

right now. I have always voted Republican . . . I don't know if I can vote that way anymore. I can't vote for Obama . . . I would have voted for Hillary, because at least when she was in the White House with Bill the first time . . . the economy was great! But now there is no one to vote for. I wish the nation would make a clean sweep and put everybody out of office because it's the ones that are in there now that have gotten us into this mess.

And another thing . . . if we sell or trade anything to those nuts over across the sea that are selling oil for \$128 a barrel . . . then anything that we sell them should be the same price! I don't care if it's just one paperclip . . . it should be the same price.

This is ridiculous! I also think that because this country is in such a mess, NOBODY should be able to spend more than 10–12 years in office as a senator or congressman. That needs to change.

GINA,  
Elizabethton, TN.

Subject: Gas Prices

Senator Alexander my family lives on a fixed income i am on disability and my wife is unable to work due to her health yet she has been turned down for her disability she is practically bed ridden. these high gas prices affect the way we live dramatically we have to decide wether we buy gas to go to the doctor and then not be able to buy the medicine or wether we get to buy something to eat. this not right people should not have to live this way. i have 2 children also so you can imagine the delema this causes when the kids need something and you have to either tell them no because we have to have gas to go to the doctor or the store or medicine, i dont know how you think people on social security are supposed to make ends meet when the ends keep moving further apart. it is not right maybe you senators and congressmen in washington should come down to reality in my world and try to live on less than 2000.00 dollars a month my truck has not been near half a tank in so long it would probably quit running. thank you for your time. my name is William.

i would be surprised to hear from you. I would like to speak with you on this matter. By the way if there is anything you could do to help my wife with her disability i would greatly appreciate it it would help us greatly thank you

WILLIAM.

Subject: My Story

Gas prices are affecting me as a single Mom in more ways than one. Because I have to work, I have had to give up things such as prescription medications that I need monthly (no insurance coverage as of June 30th) and grocery items. My daughter and I cannot afford the luxury of leaving the house on most weekends, and if we do, it is only for necessary items. We cannot afford a simple outing such as a movie or a day trip. My vehicle was repossessed in December 2007 because I had not worked since January 2007 and I simply cannot afford to buy the gas to get to work. It is cyclical. I have to work to pay the bills, but cannot afford to get to work.

I have noticed that items at the grocery store have risen as well due to gas prices, so there are many things I simply cannot buy anymore. My daughter has had to sacrifice time with her friends because I have to save every extra penny to make sure I can get to my new job that may not work out because it is costing, at this moment, more than \$200 a month in gas. When gas prices increase lately, it is usually .10 a gallon. My income has not increased so every month I get further into a black hole that I may not get out of and could possibly lose my home.

If there is not some type of relief soon, there won't be anything left to provide for my daughter.

TINA,  
Nashville, TN

Subject: Impact of Gas Prices

Dear Senator Alexander, I am a 61-year-old grandmother struggling to support my mildly disabled daughter and a five-year-old granddaughter who live with me in Joelton, TN. Anna, the five-year-old, has been attending a public magnet Montessori school; she has been there for two years. The gas costs \$115 per month just to take Anna to school. With gas prices so high, we are trying to figure out how to be able to buy food and basics and still be able to buy gas to get Anna to kindergarten.

I have no health or life insurance, because there is just not enough money to go around. I also have no retirement and no more savings left, and because of my daughter's illness, have accumulated a sizable debt.

I was a self-employed professional woman and did OK for most years of my life. I never imagined it would come to this level of difficulty. I'm really scared.

Thanks for asking.

JUDY  
Joelton, TN

The ACTING PRESIDENT pro tempore. The Senator from Florida.

Mr. NELSON of Florida. Mr. President, I ask unanimous consent that the time controlled by the majority be divided as follows: 10 minutes for myself, 15 minutes for Senator BINGAMAN, and 5 minutes for Senator SCHUMER.

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

## ENERGY

Mr. NELSON of Florida. Mr. President, I came to speak about a personal tragedy in the lives of a Florida family. But I wish to say at the outset, here we go with all this talk about it is a certain way or the highway to solve this energy problem. As I said on the floor of the Senate a few days ago, if we had the political will where we could take a balanced approach of looking not only at now and drilling what is available, but look to the future for alternatives and renewables so that we wean ourselves from this dependence on specifically foreign oil, but also on our dependence for decades in the future on oil as the staple of our energy, realizing that if we continue to do that, we are just going to be digging a hole for ourselves maintaining dependence on oil as the No. 1 source of energy.

Don't we have enough evidence now that when you have to depend on upwards of 70 percent of foreign oil that is not a good economic posture as well as a defense posture for national security for this country?

Don't we have enough evidence now that the United States has only 3 percent of the world's oil reserves, and yet we consume 25 percent of the world's oil production? And is that not enough to get it through our skulls that the way of the future for this country is to cut that dependence on oil and go to alternative sources?

We are confronting on that side of the aisle, that is very cozy with big oil—they want to have it all their way and say, “drill here, drill now,” a simple slogan when, in fact, it is a lot more complicated today. Yet we cannot get agreement to do what all of us deep down understand is the common-sense thing to do, and that is bring a comprehensive measure in which we start doing a number of things at once, including pouring the money into research and development and financial incentives, such as tax incentives, to develop new sources, alternative fuels. That is the way to go. Yet we hear this high-blown rhetoric about “drill here, drill now.”

It is with a heavy heart that I have to continue to say what I just said because all we are is wound around the axle in the Senate since we cannot get anything passed unless we have 60 votes. And if we cannot get the two sides to get along, we have what we have, which is gridlock.

## TRIBUTE TO SAMUEL SNOW

Mr. NELSON of Florida. Mr. President, it is with a heavy heart that I come here to speak about an American, who was discriminated against and who lived a life of trying to overcome that discrimination and was not treated fairly by his Government, who unexpectedly died on Sunday. This is Samuel Snow from Leesburg, FL. I want to tell this story because I want people to be outraged, as this Senator is, at the way he was treated by the U.S. Government.

Mr. President, I ask unanimous consent to have printed in the RECORD two articles: one from the Seattle Post-Intelligencer from November of 2007, as well as the St. Petersburg Times from July 28, 2008, after my comments.

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

(See exhibit 1.)

Mr. NELSON of Florida. Mr. President, back in 1944, 27 African-American soldiers were convicted of rioting and lynching an Italian prisoner of war at Fort Walton, WA. Among those convicted was Sam Snow.

Following his conviction, he was imprisoned for almost a year, forced to forfeit his pay, and then when he was released from prison, he was discharged with a dishonorable discharge. Until recently, there was no hope of him receiving any kind of future health or retirement benefits from his admirable service during World War II.

Sunday, Sam Snow passed away, not in his home of Leesburg, FL, but in Seattle, WA, because he had gone there, traveling across the country, for a ceremony that the U.S. Army was doing to apologize and award Sam Snow with an honorable discharge because for more than 64 years, Sam Snow had endured this injustice—imprisoned, ordered to forfeit his pay, dishonorably discharged—and it was all

wrong. The U.S. Army never got around to changing things until an investigative reporter in Seattle suddenly uncovered this in a book he wrote a few years ago.

So the Army, last Saturday, was presenting Sam Snow with his honorable discharge. But he got to feeling bad. His son had to go and accept the honorable discharge for him. His son brought it back to him where he was feeling ill. He clutched it in his hands, and a few hours later he died.

After that dishonorable discharge 64 years ago, he returned to his hometown of Leesburg, FL, with a dishonorable discharge. He took a job as a janitor. He took on odd jobs. He even was a neighborhood handyman. Last year, when the Army overturned his and those other surviving veterans' convictions, they decided they were going to give him his backpay they had taken away from him when he was imprisoned for almost a year. Mr. President, do you know how much that was? It was \$725, 1944 dollars.

When a bunch of us heard about it, we petitioned the Department of the Army.

I have come to this floor many times to quote President Lincoln, and I say it again for it is our obligation "to care for him who shall have borne the battle—and for his widow, and his orphan."

In May, the Armed Services Committee unanimously reported out the Fiscal Year 2009 National Defense Authorization Act which contains a provision to enable the service Secretaries to adjust forfeited pay for all servicemembers who suffer an injustice, such as Mr. Snow, which is later overturned and corrected.

It is with a heavy heart that I acknowledge Mr. Snow will not receive an interest-adjusted payment for his injustice. I am hopeful, however, that this body will soon take up the Defense authorization bill so Mr. Snow's family and others like them receive justice when there once was none.

Today I will ask the Secretary of the Army Pete Geren to use this authority to ensure that Mr. Snow's surviving wife Margaret and son Ray receive all benefits that are due to them.

The ACTING PRESIDENT pro tempore. The Senator has used 10 minutes.

Mr. NELSON of Florida. Mr. President, I wish I could tell the story. I will do it later on and complete the story.

#### EXHIBIT 1

[From the Seattle Post-Intelligencer, Nov. 3, 2007]

#### HE STOOD TALL AFTER ARMY DEALT A BLOW (By Robert L. Jamieson)

He's 83 years old and has a slight frame, shy of 5-foot-5.

The weight he carried for 63 years, after being railroaded by the Army for a Seattle crime he always said he didn't commit, would have destroyed a lesser man. But that's not the way of Sam Snow, whose story offers a road map for how to move on after a crushing blow.

Snow was a footnote to last week's news—the Army paved the way to overturn convictions

of 28 black soldiers linked to a race riot and hanging of an Italian war prisoner at Fort Lawton in August 1944.

Snow was brought up on rioting charges even though he wasn't involved in the fracas.

After several months in lock-up, he was dishonorably discharged, which disqualified him from the GI Bill—and a chance at college.

He was just 19 at the time, and Seattle was the only big city Snow, from a small, Southern town, had visited. After his ouster from the Army, Snow was hurt and ashamed, derailed from the path of his own father, who served during World War I.

He returned to his segregated hometown of Leesburg, Fla., poverty staring him in the face.

But this is what Snow did next:

He got work as a janitor, rising at 4 a.m. every day.

He took on odd jobs working in orange groves or with livestock under a fiery sun.

In his spare time he became the neighborhood handyman and never turned down a request.

He married his sweetheart, Margaret, and they had two sons and a daughter.

He buried that daughter, just 17, after she lost her fight with lupus. He buried his mother after an illness—and his brother as well.

He took in his sister's son, who was mentally challenged and nurtured his potential.

He put his own sons through college on a blue-collar salary, and they went on to become teachers.

He built a home in Leesburg—and built his brother one in the lot behind.

He became a pillar of his African Methodist Episcopal church, rising to become a lay president for the local district and galvanizing people to get humanitarian aid to the Third World.

As Snow went from teenager to father to grandfather, there was one thing he never did: Bad-mouth the Army.

He did the opposite, actually, encouraging his grandchildren to sign up, Ray Snow Jr., a grandson, told me with a chuckle.

"Yes, I felt I had been served an injustice," Sam Snow said when we caught up this week. "But I decided I wasn't going to hold a grievance against nobody."

He followed a life map of his own: "Stay patient. Stay humble. Don't be boastful. Take care of your family. And God will make a way."

He always told people God would find a way to shed truth on what happened long ago during his brief time in Seattle, where he was on a stopover before heading to war.

During the court-martial, he and the other soldiers had defense lawyers who weren't given enough time to interview them.

The prosecution, meanwhile, botched the identification of some men and held key documents the defense should have seen.

These—and other injustices in the case—would have been lost to history had Jack Hamann, a Seattle journalist, not written a powerful book, "On American Soil," that moved Uncle Sam to take another look.

"Wouldn't have made it without Jack," Snow told me. "He believed."

As did another man—Howard Noyd of Bellevue.

Noyd, now 92, was one of just two defense lawyers who represented the original pool of more than 40 soldiers.

"We weren't given enough time even to interview all of the black defendants and do justice on their behalf," Noyd told me this week.

"We were not able to get the inspector general's report. The government was out to get the black troops punished in order to satisfy the Italian government."

Last week, the Army said that military prosecutors had used questionable tactics that undermined a fair trial.

In addition, Hamann says in his book, the Italian POW was likely lynched by a prejudiced white military police officer.

For Snow, whose life was shaped by two places—Seattle, where fate struck in a bad way, and Leesburg, where he found his way—a gross injustice has been made right.

He never planned to stop living even after being so wronged. He always believed a beautiful life was right there for the making. Amen.

[From the St. Petersburg Times, July 28, 2008]

#### BURDEN LIFTED, WWII VET DIES (By John Barry)

Samuel Snow got his father to help burn his dishonorable discharge papers. Snow kept the secret from everyone in Leesburg—even his own children. For six decades no one knew that in 1944 he was convicted in the largest Army courts-martial of World War II. He worked anonymously as a church janitor. "No one wants to be a failure," he said.

The Army formally apologized Saturday for the life of invisibility it had inflicted on Samuel Snow for 64 years.

It came just in time. The 83-year-old former buck private fell ill the night before Saturday's ceremony in Seattle. He died hours after his son placed his freshly issued honorable discharge in his hands.

Snow was 19 when he was convicted. He had been in a Seattle Army camp called Fort Walton, due to be shipped out to New Guinea. A riot had erupted in the camp between black soldiers and a group of Italian prisoners of war. The next morning an Italian POW was found lynched. Forty-three black soldiers were prosecuted. Three were convicted of first-degree murder. Twenty-five, including Snow, were convicted of rioting.

It turned out they had been railroaded. A confidential Army investigation called the case a sham, lacking any physical evidence. A general's report speculated that an MP could have done the lynching.

That report lay buried at the National Archives until 2002, when a Seattle TV reporter named Jack Hamann found it and used it to write a book, *On American Soil*. When Hamann's book was published in 2005, Samuel Snow's secret was out.

Snow's youngest son, Ray, said the book answered questions that had always nagged him. His father was the hardest-working man Ray had ever known. He worked "can't-see to can't-see," Ray said, meaning Dad left for work in the dark and came home in the dark. But he worked only small, odd jobs.

Dad was living a lie. He had gone into the Army hoping to be a mechanic. He had hoped to go to school on the GI Bill of Rights. He had wanted more than janitorial work. But he couldn't risk an employer checking into his background. He couldn't even tell his wife or his kids.

Snow was one of only two known surviving soldiers from the 64-year-old courts-martial. The other soldier, Roy L. Montgomery, is in poor health in Chicago. He did not attend the ceremonies.

Snow fell ill and was hospitalized in Seattle after a Friday dinner with his family, said Hamann and others who had helped with the case. Son Ray accepted the honorable discharge papers for him the next day. "My father never held any animosity," Ray told the audience. "He said, 'Son, God has been good to me. If I hold this in my heart, then I can't walk in forgiveness.'"

Snow's family was en route home on Monday. A funeral is tentatively planned for Saturday in Leesburg.

Arrangements are pending for the only thing Snow had wanted from the Army besides an apology: a military sendoff, including an honor guard with spit-shined shoes, a three-volley gun salute, taps on the bugle, folded Stars and Stripes solemnly presented to his wife, Margaret.

The ACTING PRESIDENT pro tempore. The Senator from New Mexico.

### ENERGY

Mr. BINGAMAN. Mr. President, I wish to talk about the two different energy packages we are debating in the Senate this week because there are two. There is not just the one that the Senator from Tennessee, the Senator from Texas, and the Senator from Arizona were talking about earlier. There are two, and I think we need to focus on both.

First, with regard to the effort to lift the moratorium on offshore drilling, let me make one correction on the record.

It is being repeatedly said by our Republican friends that 85 percent of the Outer Continental Shelf is off-limits to drilling or off-limits to any kind of leasing. That is not true. The reality is very different. The reality is what this chart demonstrates; that is, that 67 percent of the Outer Continental Shelf today is available for leasing.

The reason they say it is only 15 percent is because they do not count Alaska, but Alaska is part of the United States. The area around Alaska has an Outer Continental Shelf, just like the rest of the country has an Outer Continental Shelf.

It is clear when we look at it that there is a lot of potential in the Outer Continental Shelf around Alaska. In fact, the Department of the Interior has two lease sales scheduled for next year in the Outer Continental Shelf in Alaska. The Department of the Interior has 16 lease sales scheduled in the next 4 years in the Outer Continental Shelf. This month, in August, they have a lease sale in the Gulf of Mexico. There is a whole series of lease sales coming up, both in Alaska and in the Gulf of Mexico, in areas that are available for leasing.

So the constant refrain that we hear that 85 percent of the Outer Continental Shelf is not available for leasing is just not true, and I wanted to correct the record in that regard. If anybody wants to dispute that, I urge them to come to the floor and tell me I am wrong. But I am not wrong. These are figures from the Minerals Management Service. They are the ones in charge of the leasing, and they confirmed these figures.

Now let me talk about the other energy-related package which is before us today. Tomorrow the majority leader has announced that we are going to vote on a motion to invoke cloture on the motion to proceed to what is called the enhanced tax extenders package. I think the better title for this would be the energy production and conserva-

tion tax package. But let me describe what is in this legislation.

This is a very important piece of legislation, and I strongly believe we need to proceed to it, then pass it, and send it back to the House.

With regard to energy, the package includes tax incentives that are essential to this country if we are going to decrease our dependence on foreign oil.

It promotes renewable alternatives to foreign oil. Among these provisions is the production tax credit. The production tax credit is available for people who put in wind farms.

We have all seen T. Boone Pickens' advertisements on television. He is talking about the production tax credit. He was before our Energy Committee 3 weeks ago, and he has testified that he favors extending the production tax credit. That is what is in this legislation.

It also contains a key 8-year extension of the solar energy and fuel cell investment tax credit. This gives companies the certainty they need to make additional capital investments in U.S. solar facilities while enabling businesses to adopt technologies that can significantly benefit our environment.

It includes a long-term extension of the residential energy efficient property credit through 2016. It allows the cap for that to go from \$2,000 up to \$4,000.

It authorizes \$2 billion in new clean renewable energy bonds to finance facilities that generate electricity from renewable sources.

In the more immediate term, it establishes a new credit for plug-in electric-drive vehicles. I have heard a lot of discussion by our Republican colleagues about how much they favor electric plug-in hybrid vehicles. This legislation actually will do something to promote the development of those vehicles. It is a new credit starting at \$3,000 and increasing for each kilowatt hour of additional battery capacity.

It incentivizes commercial vehicle owners, particularly trucks, to invest in idling-reduction units, such as auxiliary-power units and advanced insulation so as to reduce their demand for more fuel.

It extends credits for energy-efficient improvements in existing homes and in commercial buildings.

In addition to all these energy-related tax provisions, which I think are extremely important for us to enact—and let me say, essentially all of the existing provisions I am talking about that we are trying to extend are scheduled to expire at the end of this year, at the end of December. We need to extend them so people can make investments this fall knowing there is still going to be that tax provision in law come next year.

But in addition to these energy production and conservation provisions, American businesses generally have a great deal at stake in this legislation. The legislation extends the research and development tax credit. This is ex-

tremely important to high-technology firms in our country. It accelerates appreciation for qualified leasehold restaurant and retail improvements. This is small business. Small businesses around this country need this provision extended.

It extends an important international tax provision for businesses that engage in active financing.

Individual families have a tremendous amount at stake in this legislation. First of all, this legislation contains the so-called patch for the alternative minimum tax. What that means is that there are literally millions of Americans who will be able to avoid having to calculate and pay taxes under the alternative minimum tax if we enact this legislation. If we do not, then they have to go ahead and do that. So this is very important.

It extends the child tax credit. I have heard candidates for President talk about how much they favor the child tax credit. Well, this extends the child tax credit and provides a tax credit of up to \$1,000 per child to help working poor families.

It extends the qualified tuition deduction for higher education expenses—people who have children in university or college who want to have those tuition expenses deducted.

It enables retirees to continue making tax-free IRA rollovers to qualified charitable organizations.

Mr. President, there is another provision that has been inserted by the chairman of the Finance Committee that I think is very important, and that is the provision we call the Secure Rural Schools and Payments in Lieu of Taxes legislation. Three-quarters of the Senate voted for this legislation when it came up before.

We have schools around this country in rural areas that are laying off teachers today because we have not been able to reauthorize the Secure Rural Schools Program. This package will provide \$3.8 billion to some 2,000 county governments in 49 States to increase support for schools and roads and other critical needs.

There is a lot in this legislation that is extremely important, so the obvious question is, Well, why can't we just pass it? Who is objecting? Well, when you try to analyze that question, you get to the issue of offsets. Everyone says they favor the provisions I just described, but they say—particularly on the Republican side—well, we don't agree with the offsets. Let me take a few minutes to describe the different—the variety and flavor of the objections we have heard with regard to offsets.

First of all, let me say that this is not a new piece of legislation before the Senate. This legislation came up in June of 2007. We were not able to pass it. It came up in December of 2007. We were not able to pass it. It came up again in 2008 and passed with a large margin because, frankly, there were no offsets in that legislation, which was the Republican preference. It came up