

AMENDMENTS SUBMITTED AND PROPOSED

SA 5258. Mr. GREGG submitted an amendment intended to be proposed by him to the bill S. 3268, to amend the Commodity Exchange Act, to prevent excessive price speculation with respect to energy commodities, and for other purposes; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 5258. Mr. GREGG submitted an amendment intended to be proposed by him to the bill S. 3268, to amend the Commodity Exchange Act, to prevent excessive price speculation with respect to energy commodities, and for other purposes; which was ordered to lie on the table; as follows:

On page 43, after line 17, insert the following:

TITLE II—HOME ENERGY ASSISTANCE**SEC. 21. SHORT TITLE.**

This title may be cited as the “Home Energy Assistance Today Act”.

SEC. 22. LOW-INCOME HOME ENERGY ASSISTANCE APPROPRIATIONS.

In addition to any amounts appropriated under any other provision of Federal law, there is appropriated, out of any money in the Treasury not otherwise appropriated, for fiscal year 2008—

(1) \$1,265,000,000 (to remain available until expended) for making payments under subsections (a) through (d) of section 2604 of the Low-Income Home Energy Assistance Act of 1981 (42 U.S.C. 8623); and

(2) \$1,265,000,000 (to remain available until expended) for making payments under section 2604(e) of the Low-Income Home Energy Assistance Act of 1981 (42 U.S.C. 8623(e)), notwithstanding the designation requirement of section 2602(e) of such Act (42 U.S.C. 8621(e)).

SEC. 23. DENIAL OF DEDUCTION FOR MAJOR INTEGRATED OIL COMPANIES FOR INCOME ATTRIBUTABLE TO DOMESTIC PRODUCTION OF OIL, GAS, OR PRIMARY PRODUCTS THEREOF.

(a) IN GENERAL.—Subparagraph (B) of section 199(c)(4) of the Internal Revenue Code of 1986 (relating to exceptions) is amended by striking “or” at the end of clause (ii), by striking the period at the end of clause (iii) and inserting “, or”, and by inserting after clause (iii) the following new clause:

“(iv) in the case of any major integrated oil company (as defined in section 167(h)(5)(B)), the production, refining, processing, transportation, or distribution of oil, gas, or any primary product thereof during any taxable year described in section 167(h)(5)(B).”.

(b) PRIMARY PRODUCT.—Section 199(c)(4)(B) of such Code is amended by adding at the end the following flush sentence:

“For purposes of clause (iv), the term ‘primary product’ has the same meaning as when used in section 927(a)(2)(C), as in effect before its repeal.”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2008.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on Thursday, July 31, 2008, at 9:30 a.m.

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

AD HOC SUBCOMMITTEE ON DISASTER RECOVERY

Mr. REID. Mr. President, I ask unanimous consent that the Ad Hoc Subcommittee on Disaster Recovery of the Committee on Homeland Security and Governmental Affairs and the House Committee on Homeland Security Subcommittee on Emergency Communications, Preparedness, and Response be authorized to meet during the session of the Senate on Thursday, July 31, 2008, at 1 p.m. to conduct a joint hearing entitled “Lessons Learned: Ensuring the Delivery of Donated Goods to Survivors of Catastrophes.”

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

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate in order to conduct a hearing on Thursday, July 31, 2008, at 9:30 a.m., in room SD366 of the Dirksen Senate Office Building.

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

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet during the session of the Senate on Thursday, July 31, 2008 in room 406 of the Dirksen Senate Office Building at 9:30 a.m.

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

COMMITTEE ON FINANCE

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on Thursday, July 31, 2008, at 10 a.m., in room 215 of the Dirksen Senate Office Building.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Thursday, July 31, 2008, at 2 p.m.

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

COMMITTEE ON INDIAN AFFAIRS

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized to meet during the session of the Senate on Thursday, July 31, at 9:30 a.m. in room 562 of the Dirksen Senate Office Building.

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

COMMITTEE ON THE JUDICIARY

Mr. REID. Mr. President, I ask unanimous consent that the Senate Committee on the Judiciary be authorized to meet during the session of the Senate, to conduct an executive business meeting on Thursday, July 31, 2008, at 10 a.m. in room SD-226 of the Dirksen Senate Office Building.

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

SELECT COMMITTEE ON INTELLIGENCE

Mr. REID. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on July 31, 2008, at 2:30 p.m.

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

SPECIAL COMMITTEE ON AGING

Mr. REID. Mr. President, I ask unanimous consent that the Special Committee on Aging be authorized to meet during the session of the Senate on Thursday, July 30, 2008 from 10:30 a.m.–12:30 p.m. in Dirksen 106 for the purpose of conducting a hearing.

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

SUBCOMMITTEE ON ANTITRUST, COMPETITION POLICY, AND CONSUMER RIGHTS

Mr. REID. Mr. President, I ask unanimous consent that the Senate Committee on the Judiciary, Subcommittee on Antitrust, Competition Policy, and Consumer Rights, be authorized to meet during the session of the Senate, to conduct a hearing entitled “Consolidation in The Pennsylvania Health Insurance Industry: The Right Prescription?” on Thursday, July 31, 2008, at 2 p.m., in room SD-226 of the Dirksen Senate Office Building.

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

SUBCOMMITTEE ON FEDERAL FINANCIAL MANAGEMENT, GOVERNMENT INFORMATION, FEDERAL SERVICES, AND INTERNATIONAL SECURITY

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs’ Subcommittee on Federal Financial Management, Government Information, Federal Services, and International Security be authorized to meet during the session of the Senate on Thursday, July 31, 2008, at 9:30 a.m., to conduct a hearing entitled, “Offline and Off-budget: The Dismal State of Information Technology Planning in the Federal Government.”

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

SUBCOMMITTEE ON OVERSIGHT OF GOVERNMENT MANAGEMENT, THE FEDERAL WORKFORCE, AND THE DISTRICT OF COLUMBIA

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs’ Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia be authorized to meet during the session of the Senate on Thursday, July 31, 2008, at 2 p.m., to conduct a hearing entitled, “A Reliance on Smart Power—Reforming the Foreign Assistance Bureaucracy.”

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

PRIVILEGES OF THE FLOOR

Mr. FEINGOLD. Mr. President, I ask unanimous consent that members of

my staff—Brian Chelcen and Peter Quaranto—be granted floor privileges for the remainder of this Congress.

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

Ms. MIKULSKI. I ask unanimous consent that a fellow in Senator BINGAMAN's office, Michele Mazzocco, be given floor privileges during this bill.

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

The Senator from Wyoming is recognized.

Mr. ENZI. Mr. President, I, too, ask unanimous consent to extend floor privileges to Ann Clough for the remainder of the consideration of the conference report.

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

LIBYAN CLAIMS RESOLUTION ACT

Ms. KLOBUCHAR. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. 3370, introduced earlier today by Senators BIDEN, LUGAR, LAUTENBERG, WARNER, LEAHY, and LEVIN.

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

The legislative clerk read as follows:

A bill (S. 3370) to resolve pending claims against Libya by United States nationals, and for other purposes.

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

Mr. BIDEN. Mr. President, today, with the passage of the Libyan Claims Resolution Act, the United States moves closer to a comprehensive resolution of all outstanding claims by U.S. nationals against Libya for its support for terrorism over several decades. These claims include, most notably, the Pan Am 103 bombing over Lockerbie, Scotland, which killed 270 innocent human beings in December 1988 and the bombing of the LaBelle discotheque in Berlin in April 1986 in which two American military personnel were killed and scores more injured. There are many other pending claims involving attacks against Americans that are attributable to Libya. These, too, will be resolved by this legislation. Although less well known in the public's memory, they were no less devastating to their victims and no less an affront to humanity.

For several months now, the Bush administration has been negotiating with the Government of Libya on a comprehensive settlement to compensate American victims of Libyan terror. The State Department has reported to us in recent days that an agreement has been reached but has not yet been signed. I commend the fine effort of Assistant Secretary of State David Welch and Deputy Legal Adviser Jonathan Schwartz, who led the U.S. delegation in these very difficult negotiations. Signature on the agreement awaits action by Congress, and that is what we are doing today.

The agreement will provide full compensation to pay settlements already reached in the Pan Am 103 and LaBelle cases and enough funds to ensure that every American claimant in these cases involving Libyan terrorism will receive financial compensation comparable to the Pan Am 103 and LaBelle settlements. No U.S. taxpayer money will be used to pay these claims. The regime in Libya is notoriously unpredictable, so there is a chance that the deal could fall apart. But there is reason to believe that the Libyan leader, Colonel Qadhafi, has decided it is in his interest to settle all of these cases, rather than let them languish in court for years or decades, at the expense of progress in the Libyan-American relationship. Should the government of Libya change its position and fail to provide the complete funding, the victims will retain their full rights to proceed with their legal challenges.

But before Libya is willing to sign the agreement, it wants legal assurances that upon providing the full funding it will be immune from further legal repercussions stemming from these cases. This legislation, if signed into law by the President, provides such assurances, allowing the deal to go forward. It authorizes the Secretary of State to work with the Libyans to set up the funding mechanism. It assures the Libyans that if and only if full compensation has been paid to all American victims of Libyan terrorism, they will be immune from further claims of this nature. And it assures the American claimants that their lawsuits will not be extinguished unless the funding promised by the agreement is provided.

If this bill is approved by the House, Congress will have joined with the President to solve an issue of national and international importance, while protecting the interests of its nationals who have valid claims against Libya. Under the Constitution, there is no question the executive and the legislative branches have the authority to work together in this manner to settle claims so as to help the hundreds of American claimants who will benefit from this initiative. This cooperative effort—and the prompt bipartisan support for it—is also a good example of how the two branches should work together to advance our national interests.

I wish to be clear about what my support for this legislation means and does not mean. It is clearly in the interest of the United States to develop better relations with Libya. Libya is an important country as a gateway between Europe and Africa, which shares a border with the Darfur region of Sudan, and is a member of OPEC. Colonel Qadhafi appears to have made a break with his past support for terrorism and efforts to acquire weapons of mass destruction. That is good news for Libya, for the United States, and for the world.

It also is a powerful demonstration that diplomatic engagement, backed

up with sanctions and incentives, can change the behavior of countries whose policies threaten our interests. There is a lesson in here for more productive approaches we could have taken earlier with other problematic countries. It is important for countries like Iran, North Korea, and Syria that pursue malevolent policies to see that there is a roadmap back into the international community if they modify their behavior. In short, the model of normalization with Libya, if applied to other cases, can prove that our goal is conduct change, not regime change and can actually produce that change.

For these reasons, I support the nascent Libyan-American agreement to comprehensively settle all outstanding American claims against Libyan terrorism. Libya's renunciation of its weapons of mass destruction programs and its previous support for terrorism is something all of us should welcome. I support the carefully calibrated movement toward the full normalization of bilateral relations.

But it should be underscored that this legislation does not exonerate or excuse Libya for its despicable and cowardly support for terrorism. I hope that the agreement can provide a modicum of justice and closure for the victims of Libyan terrorism and their families. But it is small consolation indeed and will not bring back the lives that have been lost, nor undo the suffering endured by survivors.

Neither does today's legislation indicate a shift in my views of the fundamental nature of the Qadhafi regime. Yes, Americans are interested in Libya's external behavior. But we are also concerned about the human rights conditions within Libya. Though his support for terrorists has ended, Qadhafi's Libya remains a police state that brooks no political opposition. Four decades after coming to power in a military coup, Qadhafi continues to rule by personal fiat. He may have had a change of mind about Libya's policies, but I doubt that it has been matched by a change of heart.

It is critical that the Bush administration pursue a broader engagement with the Libyan people and civil society. This relationship must be about more than securing contracts for American oil companies. We have learned the hard way that our vital interests can be threatened by relationships that ignore the huge deficiencies in governance and basic freedoms in many Middle Eastern countries and are based exclusively on commercial and security interests. So I am disappointed that this comprehensive claims settlement agreement is not accompanied by a comprehensive plan to engage Libyan society. I urge the Bush administration to put as much energy into developing such a plan as it did in the negotiations for a claims settlement.

For more than 4 years, I have called for the release of Fathi Eljahmi, a courageous Libyan democracy advocate