

I have had way too much acquaintance with markets that are broken and markets that do not work in recent years to believe that is what we ought to do. I do believe there is something significant happening with respect to our climate changing. I believe this country should take, at a minimum, a series of important “no regret” steps in addressing those issues.

But I have great difficulty with those who believe we should do cap-and-trade bill when you talk about carbon marking trading, given the experience we have had in recent years in other markets. We have discovered that time on the Senate floor is evaporating quickly because health care is taking longer than one would have expected.

We must also do financial reform. I would hope that financial reforms come after health care. My own view is we do financial reform first this year because that would have established the foundation by which people could have confidence in the system that steered this country’s economy into the ditch. I have expressed this to the President.

But I understand health care is a very serious problem as well. So we need to consider health care and financial reform. I also hope we can consider the issue of FAA reauthorization; all these things and others are needed to be done before the end of the year. The majority leader understands all of that, is working very hard to try to fit the pieces of that puzzle into the time available.

My only point for expressing the point on the floor is that I would very much hate to lose some important work on energy that affects virtually every form of energy, including energy efficiency, the first ever national RES, more transmission, additional access to oil, and more that will make us less dependent on foreign oil and start to address climate change.

All of that is part of a plan that I think is a plan that will advance the interests of this country. So my hope is that in the coming weeks, as we think through and talk through what should be our agenda in the near future, my hope is we can find a way to move these important parts of an energy bill.

This, I think, should represent a significant opportunity for bipartisanship at a time when there has been precious little. Too little bipartisanship exists right now. But if there is any area in which most of us would believe our country’s best interests reside, it has to be producing more energy and doing it the right way, protecting our environment at the same time. That is very much what this Energy bill strives to do.

It will advance our country’s interests, and so my hope is that when the calendar turns for the new year, we will have sent to the President’s desk an energy policy that has a lot to commend in it for this country’s future. I visited personally with the President, the Majority Leader and others about

this idea and commit to working with them on it.

I yield the floor and I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. KAUFMAN). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DORGAN. I ask unanimous consent that the order for the quorum call be rescinded.

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

NATIONAL MESOTHELIOMA AWARENESS DAY

Mr. DORGAN. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 288 submitted earlier today.

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

The assistant legislative clerk read as follows:

A resolution (S. Res. 288) Designating September 26, 2009, as “National Mesothelioma Awareness Day.”

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

Mr. DORGAN. 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 interviewing action or debate, and any statements be printed in the RECORD.

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

The resolution (S. Res. 288) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 288

Whereas mesothelioma is a terminal cancer related to exposure to asbestos that affects the lining of the lungs, abdomen, heart, or testicles;

Whereas workers who are exposed to asbestos on a daily basis over a long period of time are most at risk, but even short-term exposures to asbestos can cause the disease;

Whereas exposure to asbestos for as little as 1 month can cause mesothelioma 20 to 50 years later;

Whereas asbestos was used in the construction of virtually all office buildings, public schools, and homes built before 1975, and more than 3,000 products sold in the United States contain asbestos;

Whereas there is no known safe level of exposure to asbestos;

Whereas millions of workers in the United States have been, and continue to be, exposed to dangerous levels of asbestos;

Whereas the National Institutes of Health reported to Congress in 2006 that mesothelioma is a difficult disease to detect, diagnose, and treat;

Whereas the National Cancer Institute recognizes a clear need for new treatments to improve the outlook for patients with mesothelioma and other asbestos-related diseases;

Whereas the need to develop treatments for mesothelioma was overlooked for decades;

Whereas even the best available treatments for mesothelioma typically have only

a very limited effect, and a person diagnosed with mesothelioma is expected to survive between 8 and 14 months;

Whereas mesothelioma has claimed the lives of such heroes and public servants as Admiral Elmo Zumwalt, Jr., and Congressman Bruce F. Vento;

Whereas many mesothelioma victims were exposed to asbestos while serving in the Navy;

Whereas it is believed that many of the firefighters, police officers, and rescue workers who served at Ground Zero on September 11, 2001, may be at increased risk of contracting mesothelioma in the future; and

Whereas cities and localities throughout the United States will recognize September 26, 2009, as “Mesothelioma Awareness Day”: Now, therefore, be it

Resolved, That the Senate—

(1) designates September 26, 2009, as “National Mesothelioma Awareness Day”; and

(2) calls on the people of the United States, Federal departments and agencies, States, localities, organizations, and media to observe National Mesothelioma Awareness day with appropriate ceremonies and activities.

RECESS

Mr. DORGAN. Mr. President, I ask unanimous consent that the Senate stand in recess until 3:15.

There being no objection, the Senate, at 12:10 p.m., recessed until 3:15 p.m. and reassembled when called to order by the Presiding Officer.

The PRESIDING OFFICER. The Senator from Hawaii.

Mr. INOUE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

ENERGY SECURITY THROUGH TRANSPARENCY ACT

Mr. CARDIN. Mr. President, I rise today to discuss a bill that will increase energy security and combat poverty through greater transparency in the oil, gas and mining industries.

This week, Senator LUGAR and I, along with Senators SCHUMER, WICKER and FEINGOLD, introduced the Energy Security Through Transparency Act. This legislation will require all companies listed on U.S. exchanges to disclose their payments to foreign governments for the extraction of oil, gas and minerals on a country-by-country basis. This disclosure would apply to all companies that file with the Securities and Exchange Commission, SEC, regardless of where they are based, and would be added to existing SEC requirements.

This legislation will set a new international standard for corporate and State behavior.

With this bill, we are changing the paradigm within the world’s oil, gas and mining companies operate, and,

importantly, changing the nature of their relationship with the governments in the countries in which they operate.

This is critical to our energy security, our national security and for the welfare of the citizens of these countries.

When we look at countries situated on oil and natural gas reserves, we think these countries have won the global version of the economic lottery. But what economists have found by studying these resource-rich countries is that they often fare worse than their resource-poor neighbors, both economically and politically.

In these countries rich in natural resources, governments do not provide the most basic of information concerning natural resource revenues. This lack of transparency facilitates and even encourages corruption. This often leads to grinding poverty in countries that are paradoxically rich in natural resources.

This legislation will provide much-needed regulatory and legal support to existing initiatives such as the Extractive Industries Transparency Initiative, EITI, and Publish What You Pay.

It is critical that the United States lead by example on transparency. That is why this legislation also encourages the United States to become an implementing country under EITI.

U.S. implementation of EITI would have practical and symbolic value on a number of fronts.

While this legislation puts human rights front and center in the global energy discussion, it also empowers people to fight corruption and hold their governments accountable. Greater transparency will lead to greater stability in countries that benefit from their natural resources and will lessen volatility in the global energy market, making them more conducive for long-term investments.

Just as importantly, U.S. implementation would bolster the momentum for the EITI, helping to make it a truly global standard for transparency in extractive industries. Leading by example is one of the most powerful ways the U.S. can encourage other countries to sign on to the initiative.

I look forward to working with our colleagues to ensure passage of this important and timely legislation.

THE SITUATION IN HONDURAS

Mr. LEAHY. Mr. President, on Monday, September 21, President Manuel Zelaya returned to Tegucigalpa, Honduras, for the first time since he was deposed and exiled in a June 28th coup d'etat, taking refuge in the Brazilian Embassy. His return has led to the installation of a curfew, violence between Zelaya's supporters and Honduran security forces, and troubling reports of the detention and physical abuse of his supporters.

I am encouraged by reports that representatives of Roberto Micheletti,

who currently occupies the Presidency, have met with President Zelaya. As divided as these two factions are, these talks need to continue in order to resolve this situation peacefully before the country descends into further bloody confrontations between civilians and police, or it leads to violent fractures within the military.

I continue to believe that the proposal for the restoration of President Zelaya and early elections, put forward by Costa Rican President Oscar Arias, has the best chance of resolving this conflict. Brute force, like that reported from Honduras this week, will achieve nothing but further polarization.

If President Zelaya is guilty of violating the law, as some have maintained, there are constitutional procedures for dealing with that. But by abusing the law themselves and simply throwing him out of the country, those who claim to have acted in the interests of the Honduran people only compounded the country's problems. Honduras, an impoverished country that needs the support of the United States and its neighbors, can ill afford this crisis to continue.

REMEMBERING FRANK FERTITTA

Mr. ENSIGN. Mr. President. I wish to honor the memory of a remarkable human being who inspired those around him with kindness, generosity, and devotion. He was a man who loved his family and understood the value of education.

Lately, it seems that heads of corporations and big businesses have become about as popular as lawyers and politicians. Well, you don't have to look further than the legacy of Frank Fertitta, Jr., to understand that compassion and respect can very much be part of a successful mission statement.

The name Fertitta may be best known in Las Vegas, NV, but the lessons of how this gaming patriarch lived his life should be emulated around the world.

Frank Fertitta, Jr., moved to Las Vegas in 1960 with his lovely wife Victoria. He started as a bellman and slowly worked his way through the ranks—dealer, pit boss, general manager. But what he will be remembered for professionally is his vision and understanding of business and human nature.

In 1976, Frank opened a 5,000-square-foot building called The Casino. Those around him had their doubts about whether this venture would succeed. Instead, Frank became a pioneer of a gaming niche that catered to locals. His little experiment eventually became the Palace Station. Thirty-three years after that first venture, Station Casinos today has 18 casinos and resorts and employs more than 13,000 people. And today, another generation of Fertittas is working to keep the vision of Frank Fertitta, Jr., alive and well.

His success, however, is not what made Frank Fertitta, Jr., so extraor-

dinary. It was his character and integrity that truly made him an example to all. With the utmost respect, he was called Mr. Fertitta by longtime employees and patrons of Station Casinos. That is because he showed respect to all he came into contact with, and they knew it.

I was fortunate to know Mr. Fertitta and call him a friend. He was genuine and unwavering in his support. The kind of person you were blessed to have in your life.

Described as quiet and polite, family and faith were the foundations of his life. Mr. Fertitta showed how a successful, hard-working businessman can also be a dedicated family man. Each week his whole family gathered at his and Victoria's home for Sunday dinner. This was a tradition that all of the Fertittas have cherished over the years. Anyone who knew him knew his family came first.

He was also a consistent and valued friend to many philanthropic organizations in Las Vegas. He and Victoria were involved with the University of Nevada Las Vegas, Bishop Gorman High School, Catholic Charities of Southern Nevada, the Nevada Cancer Institute, Opportunity Village, St. Judes Ranch, and the Cleveland Clinic Lou Ruvo Center for Brain Health.

It is one thing to be generous with your resources. It is another thing to raise your children to also be generous with theirs. That was part of Mr. Fertitta's success. He was proud that his children had become such generous contributors to the community. They did so because he set such a strong example.

Las Vegas lost a visionary with the recent passing of Mr. Fertitta. He taught us all how to respect others—regardless of one's status, how to dream big, and how to give back to our communities. There aren't many people like Mr. Fertitta in the world. We should all take a page from his mission statement to ensure that his brand of success lives on.

ADDITIONAL STATEMENTS

2009 SERVICE TO AMERICA MEDAL RECIPIENTS

● Ms. MIKULSKI. Mr. President, today I honor and congratulate three outstanding Federal employees from Maryland—Thomas Alexander Waldmann, Patricia Guerry and Deborah Jin—who have recently been awarded Service to America medals in recognition for their great work.

Our Federal employees are on the front lines every day, working hard for America. Their commitment to public service makes life better for us all. I am proud to honor these three terrific Federal employees from Maryland today.

For the past five decades, Dr. Thomas Alexander Waldmann has devoted himself to performing cutting-edge