for himself and Mr. CASEY, and Mr. SPECTER) submitted an amendment intended to be proposed by him to the bill H.R. 6304, to amend the Foreign Intelligence Surveillance Act of 1978 to establish a procedure for authorizing certain acquisitions of foreign intelligence, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 88, strike line 23 and all that follows through page 90, line 15, and insert the following:

“(a) REQUIREMENT FOR CERTIFICATION.—

“(1) IN GENERAL.—Notwithstanding any other provision of law other than paragraph (2), a civil action may not lie or be maintained in a Federal or State court against any person for providing assistance to an element of the intelligence community, and shall be promptly dismissed, if the Attorney General certifies to the district court of the United States in which such action is pending that—

“(A) any assistance by that person was provided pursuant to an order of the court established under section 103(a) directing such assistance;

“(B) any assistance by that person was provided pursuant to a certification in writing under section 2511(2)(a)(ii)(B) or 2709(b) of title 18, United States Code;

“(C) any assistance by that person was provided pursuant to a directive under section 102(a)(4), 105B(e), as added by section 2 of the Protect America Act of 2007 (Public Law 110-55; 121 Stat. 553), or 702(h) directing such assistance;

“(D) in the case of a covered civil action, the assistance alleged to have been provided by the electronic communication service provider was—

“(i) in connection with an intelligence activity involving communications that was—

“(I) authorized by the President during the period beginning on September 11, 2001, and ending on January 17, 2007; and

“(II) designed to detect or prevent a terrorist attack, or activities in preparation for a terrorist attack, against the United States; and

“(ii) the subject of a written request or directive, or a series of written requests or directives, from the Attorney General or the head of an element of the intelligence community (or the deputy of such person) to the electronic communication service provider indicating that the activity was—

“(I) authorized by the President; and

“(II) determined to be lawful; or

“(E) the person did not provide the alleged assistance.

“(2) LIMITATION ON IMPLEMENTATION.—

“(A) IN GENERAL.—The Attorney General may not make a certification for any civil action described in paragraph (1)(D) until after the date described in subparagraph (C).

“(B) STAY OF CIVIL ACTIONS.—During the period beginning on the date of the enactment of the FISA Amendments Act of 2008 and ending on the date described in subparagraph (C), a civil action described in paragraph (1)(D) shall be stayed by the court in which the civil action is pending.

“(C) DATE DESCRIBED.—The date described in this subparagraph is the date that is 90 days after the final report described in section 301(c)(2) of the FISA Amendments Act of 2008 is submitted to the appropriate committees of Congress, as required by such section.”.

## NOTICES OF HEARINGS

### COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Committee on Energy and Natural Resources Subcommittee on Public Lands and Forests.

The hearing will be held on Wednesday, July 16, 2008, at 2:30 p.m., in room SD-366 of the Dirksen Senate Office Building.

The purpose of the hearing is to receive testimony on the following bills: 2354, to direct the Secretary of the Interior to convey 4 parcels of land from the Bureau of Land Management to the city of Twin Falls, Idaho; S. 3065, to establish the Dominguez-Escalante National Conservation Area and the Dominguez Canyon Wilderness Area; S. 3069, to designate certain land as wilderness in the State of California, and for other purposes; S. 3085, to require the Secretary of the Interior to establish a cooperative watershed management program, and for other purposes; H.R. 3473, to provide for a land exchange with the City of Bountiful, Utah, involving National Forest System land in the Wasatch-Cache National Forest and to further land ownership consolidation in that national forest, and for other purposes; H.R. 3490, to transfer administrative jurisdiction of certain Federal lands from the Bureau of Land Management to the Bureau of Indian Affairs, to take such lands into trust for Tuolumne Band of Me-Wuk Indians of the Tuolumne Rancheria, and for other purposes; and H.R. 3651, to require the conveyance of certain public land within the boundaries of Camp Williams, Utah, to support the training and readiness of the Utah National Guard.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send it to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510-6150, or by email to [rachel\\_pasternack@energy.senate.gov](mailto:rachel_pasternack@energy.senate.gov).

For further information, please contact David Brooks at (202) 224-9863 or Rachel Pasternack at (202) 224-0883.

### COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that the location has been changed for an upcoming hearing before the Subcommittee on National Parks. The