

to the public if the committee determines by record vote in open session of a majority of the members of the committee present that the matters to be discussed or the testimony to be taken at such portion or portions—

(a) will disclose matters necessary to be kept secret in the interests of national defense or the confidential conduct of the foreign relations of the United States;

(b) will relate solely to matters of the committee staff personnel or internal staff management or procedure;

(c) will tend to charge an individual with crime or misconduct, to disgrace or injure the professional standing of an individual, or otherwise to expose an individual to public contempt or obloquy, or will represent a clearly unwarranted invasion of the privacy of an individual;

(d) will disclose the identity of any informer or law enforcement agent or will disclose any information relating to the investigation or prosecution of a criminal offense that is required to be kept secret in the interests of effective law enforcement; or

(e) will disclose information relating to the trade secrets or financial or commercial information pertaining specifically to a given person if—

(i) an act of Congress requires the information to be kept confidential by Government officers and employees; or

(ii) the information has been obtained by the Government on a confidential basis, other than through an application by such person for a specific Government financial or other benefit, and is required to be kept secret in order to prevent undue injury to the competitive position of such person.

(f) may divulge matters required to be kept confidential under other provisions of law or Government regulations.

(3) Notice of, and the agenda for, any business meeting or markup shall be provided to each member and made available to the public at least 48 hours prior to such meeting or markup.

#### II. QUORUMS AND VOTING

(1) Except as provided in paragraphs (2) and (3) of this section, a quorum for the transaction of committee business shall consist of not less than one-third of the membership of the entire committee: Provided, that proxies shall not be counted in making a quorum.

(2) A majority of the committee shall constitute a quorum for reporting budget resolutions, legislative measures or recommendations: Provided, that proxies shall not be counted in making a quorum.

(3) For the purpose of taking sworn or unsworn testimony, a quorum of the committee shall consist of one Senator. (4)(a) The committee may poll—

(i) internal committee matters including those concerning the committee's staff, records, and budget;

(ii) steps in an investigation, including issuance of subpoenas, applications for immunity orders, and requests for documents from agencies; and

(iii) other committee business that the committee has designated for polling at a meeting, except that the committee may not vote by poll on reporting to the Senate any measure, matter, or recommendation, and may not vote by poll on closing a meeting or hearing to the public.

(b) To conduct a poll, the chair shall circulate polling sheets to each member specifying the matter being polled and the time limit for completion of the poll. If any member requests, the matter shall be held for a meeting rather than being polled. The chief clerk shall keep a record of polls; if the committee determines by record vote in open session of a majority of the members of the committee present that the polled matter is

one of those enumerated in rule 1(2)(a)–(e), then the record of the poll shall be confidential. Any member may move at the committee meeting following a poll for a vote on the polled decision.

#### III. PROXIES

When a record vote is taken in the committee on any bill, resolution, amendment, or any other question, a quorum being present, a member who is unable to attend the meeting may vote by proxy if the absent member has been informed of the matter on which the vote is being recorded and has affirmatively requested to be so recorded; except that no member may vote by proxy during the deliberations on Budget Resolutions.

#### IV. HEARINGS AND HEARING PROCEDURES

(1) The committee shall make public announcement of the date, place, time, and subject matter of any hearing to be conducted on any measure or matter at least 1 week in advance of such hearing, unless the chair and ranking member determine that there is good cause to begin such hearing at an earlier date.

(2) In the event that the membership of the Senate is equally divided between the two parties, the ranking member is authorized to call witnesses to testify at any hearing in an amount equal to the number called by the chair. The previous sentence shall not apply in the case of a hearing at which the committee intends to call an official of the Federal government as the sole witness.

(3) A witness appearing before the committee shall file a written statement of proposed testimony at least 1 day prior to appearance, unless the requirement is waived by the chair and the ranking member, following their determination that there is good cause for the failure of compliance.

#### V. COMMITTEE REPORTS

(1) When the committee has ordered a measure or recommendation reported, following final action, the report thereon shall be filed in the Senate at the earliest practicable time.

(2) A member of the committee, who gives notice of an intention to file supplemental, minority, or additional views at the time of final committee approval of a measure or matter, shall be entitled to not less than 3 calendar days in which to file such views, in writing, with the chief clerk of the committee. Such views shall then be included in the committee report and printed in the same volume, as a part thereof, and their inclusions shall be noted on the cover of the report.

In the absence of timely notice, the committee report may be filed and printed immediately without such views.

#### VI. USE OF DISPLAY MATERIALS IN COMMITTEE

Graphic displays used during any meetings or hearings of the committee are limited to the following:

Charts, photographs, or renderings:

Size: no larger than 36 inches by 48 inches.

Where: on an easel stand next to the member's seat or at the rear of the committee room.

When: only at the time the member is speaking.

Number: no more than two may be displayed at a time.

#### VII. CONFIRMATION STANDARDS AND PROCEDURES

(1) Standards. In considering a nomination, the committee shall inquire into the nominee's experience, qualifications, suitability, and integrity to serve in the position to which he or she has been nominated. The committee shall recommend confirmation if it finds that the nominee has the necessary integrity and is affirmatively qualified by

reason of training, education, or experience to carry out the functions of the office to which he or she was nominated.

(2) Information Concerning the Nominee. Each nominee shall submit the following information to the committee:

(a) A detailed biographical resume which contains information concerning education, employment, and background which generally relates to the position to which the individual is nominated, and which is to be made public;

(b) Information concerning financial and other background of the nominee which is to be made public; provided, that financial information that does not relate to the nominee's qualifications to hold the position to which the individual is nominated, tax returns or reports prepared by federal agencies that may be submitted by the nominee shall, after review by the chair, ranking member, or any other member of the committee upon request, be maintained in a manner to ensure confidentiality; and,

(c) Copies of other relevant documents and responses to questions as the committee may so request, such as responses to questions concerning the policies and programs the nominee intends to pursue upon taking office.

(3) Report on the Nominee. After a review of all information pertinent to the nomination, a confidential report on the nominee may be prepared by the committee staff for the chair, the ranking member and, upon request, for any other member of the committee. The report shall summarize the steps taken and the results of the committee inquiry, including any unresolved matters that have been raised during the course of the inquiry.

(4) Hearings. The committee shall conduct a hearing during which the nominee shall be called to testify under oath on all matters relating to his or her suitability for office, including the policies and programs which he or she would pursue while in that position. No hearing or meeting to consider the confirmation shall be held until at least 72 hours after the following events have occurred: the nominee has responded to the requirements set forth in subsection (2), and, if a report described in subsection (3) has been prepared, it has been presented to the chairman and ranking member, and is available to other members of the committee, upon request.

#### COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS RULES OF PROCEDURE

Mrs. BOXER. Mr. President, I ask unanimous consent to have printed in the RECORD a copy of the Committee on Environment and Public Works Rules of Procedure.

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

#### COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS Jurisdiction

##### Rule XXV, Standing Rules of the Senate

1. The following standing committees shall be appointed at the commencement of each Congress, and shall continue and have the power to act until their successors are appointed, with leave to report by bill or otherwise on matters within their respective jurisdictions:

\* \* \* \* \*

(h)(1) Committee on Environment and Public Works, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

1. Air pollution.
  2. Construction and maintenance of highways.
  3. Environmental aspects of Outer Continental Shelf lands.
  4. Environmental effects of toxic substances, other than pesticides.
  5. Environmental policy.
  6. Environmental research and development.
  7. Fisheries and wildlife.
  8. Flood control and improvements of rivers and harbors, including environmental aspects of deepwater ports.
  9. Noise pollution.
  10. Nonmilitary environmental regulation and control of nuclear energy.
  11. Ocean dumping.
  12. Public buildings and improved grounds of the United States generally, including Federal buildings in the District of Columbia.
  13. Public works, bridges, and dams.
  14. Regional economic development.
  15. Solid waste disposal and recycling.
  16. Water pollution.
  17. Water resources.
- (2) Such committee shall also study and review, on a comprehensive basis, matters relating to environmental protection and resource utilization and conservation, and report thereon from time to time.

#### RULES OF PROCEDURE

##### RULE 1. COMMITTEE MEETINGS IN GENERAL

(a) **REGULAR MEETING DAYS:** For purposes of complying with paragraph 3 of Senate Rule XXVI, the regular meeting day of the committee is the first and third Thursday of each month at 10:00 a.m. If there is no business before the committee, the regular meeting shall be omitted.

(b) **ADDITIONAL MEETINGS:** The chair may call additional meetings, after consulting with the ranking minority member. Subcommittee chairs may call meetings, with the concurrence of the chair, after consulting with the ranking minority members of the subcommittee and the committee.

##### (c) PRESIDING OFFICER:

(1) The chair shall preside at all meetings of the committee. If the chair is not present, the ranking majority member shall preside.

(2) Subcommittee chairs shall preside at all meetings of their subcommittees. If the subcommittee chair is not present, the ranking majority member of the subcommittee shall preside.

(3) Notwithstanding the rule prescribed by paragraphs (1) and (2), any member of the committee may preside at a hearing.

(d) **OPEN MEETINGS:** Meetings of the committee and subcommittees, including hearings and business meetings, are open to the public. A portion of a meeting may be closed to the public if the committee determines by roll call vote of a majority of the members present that the matters to be discussed or the testimony to be taken—

(1) will disclose matters necessary to be kept secret in the interests of national defense or the confidential conduct of the foreign relations of the United States;

(2) relate solely to matters of committee staff personnel or internal staff management or procedure; or

(3) constitute any other grounds for closure under paragraph 5(b) of Senate Rule XXVI.

##### (e) BROADCASTING:

(1) Public meetings of the committee or a subcommittee may be televised, broadcast, or recorded by a member of the Senate press gallery or an employee of the Senate.

(2) Any member of the Senate Press Gallery or employee of the Senate wishing to televise, broadcast, or record a committee meeting must notify the staff director or the

staff director's designee by 5:00 p.m. the day before the meeting.

(3) During public meetings, any person using a camera, microphone, or other electronic equipment may not position or use the equipment in a way that interferes with the seating, vision, or hearing of committee members or staff on the dais, or with the orderly process of the meeting.

#### RULE 2. QUORUMS

(a) **BUSINESS MEETINGS:** At committee business meetings, and for the purpose of approving the issuance of a subpoena or approving a committee resolution, one third of the members of the committee, at least two of whom are members of the minority party, constitute a quorum, except as provided in subsection (d).

(b) **SUBCOMMITTEE MEETINGS:** At subcommittee business meetings, a majority of the subcommittee members, at least one of whom is a member of the minority party, constitutes a quorum for conducting business.

(c) **CONTINUING QUORUM:** Once a quorum as prescribed in subsections (a) and (b) has been established, the committee or subcommittee may continue to conduct business.

(d) **REPORTING:** No measure or matter may be reported to the Senate by the committee unless a majority of committee members cast votes in person.

(e) **HEARINGS:** One member constitutes a quorum for conducting a hearing.

#### RULE 3. HEARINGS

(a) **ANNOUNCEMENTS:** Before the committee or a subcommittee holds a hearing, the chair of the committee or subcommittee shall make a public announcement and provide notice to members of the date, place, time, and subject matter of the hearing. The announcement and notice shall be issued at least one week in advance of the hearing, unless the chair of the committee or subcommittee, with the concurrence of the ranking minority member of the committee or subcommittee, determines that there is good cause to provide a shorter period, in which event the announcement and notice shall be issued at least twenty-four hours in advance of the hearing.

##### (b) STATEMENTS OF WITNESSES:

(1) A witness who is scheduled to testify at a hearing of the committee or a subcommittee shall file 100 copies of the written testimony at least 48 hours before the hearing. If a witness fails to comply with this requirement, the presiding officer may preclude the witness' testimony. This rule may be waived for field hearings, except for witnesses from the Federal Government.

(2) Any witness planning to use at a hearing any exhibit such as a chart, graph, diagram, photo, map, slide, or model must submit one identical copy of the exhibit (or representation of the exhibit in the case of a model) and 100 copies reduced to letter or legal paper size at least 48 hours before the hearing. Any exhibit described above that is not provided to the committee at least 48 hours prior to the hearing cannot be used for purpose of presenting testimony to the committee and will not be included in the hearing record.

(3) The presiding officer at a hearing may have a witness confine the oral presentation to a summary of the written testimony.

(4) Notwithstanding a request that a document be embargoed, any document that is to be discussed at a hearing, including, but not limited to, those produced by the General Accounting Office, Congressional Budget Office, Congressional Research Service, a Federal agency, an Inspector General, or a non-governmental entity, shall be provided to all members of the committee at least 72 hours before the hearing.

#### RULE 4. BUSINESS MEETINGS: NOTICE AND FILING REQUIREMENTS

(a) **NOTICE:** The chair of the committee or the subcommittee shall provide notice, the agenda of business to be discussed, and the text of agenda items to members of the committee or subcommittee at least 72 hours before a business meeting. If the 72 hours falls over a weekend, all materials will be provided by close of business on Friday.

(b) **AMENDMENTS:** First-degree amendments must be filed with the chair of the committee or the subcommittee at least 24 hours before a business meeting. After the filing deadline, the chair shall promptly distribute all filed amendments to the members of the committee or subcommittee.

(c) **MODIFICATIONS:** The chair of the committee or the subcommittee may modify the notice and filing requirements to meet special circumstances, with the concurrence of the ranking member of the committee or subcommittee.

#### RULE 5. BUSINESS MEETINGS: VOTING

##### (a) PROXY VOTING:

(1) Proxy voting is allowed on all measures, amendments, resolutions, or other matters before the committee or a subcommittee.

(2) A member who is unable to attend a business meeting may submit a proxy vote on any matter, in writing, orally, or through personal instructions.

(3) A proxy given in writing is valid until revoked. A proxy given orally or by personal instructions is valid only on the day given.

(b) **SUBSEQUENT VOTING:** Members who were not present at a business meeting and were unable to cast their votes by proxy may record their votes later, so long as they do so that same business day and their vote does not change the outcome.

##### (c) PUBLIC ANNOUNCEMENT:

(1) Whenever the committee conducts a rollcall vote, the chair shall announce the results of the vote, including a tabulation of the votes cast in favor and the votes cast against the proposition by each member of the committee.

(2) Whenever the committee reports any measure or matter by rollcall vote, the report shall include a tabulation of the votes cast in favor of and the votes cast in opposition to the measure or matter by each member of the committee.

#### RULE 6. SUBCOMMITTEES

(a) **REGULARLY ESTABLISHED SUBCOMMITTEES:** The committee has seven subcommittees: Transportation and Infrastructure; Clean Air and Nuclear Safety; Superfund, Toxics and Environmental Health; Water and Wildlife; Green Jobs and the New Economy; Children's Health; and Oversight.

(b) **MEMBERSHIP:** The committee chair, after consulting with the ranking minority member, shall select members of the subcommittees.

#### RULE 7. STATUTORY RESPONSIBILITIES AND OTHER MATTERS

(a) **ENVIRONMENTAL IMPACT STATEMENTS:** No project or legislation proposed by any executive branch agency may be approved or otherwise acted upon unless the committee has received a final environmental impact statement relative to it, in accordance with section 102(2)(C) of the National Environmental Policy Act, and the written comments of the Administrator of the Environmental Protection Agency, in accordance with section 309 of the Clean Air Act. This rule is not intended to broaden, narrow, or otherwise modify the class of projects or legislative proposals for which environmental impact statements are required under section 102(2)(C).

##### (b) PROJECT APPROVALS:

(1) Whenever the committee authorizes a project under Public Law 89-298, the Rivers and Harbors Act of 1965; Public Law 83-566, the Watershed Protection and Flood Prevention Act; or Public Law 86-249, the Public Buildings Act of 1959, as amended; the chairman shall submit for printing in the Congressional Record, and the committee shall publish periodically as a committee print, a report that describes the project and the reasons for its approval, together with any dissenting or individual views.

(2) Proponents of a committee resolution shall submit appropriate evidence in favor of the resolution.

(c) BUILDING PROSPECTUSES:

(1) When the General Services Administration submits a prospectus, pursuant to section 7(a) of the Public Buildings Act of 1959, as amended, for construction (including construction of buildings for lease by the government), alteration and repair, or acquisition, the committee shall act with respect to the prospectus during the same session in which the prospectus is submitted.

A prospectus rejected by majority vote of the committee or not reported to the Senate during the session in which it was submitted shall be returned to the General Services Administration and must then be resubmitted in order to be considered by the committee during the next session of the Congress.

(2) A report of a building project survey submitted by the General Services Administration to the committee under section 11(b) of the Public Buildings Act of 1959, as amended, may not be considered by the committee as being a prospectus subject to approval by committee resolution in accordance with section 7(a) of that Act. A project described in the report may be considered for committee action only if it is submitted as a prospectus in accordance with section 7(a) and is subject to the provisions of paragraph (1) of this rule.

(d) NAMING PUBLIC FACILITIES: The committee may not name a building, structure or facility for any living person, except former Presidents or former Vice Presidents of the United States, former Members of Congress over 70 years of age, former Justices of the United States Supreme Court over 70 years of age, or Federal judges who are fully retired and over 75 years of age or have taken senior status and are over 75 years of age.

RULE 8. AMENDING THE RULES

The rules may be added to, modified, amended, or suspended by vote of a majority of committee members at a business meeting if a quorum is present.

75TH ANNIVERSARY OF THE EXPORT IMPORT BANK

Mr. DODD. Mr. President, I rise today to mark the 75th anniversary of the Export-Import Bank of the United States, this country's official export credit agency. Its mandate is to create and support jobs here in the United States by financing U.S. exports that might otherwise be lost because private sector financing is unavailable or to meet the competition of foreign governments' export credit agencies that are supporting their exporters to secure the deal. Obviously, the work of Ex-Im Bank is especially relevant in difficult economic times such as we are currently experiencing, because U.S. exports equal U.S. jobs.

The Export-Import Bank falls under the jurisdiction of the Senate Banking,

Housing, and Urban Affairs Committee, and I am aware of the many positive effects it has had for U.S. manufacturers. In the past 5 years, it has helped at least 75 companies in 43 communities in Connecticut finance over \$700 million in exports. These export sales create and sustain high-paying manufacturing and other jobs related to exports.

Ex-Im Bank is also accustomed to stepping in when times are hard. It was founded on February 12, 1934, in order to help facilitate exports during the Great Depression. Since then, it has supported over \$400 billion in U.S. exports that would not have gone forward without it—exports that support U.S. jobs.

Just after World War II, Ex-Im Bank became a precursor of the Marshall Plan, authorizing over \$2 billion for the reconstruction of Europe. In more recent times, Ex-Im Bank has stepped in to assist U.S. exporters during the Mexican debt crisis of the 1980s and the Asian debt crisis of the 1990s.

Don't confuse this with foreign aid. Ex-Im Bank charges for its services and is self-financing, and is therefore not a drain on U.S. taxpayers. Ex-Im Bank makes credit judgments on the basis of reasonable assurance of repayment, and has a historical default rate under 2 percent. Over 80 percent of Ex-Im Bank's transactions directly benefit small businesses, which are the most effective generators of jobs in our economy.

Over the past 75 years, Ex-Im Bank has responded in difficult times to the problems of U.S. exporters. In this time of economic hardship, we need government institutions like the Ex-Im Bank to provide strong leadership in responding effectively and efficiently to the challenges facing U.S. exporters, large and small.

I am happy to join with leaders from across the political spectrum in wishing the Export-Import Bank of the United States well on its 75th anniversary.

IDAHOANS SPEAK OUT ON HIGH ENERGY PRICES

Mr. CRAPO. Mr. President, in mid-June, I asked Idahoans to share with me how high energy prices are affecting their lives, and they responded by the hundreds. The stories, numbering well over 1,200, are heartbreaking and touching. While energy prices have dropped in recent weeks, the concerns expressed remain very relevant. To respect the efforts of those who took the opportunity to share their thoughts, I am submitting every e-mail sent to me through an address set up specifically for this purpose to the CONGRESSIONAL RECORD. This is not an issue that will be easily resolved, but it is one that deserves immediate and serious attention, and Idahoans deserve to be heard. Their stories not only detail their struggles to meet everyday expenses, but also have suggestions and rec-

ommendations as to what Congress can do now to tackle this problem and find solutions that last beyond today. I ask unanimous consent to have today's letters printed in the RECORD.

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

Thank you for asking for the opinions from residents of the great state of Idaho. Clearly only one answer for this . . . do something now! We all know that it will take a couple of years to implement; however, we must remember this is for the long term. I believe that nuclear and hydroelectric is the way of the future, and the cleanest approach.

My husband and I are long-haul truckers, and pay over \$1,400 per day to fuel. Yes, there are other countries that pay more, but we have not prepared ourselves for "mass transit" in the United States, and we are also, in my opinion, very spoiled with our cars.

Most Americans do not stop to realize what impact all of this madness will have on them. It is not just "fuel costs" at the gas pump; it is the big picture of the fuel costs. I have seen all the corn fields in Iowa and Midwest that have been bought out by foreigners. Our country is literally vanishing before our eyes, and "fuel" does not even touch the surface of our internal problems.

Let us stop selling off America and do for ourselves, quick. We could be a self-sufficient country, and get back some of our power that we have so easily sold off.

Thank you for your considerations.

DIANNE, *Boise Valley.*

We are in our early 70s retired and on a fixed income. We now plan every trip to town (16 Miles one way) to do senior things and shop. Our costs are going up on every area: food, medications (Plan D ran out this month June; paying 100 percent now for the rest of the year). We have had to pull money out of savings every year since retirement. Gas and diesel is a joke and you people in Washington, DC are out of touch with reality. Open up our reserve and kill the profit takers. Open up by Federal Law our Drilling and harvesting our own oil products while working on other alternative fuel sources. We citizens know what is happening; why do not you? Stop being lawyers and start being citizens and do what is right for the USA.

The environmentalists are OK along with the civil liberty union folks but once in a while you have to make decisions they are not going to be happy about for the good of the country. You should all now know corn to fuel is not the answer.—We need to build refineries back here in our own country along with our manufacturing jobs. Do something right and open up our own reserves and give us citizens a chance to enjoy our retirement after 60 years of work. Thank you for reading my letter.

MARVIN and GLORIA, *New Meadows.*

Please do not support off-shore drilling and exploration for additional domestic oil. Sure, Idaho is a big state and we have to drive from here to there, but finding us more domestic oil is not the solution. Even if we starting domestic oil exploration today, I understand we would not be producing that oil for many more years, and that would not solve our immediate self-induced crisis today.

Conservation is not a "personal virtue"—conservation is key to reducing our oil consumption, and Idahoans have a long history of conserving when it is necessary. Unfortunately, we got lulled into a false sense of security and prosperity by cheap oil prices for many years, and thought we could drive our