S. CON. RES. 82

At the request of Mrs. LINCOLN, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of S. Con. Res. 82, a concurrent resolution supporting the Local Radio Freedom Act.

S. RES. 580

At the request of Mr. BAYH, the names of the Senator from North Carolina (Mrs. DOLE), the Senator from Florida (Mr. MARTINEZ) and the Senator from Maine (Ms. COLLINS) were added as cosponsors of S. Res. 580, a resolution expressing the sense of the Senate on preventing Iran from acquiring a nuclear weapons capability.

AMENDMENT NO. 4822

At the request of Mr. WHITEHOUSE, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of amendment No. 4822 intended to be proposed to S. 3036, a bill to direct the Administrator of the Environmental Protection Agency to establish a program to decrease emissions of greenhouse gases, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mrs. FEINSTEIN (for herself, Mr. GREGG, Ms. CANTWELL, Mr. ALLARD, and Ms. COLLINS):

S. 3080. A bill to ensure parity between the temporary duty imposed on ethanol and tax credits provided on ethanol; to the Committee on Finance.

Mrs. FEINSTEIN. Mr. President, I rise to introduce the Imported Ethanol Parity Act of 2008.

This legislation is cosponsored by Senators GREGG, CANTWELL, ALLARD and COLLINS.

First, let me explain what this bill does. The Imported Ethanol Parity Act instructs the President to lower the ethanol import tariff, so that it is no higher than the subsidy for blending ethanol into gasoline.

This legislation is necessary because the Farm Bill extended the tariff for two more years at $0.54 per gallon, even though the Farm Bill reduced the ethanol blending subsidy to $0.45 per gallon.

In effect, the Farm Bill has turned the tariff from an ''offset'' into a true trade barrier of at least $0.09 per gallon.

The Ethanol tariff poses many problems.

It increases the cost of Gasoline in the United States by making ethanol more expensive.

It prevents Americans from importing ethanol made from sugarcane. Sugar ethanol is the only available transportation fuel that works in today's cars and emits considerably less lifecycle greenhouse gas than gasoline;.

It taxes imports from our friends in Brazil, India, and Australia, while oil and gasoline imports from OPEC enter the United States tax free.

It hinders the emergence of a global biofuels marketplace through which countries with a strong biofuel crop could sell fuel to countries that suffered drought or other agricultural difficulties in the same crop year. Such a global market would permit mutually beneficial trade between producing regions and stabilize both fuel and food prices.

It makes us more dependent on the Middle East for fuel when we should be increasing the number of countries from whom we buy fuel. When it comes to energy security for the United States, which has less than 3 percent of proven global oil reserves and 25 percent of demand, we must diversify supply.

Bottom Line: until the tariff is lowered, the United States will tax the only fuel it can import that increases energy security, reduces greenhouse gas emissions, and lowers gasoline prices.

In 2006 I introduced legislation to eliminate the ethanol tariff entirely, and in 2007 I cosponsored an amendment to the Energy Bill which would have eliminated the tariff.

The Imported Ethanol Parity Act is a different proposal that I believe addresses the concerns of tariff defenders.

The advocates of the $0.54 per gallon tariff on ethanol imports have always argued that the tariff is necessary in order to offset the blender subsidy that applies to the use of all ethanol, whether produced domestically or internationally. They argue that the ethanol subsidy exists to support American farmers who produce ethanol at higher cost than foreign producers.

For instance, on May 6, 2006, the Chairman of the Senate Finance Committee stated on the Senate floor that, ''the U.S. tariff on ethanol operates as an offset to an excise tax credit that applies to both domestically produced and imported ethanol.''

On May 9, 2006, the Renewable Fuels Association stated in a press release: ''the secondary tariff exists as an offset to the tax incentive gasoline refiners receive for every gallon of ethanol they blend, regardless of the ethanol's origin.''

In a letter to Congress dated June 20, 2007, the American Coalition for Ethanol, the American Farm Bureau Federation, the National Corn Growers Association, the National Council of Farmer Cooperatives, the National Sorghum Producers, and the Renewable Fuels Association stated that the ''(blender) tax credit is available to refiners regardless of whether the ethanol blended is imported or domestic. To prevent U.S. taxpayers from subsidizing foreign ethanol companies, Congress passed an offset to the tax credit that foreign companies pay in the form of a tariff.''

Just this month, the Renewable Fuels Association's Executive Director asserted that ''The tariff is there not so much to protect the industry but the U.S. taxpayer.''

Bottom Line: the tariff cannot be justifiably maintained at $0.54 per gallon if its intent is to offset a $0.45 per gallon blender subsidy, and it should be reduced.

Ethanol from Brazil or Australia should not have to overcome a trade barrier that no drop of OPEC oil must face.

Tariff defenders either should support this legislation or explain how a tariff can justifiably be higher than the subsidy it is designed to offset.

Climate Change is the most significant environmental challenge we face, and I believe that lowering the ethanol tariff will make it less expensive for the United States to combat global warming.

The fuel we burn to power our cars is a major source of the greenhouse gas emissions warming our planet. To reduce this impact, we need to increase the fuel efficiency of our vehicles and lower the lifecycle carbon emissions of the fuel itself.

For this reason, in March 2007, I introduced the Clean Fuels and Vehicles Act with Senators OLYMPIA SNOWE and SUSAN COLLINS.

The legislation proposed a ''Low Carbon Fuels Standard,'' which would require each major oil company selling gasoline in the United States to reduce the average lifecycle greenhouse gas emissions per unit of energy in their gasoline by 3 percent by 2015 and by 3 percent more in 2020.

The legislation was modeled on the state of California's Low Carbon Fuels Standard, which also requires a reduction in the lifecycle greenhouse gas emissions from transportation fuels.

This concept became a major aspect of the Energy Independence and Security Act of 2007, in which Congress required oil companies to use an increasing quantity of ''advanced biofuels'' that produce at least 50 percent less lifecycle greenhouse gas than gasoline.

Unfortunately the ethanol tariff puts a trade barrier in front of the lowest carbon fuel available, making it considerably more expensive for the United States to lower the lifecycle carbon emissions of transportation fuel.

The lifecycle greenhouse gas emissions of ethanol vary depending on production methods and feedstocks, and these differences will impact the degree to which ethanol may be used to meet ''low-carbon'' fuel requirements under California law and the Energy Independence and Security Act of 2007.

For instance, sugar cane ethanol plants use biomass from sugar stalks as process energy, resulting in less fossil fuel input compared to current corn-to-ethanol processes. By comparison, researchers at the University of California concluded that ''only 5 to 26 percent of the energy content (in corn ethanol) is renewable. The rest is primarily natural gas and coal,'' which are used in the production process.

The 2007 California Energy Commission Report entitled Full Fuel Cycle Assessment: Well-to-Wheels Energy Inputs, Emissions, and Water Impacts

concluded that the direct lifecycle greenhouse gas emissions of imported sugar based ethanol are 68 percent lower than gasoline, while the direct lifecycle greenhouse gas emissions of corn based ethanol from the Midwest are 15 to 28 percent lower than gasoline.

Further research released in 2008 suggests that the lifecycle greenhouse gas emissions of corn based ethanol may be higher than gasoline, when land use change is factored into the equation.

The bottom line: biofuels that protect our planet may be produced abroad, and we should not put tariffs in front of these fuels, while we import crude oil and gasoline tariff free.

Energy and food prices are both rising at unprecedented rates, and there is a great deal of debate about whether the renewable fuels standard mandating ethanol use is causing the problem.

I have always opposed corn ethanol mandates. But I remain concerned that the blending subsidy and the ethanol tariff have as much to do with rising corn prices as the ethanol mandate.

Corn ethanol production has considerably exceeded the renewable fuels standard every year since its adoption in 2005. With oil prices this high, it is profitable to produce ethanol at record corn prices with or without the mandate. The low value of renewable fuels standard credits, known as RINs, confirms that using ethanol is not a burden for oil companies.

To address the rising cost of corn, we have to address the underlying economics of corn ethanol production, and effectively increasing the tariff on imports, as the Farm Bill has done, is a step in the wrong direction.

This legislation corrects the Farm Bill's mistaken policy that imposed a real trade barrier on clean and climate friendly ethanol imports, giving gasoline imports a competitive advantage over cleaner fuel that simply should not exist at a time we are trying to combat climate change.

It prevents ethanol producers abroad from receiving American ethanol subsidies, which is supposedly the intent of the ethanol tariff.

I think it strikes the right balance, and I urge Congress to pass this legislation.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 3080

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Imported Ethanol Parity Act''.

SEC. 2. FINDINGS.

Congress finds the following:

(1) On May 6, 2006, the Chairman of the Finance Committee of the Senate stated on the Senate floor that, ''the United States tariff on ethanol operates as an offset to an excise tax credit that applies to both domestically produced and imported ethanol.''.

(2) On May 9, 2006, the Renewable Fuels Association stated: ''the secondary tariff exists as an offset to the tax incentive gasoline refiners receive for every gallon of ethanol they blend, regardless of the ethanol's origin.''. In May 2008, the Renewable Fuels Association's Executive Director asserted that ''The tariff is there not so much to protect the industry but the United States taxpayer.''.

(3) In a letter to Congress dated June 20, 2007, the American Coalition for Ethanol, the American Farm Bureau Federation, the National Corn Growers Association, the National Council of Farmer Cooperatives, the National Sorghum Producers, and the Renewable Fuels Association stated that the ''(blender) tax credit is available to refiners regardless of whether the ethanol blended is imported or domestic. To prevent United States taxpayers from subsidizing foreign ethanol companies, Congress passed an offset to the tax credit that foreign companies pay in the form of a tariff.''.

(4) The Food, Conservation, and Energy Act of 2008, as contained in the Conference Report to accompany H.R. 2419 in the 110th Congress, proposes to decrease the excise tax credit for blending ethanol from $0.51 to $0.45 per gallon, but extend the $0.54 per gallon temporary duty on imported ethanol, increasing the competitive disadvantage of ethanol imports in the United States marketplace. The legislation would transform a tariff designed to offset a domestic subsidy into a real import barrier of at least $0.09 per gallon.

(5) The State of California is adopting a Low Carbon Fuels Standard that requires a reduction in the lifecycle greenhouse gas emissions from transportation fuels, and the Energy Independence and Security Act of 2007 requires the United States to use increasing quantities of ''advanced biofuels'' that have lifecycle greenhouse gas emissions that are at least 50 percent less than lifecycle greenhouse gas emissions from gasoline.

(6) The lifecycle greenhouse gas emissions of ethanol vary depending on production methods and feedstocks. These differences will impact the degree to which ethanol may be used to meet ''low-carbon'' fuel requirements under California law and the Energy Independence and Security Act of 2007.

(7) Sugar cane ethanol plants use biomass from sugar stalks as process energy, resulting in less fossil fuel input compared to current corn-to-ethanol processes.

(8) The 2007 California Energy Commission Report, entitled ''Full Fuel Cycle Assessment: Well-to-Wheels Energy Inputs, Emissions, and Water Impacts'', concluded that the direct lifecycle greenhouse gas emissions of imported sugar based ethanol are 68 percent lower than gasoline, while the direct lifecycle greenhouse gas emissions of corn based ethanol from the Midwest are 15 to 28 percent lower than gasoline.

(9) The cost to ship ethanol by sea from foreign production areas to California is competitive with the cost to ship ethanol by rail from the American Midwest, according to ethanol producers and importers.

(10) Ethanol production will vary from region to region each year based on crop performance, and a global biofuels marketplace would permit mutually beneficial trade between producing regions capable of stabilizing both fuel and food prices.

(11) In March 2007, the United States and Brazil entered into a strategic alliance to cooperate on advanced research for biofuels, develop biofuel technology, and expand the production and use of biofuels throughout the Western Hemisphere, especially in the Caribbean and Central America.

(12) On March 9, 2007, President Bush stated ''it's in the interest of the United States that there be a prosperous neighborhood. And one way to help spread prosperity in Central America is for them to become energy producers.''.

(13) According to a February 2008 study by the Massachusetts Institute of Technology, titled ''Biomass to Ethanol: Potential Production and Environmental Impacts'', the current ethanol distribution system in the United States is not capable of efficiently supplying ethanol to the East Coast markets.

SEC. 3. ETHANOL TAX PARITY.

Not later than 30 days after the date of the enactment of this Act, and semiannually thereafter, the President shall reduce the temporary duty imposed on ethanol under subheading 9901.00.50 of the Harmonized Tariff Schedule of the United States by an amount equal to the reduction in any Federal income or excise tax credit under section 40(h), 6426(b), or 6427(e)(1) of the Internal Revenue Code of 1986 and take any other action necessary to ensure that the temporary duty imposed on ethanol under such subheading 9901.00.50 is equal to, or lower than, any Federal income or excise tax credit applicable to ethanol under the Internal Revenue Code of 1986.

By Mr. KERRY:

S. 3081. A bill to establish a Petroleum Industry Antitrust Task Force within the Department of Justice; to the Committee on the Judiciary.

Mr. KERRY. Mr. President, from the skyrocketing price of crude oil, now hovering well above $120 a barrel, to the $4.00 per gallon being sold at gas stations across the country, Americans are frustrated and there appears to be no end in sight.

I've talked to school superintendents who have had to cut academic programs because the cost of fueling school buses has gone through the roof. I have met with constituents who are pleading for the Federal Government to take some kind of action to provide relief. Just last week, I held a field hearing in Pittsfield, Massachusetts to examine how gas prices were impacting small business owners, and the testimony was striking. Businesses that have been sustainable for decades are now wondering whether they'll be forced to shut their doors for good.

Congress has received testimony from energy market experts and major oil company executives that the price of oil and gas can no longer be explained or predicted by normal market dynamics or their historic understanding of supply and demand forces. An executive from Exxon Mobil recently testified before Congress under oath that the price of crude oil should be about $50 to $55 per barrel based on the supply and demand fundamentals he had observed. Yet current crude oil prices are more than double that.

We are all owed a clearer understanding as to why prices are so disconnected from what normal supply and demand would indicate. Why has the price of oil nearly doubled in the last year? Prices should not skyrocket like this in a properly functioning, competitive market. Twice I have written to

the Bush Administration demanding an investigation and twice I have received a response of ''we're working on it''. Well, this response rings awfully hollow to Americans struggling to understand what's going on.

How the Federal Government responds to the changing dynamics of energy markets is vital to our continued national and economic security. If the Enron energy crisis taught us anything it is that consumers are best protected when energy markets are subject to aggressive oversight and enforcement. Unless there is a cop on the beat vigilantly policing energy markets—especially when supplies are tight in markets with extremely inelastic demand—sophisticated companies can fleece consumer pocketbooks without fear of penalty.

Therefore, I am introducing legislation today to establish a new interagency Oil and Gas Market Fraud Task Force under the leadership of the Department of Justice to ensure that energy markets are free from illegal market manipulation or corporate corruption. This legislation will allow us to root out fraud and manipulation in all corners of the oil and gas marketplace, and restore consumer confidence. When that happens, everyone wins. I urge my colleagues to support this legislation.

By Mrs. MCCASKILL (for herself and Mr. BOND):

S. 3082. A bill to designate the facility of the United States Postal Service located at 1700 Cleveland Avenue in Kansas City, Missouri, as the ''Reverend Earl Abel Post Office Building''; to the Committee on Homeland Security and Governmental Affairs.

Mrs. MCCASKILL. Mr. President, when I was a local elected official in Kansas City, MO, I had the distinct honor of getting to know many of the dedicated community leaders whose sole purpose for being involved was to improve the lives of their fellow citizens. One of the best and most beloved of these leaders was the Reverend Earl Abel.

Reverend Abel was born on September 12, 1930. He attended University of Kansas and went on to receive his Doctor of Divinity Degree from Western Baptist Bible College. Reverend Abel worked as a U.S. Postal Service mail carrier until he organized the Palestine Missionary Baptist Church in 1959.

Under Reverend Abel's leadership, what started out as a modest church of 11 members grew into a thriving ministry, touching the lives of thousands of community members across Kansas City, Missouri. While he was pastor, Palestine Church built two senior citizens residences, a Senior Activity Center, and a church camp for both youth and adults. Even as he worked tirelessly to reach out through these programs, Reverend Abel's involvement in the community did not end with his efforts at Palestine Church. Reverend Abel served as Chaplain for the Kansas City Police Department, President of the Baptist Ministers Union, member of the Kansas City Council on Crime Prevention, and authored a book entitled If a Church is to Grow. In 1999, Missouri Governor Mel Carnahan appointed Reverend Abel to the Appellate Judicial Commission.

On May 17, 2005, Reverend Abel passed away after 46 years of service at Palestine Missionary Baptist Church of Jesus Christ and more than 48 years as a minister of God.

Today I rise to offer a bill to honor this man by naming a post office facility in Kansas City after him. Given his early career as a mail carrier, it is only fitting for the location at 1700 Cleveland Avenue, in the heart of Kansas City, to carry his name. It is my hope that this small gesture helps ensure that the legacy of Rev. Abel lives on. A companion bill in the House of Representatives will be filed today by Rep. Cleaver, a fellow minister and selfless public servant who represents Kansas City.

I hope my fellow colleagues will join me and my colleague Senator BOND in recognizing Reverend Earl Abel for his loving ministry and limitless dedication to serving the Kansas City, MO, community.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 3082

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. REVEREND EARL ABEL POST OFFICE BUILDING.

(a) DESIGNATION.—The facility of the United States Postal Service located at 1700 Cleveland Avenue in Kansas City, Missouri, shall be known and designated as the ''Reverend Earl Abel Post Office Building''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the ''Reverend Earl Abel Post Office Building''.

By Mr. BROWN (for himself, Mr. DORGAN, Mr. FEINGOLD, Mr. CASEY, and Mr. WHITEHOUSE):

S. 3083. A bill to require a review of existing trade agreements and renegotiation of existing trade agreements based on the review, to set terms for future trade agreements, to express the sense of the Senate that the role of Congress in trade policymaking should be strengthened, and for other purposes; to the Committee on Finance.

Mr. BROWN. Mr. President, the goal of our trade policy should be to promote fair competition and lift up workers at home and abroad.

Americans support trade that allows responsible businesses to thrive, fueling good-paying jobs and a strong, resilient economy.

But wrong-headed trade pacts following the failed NAFTA-model have betrayed middle class families across the country, destabilizing our economy and destroying communities in rural and urban areas alike.

In my state of Ohio, more than 200,000 manufacturing jobs have been eliminated since 2001. Across the country, more than 3 million manufacturing jobs have been eliminated in that time.

Our failures to modernize our Nation's trade policy, to learn from our mistakes, and to respond to changing dynamics in the global arena, hurt communities like Toledo and Steubenville and Dayton.

That is why voters in my state of Ohio and across the country have sent a message loud and clear demanding a new direction, a very different direction, for our nation's trade policy.

Over the last 8 years, our approach to trade has been haphazard at best.

In the last 2 years, since voters elected candidates who support fair trade, Congress has reasserted itself in trade policy-making, with some improvements to proposed deals with Peru, Panama, Colombia, and South Korea.

We also have chosen not to grant President Bush a renewal of Fast Track.

But our approach to trade has not evolved from reactive to proactive. We have not forged a new approach to trade that is results-oriented, an approach focused squarely on the goals of economic strength, job creation, and U.S. self-sufficiency.

Not surprisingly, polls show that Americans reject current trade policy as misguided.

That is because it is.

It is time to learn from our mistakes.

It is time for a change. The Trade Reform, Accountability, Development and Employment, TRADE, Act, which Senator DORGAN, Senator FEINGOLD, Senator CASEY, Senator WHITEHOUSE and I are introducing today, is a step towards that change.

This legislation will serve as a template for how to craft a trade agreement that works for workers, for business owners, for our country.

This legislation will mandate a review of all existing trade agreements and will require the President to submit renegotiation plans for those agreements before pursuing new trade agreements.

The TRADE Act will create a committee comprised of House and Senate leaders who will review the President's plan for renegotiation.

This bill spells out standards for future trade agreements, standards based on fostering fair competition, promoting good-paying jobs, and addressing unethical behavior by multinational corporations, including the exploitation of people and natural resources in developing nations.

Trade is an exchange that relies on the integrity of its participants. We must not trade away our fundamental belief in basic human rights and our responsibility to fight the kind of exploitation that threatens vulnerable peoples and vulnerable nations.

That is why our trade policy must not sidestep the impact of lax trade agreements and unethical corporations on developing nations.

The TRADE Act also sets out criteria for a new negotiating process—one that would do away with the fundamentally-flawed Fast Track process and return power to Congress when considering our nation's trade pacts.

We take for granted our clean air, safe food, and safe drinking water. But these blessings are not by chance: they result from laws and rules that foster fair wages, protect the public health, and promote environmental stewardship.

Flawed trade policy accelerates the import of toxic toys, contaminated toothpaste, and poisonous pet food into this country.

It does not have to be this way.

We have a choice.

We can continue a race to the bottom in wages, worker safety, environmental protection, and health standards.

Or, we can use trade agreements to lift standards abroad—not threaten workers and consumers.

We can continue down the path of the failed NAFTA model, or we can write trade agreements that sustain and grow our Nation's manufacturing self-sufficiency, create good-paying jobs and reduce the trade deficit by providing fair and transparent market access.

We can forsake U.S. standards and U.S. values and ignore trade abuses in order to mass produce trade agreements, or we can write trade agreements that fulfill their promises, that hold our trading partners accountable for abiding by the rules, and that build on the hard-fought battles waged to build a strong middle class, reward good corporate citizens, preserve our natural resources, and ensure that the food and products Americans purchase are safe.

We can continue to use trade deals to lock in protections for Wall Street, the drug companies, and oil companies, or we can create a predictable structure for international trade without providing corporations with overreaching privileges and rights of private enforcement that undermine our laws.

Middle class families, American manufacturers and farmers, and community leaders across the country all know that we need a new direction for trade.

I am going to ask my leadership, and my caucus, to work with me on this legislation. And I look forward to working with my allies on the other side of the aisle to modernize U.S. trade policy.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 3083

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Trade Reform, Accountability, Development, and Employment Act of 2008'' or the ''TRADE Act of 2008''.

SEC. 2. DEFINITIONS.

In this Act:

(1) CORE LABOR STANDARDS.—The term ''core labor standards'' means the core labor rights as stated in the International Labour Organization conventions dealing with—

(A) freedom of association and the effective recognition of the right to collective bargaining;

(B) the elimination of all forms of forced or compulsory labor;

(C) the effective abolition of child labor; and

(D) the elimination of discrimination with respect to employment and occupation.

(2) MULTILATERAL ENVIRONMENTAL AGREEMENTS.—The term ''multilateral environmental agreements'' means any international agreement or provision thereof to which the United States is a party and which is intended to protect, or has the effect of protecting, the environment or human health.

(3) TRADE AGREEMENTS.—

(A) IN GENERAL.—The term ''trade agreement'' includes the following:

(i) The United States-Australia Free Trade Agreement.

(ii) The United States-Morocco Free Trade Agreement.

(iii) The United States-Singapore Free Trade Agreement.

(iv) The United States-Chile Free Trade Agreement Implementation Act.

(v) The North American Free Trade Agreement.

(vi) The Agreement between the United States of America and the Hashemite Kingdom of Jordan on the Establishment of a Free Trade Area.

(vii) The Dominican Republic-Central America-United States Free Trade Agreement Implementation Act.

(viii) The United States-Bahrain Free Trade Agreement Implementation Act.

(ix) The United States-Oman Free Trade Agreement Implementation Act.

(x) The Agreement on the Establishment of a Free Trade Area between the Government of the United States of America and the Government of Israel.

(xi) The United States-Peru Trade Promotion Agreement.

(B) URUGUAY ROUND AGREEMENTS.—The term ''trade agreement'' includes the following Uruguay Round Agreements:

(i) The General Agreement on Tariffs and Trade (GATT 1994) annexed to the WTO Agreement.

(ii) The WTO Agreement described in section 2(9) of the Uruguay Round Agreements Act (19 U.S.C. 3501(9)).

(iii) The agreements described in section 101(d) of the Uruguay Round Agreements Act (19 U.S.C. 3511(d)).

(iv) Any multilateral agreement entered into by the United States under the auspices of the World Trade Organization dealing with information technology, telecommunications, or financial services.

SEC. 3. REVIEW AND REPORT ON EXISTING TRADE AGREEMENTS.

(a) REVIEW AND REPORT.—

(1) IN GENERAL.—Not later than June 30, 2010, the Comptroller General of the United States shall conduct a review of all trade agreements described in section 2(3) and submit to the Congressional Trade Agreement Review Committee established under section 6 a report that includes the information described under subsections (b) and (c) and the recommendations required under subsection (d). The review shall concentrate on the effective operation of the United States trade agreements program generally.

(2) COOPERATION OF AGENCIES.—The Department of State, the Department of Agriculture, the Department of Commerce, the Department of Labor, the Department of the Treasury, the United States Trade Representative, and other executive departments and agencies shall cooperate with the Comptroller General and the Government Accountability Office in providing access to United States Government officials and documents to facilitate preparation of the report.

(b) INFORMATION WITH RESPECT TO TRADE AGREEMENTS.—The report required by subsection (a) shall, with respect to each trade agreement described in section 2(3), to the extent practical, include the following information covering the period between the date on which the agreement entered into force with respect to the United States and the date on which the Comptroller General completes the review:

(1) An analysis of indicators of the economic impact of each trade agreement, such as—

(A) the dollar value of goods exported from the United States and imported into the United States by sector and year;

(B) the employment effects of the agreement on job gains and losses in the United States by sector and changes in wage levels in the United States in dollars by sector and year; and

(C) the rate of production, number of employees, and competitive position of industries in the United States significantly affected by the agreement.

(2) A trend analysis of wage levels on a year-to-year basis in—

(A) each country with which the United States has a trade agreement described in section 2(3)(A);

(B) each country that is a major United States trading partner, including Belgium, Brazil, China, France, Germany, Hong Kong, India, Ireland, Italy, Japan, South Korea, Malaysia, Netherlands, Taiwan, and the United Kingdom;

(C) each country with which the United States has considered establishing a free trade agreement, including South Africa and Thailand;

(D) each country with respect to which the United States has extended preferential trade treatment under the Caribbean Basin Economic Recovery Act (19 U.S.C. 2701 et seq.) and the Andean Trade Preference Act (19 U.S.C. 3201 et seq.).

(3) The effect on agriculture, including—

(A) the trend of prices in the United States for agricultural commodities and food products that are imported into the United States from a country that is a party to an agreement described in section 2(3);

(B) an analysis of the effects, if any, on the cost of farm programs in the United States; and

(C) the number of farms operating in the United States and the number of acres under production for agricultural commodities that are exported from the United States to a country that is a party to such an agreement on a year-by-year basis.

(4) An analysis of the progress in implementing trade agreement commitments and the record of compliance with the terms of each agreement in effect between the United States and a country listed in paragraph (2).

(5) A description of any outstanding disputes between the United States and any country that is a party to an agreement listed in section 2(3), including a description of laws, regulations, or policies of the United States or any State that any country that is a party to such an agreement has challenged,

or threatened to challenge, under such agreement.

(6) An analysis of the ability of the United States to ensure that any country with which the United States has a trade agreement described in section 2(3) complies with United States laws and regulations, including—

(A) complying with the customs laws of the United States;

(B) making timely payment of duties owed on goods imported into the United States;

(C) meeting safety and inspection requirements with respect to food and other products imported into the United States; and

(D) complying with prohibitions on the transshipment of goods that are ultimately imported into the United States.

(7) A analysis of any privatization of public sector services in the United States or in any country that is a party to the an agreement listed in section 2(3), including any effect such privatization has on the access of consumers to essential services, such as health care, electricity, gas, water, telephone service, or other utilities.

(8) An assessment of the impact of the intellectual property provisions of the trade agreements listed in section 2(3) on access to medicines.

(9) An analysis of contracts for the procurement of goods or services by Federal or State government agencies from persons operating in any country that is a party to an agreement listed in section 2(3).

(10) An assessment of the consequences of significant currency movements and a determination of whether the currency of a country that is a party to an agreement is misaligned deliberately to promote a competitive advantage in international trade for that country.

(c) INFORMATION ON COUNTRIES THAT ARE PARTIES TO TRADE AGREEMENTS.—With respect to each country with respect to which the United States has a trade agreement in effect, the report required under subsection (a) shall include information regarding whether that country—

(1) has a democratic form of government;

(2) respects core labor standards, as defined by the Committee of Experts on the Application of Conventions and Recommendations and the Conference Committee on the Application of Standards of the International Labour Organization;

(3) respects fundamental human rights, as determined by the Secretary of State in the annual country reports on human rights of the Department of State;

(4) is designated as a country of particular concern with respect to religious freedom under section 402(b)(1) of the International Religious Freedom Act of 1998 (22 U.S.C. 6442(b)(1));

(5) is on a list described in subparagraph (B) or (C) of section 110(b)(1) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7107(b)(1)) (commonly known as tier 2 or tier 3 of the Trafficking in Persons List of the Department of State);

(6) has taken effective measures to combat and prevent public and private corruption, including measures with respect to tax evasion and money laundering;

(7) complies with the multilateral environmental agreements to which the country is a party;

(8) has in force adequate labor and environmental laws and regulations, has devoted sufficient resources to implementing such laws and regulations, and has an adequate record of enforcement of such law and regulations;

(9) adequately protects intellectual property rights;

(10) provides for governmental transparency, due process of law, and respect for international agreements;

(11) provides procedures to promote basic democratic rights, including the right to hold clear title to property and the right to a free press; and

(12) poses potential concerns to the national security of the United States, including an assessment of transfer of technology, production, and services from one country to another.

(d) RECOMMENDATIONS.—Each report required under subsection (a) shall include recommendations of the Comptroller General for addressing the problems with respect to an agreement identified under subsections (b) and (c). The recommendations shall include suggestions for renegotiating the agreement based on the requirements described in section 4(b) and for negotiations with respect to new trade agreements.

(e) CITATIONS.—The Comptroller General shall include in the report required under subsection (a) citations to the sources of data used in preparing the report and a description of the methodologies employed in preparing the report.

(f) PUBLIC COMMENT.—In preparing each report required under subsection (a), the Comptroller General shall—

(1) hold at least 2 hearings that are open to the public; and

(2) provide an opportunity for members of the public to testify and submit written comments.

(g) PUBLIC AVAILABILITY.—The report required under subsection (a) shall be made available to the public not later than 14 days after the Comptroller General completes that report.

SEC. 4. INCLUSION OF CERTAIN PROVISIONS IN TRADE AGREEMENTS.

(a) IN GENERAL.—Notwithstanding section 151 of the Trade Act of 1974 (19 U.S.C. 2191) or any other provision of law, any bill implementing a trade agreement between the United States and another country that is introduced in Congress after the date of the enactment of this Act shall be subject to a point of order pursuant to subsection (c) unless the trade agreement meets the requirements described in subsection (b).

(b) REQUIREMENTS.—Each trade agreement negotiated between the United States and another country shall meet the following requirements:

(1) LABOR STANDARDS.—The labor provisions shall—

(A) be included in the text of the agreement;

(B) require that a country that is party to the agreement adopt and maintain as part of its domestic law and regulations (including in any designated zone in that country), the core labor standards and effectively enforce laws directly related to those standards and to acceptable conditions of work with respect to minimum wages, hours of work, and occupational safety and health;

(C) prohibit a country that is a party to the agreement from waiving or otherwise derogating from its laws and regulations relating to the core labor standards and acceptable conditions of work with respect to minimum wages, hours of work, and occupational safety and health;

(D) require each country that is a party to the agreement to adopt into domestic law and enforce effectively core labor standards;

(E) provide that failures to meet the labor standards required by the agreement shall be subject to dispute resolution and enforcement mechanisms and penalties that are at least as effective as the mechanisms and penalties that apply to the commercial provisions of the agreement;

(F) strengthen the capacity of each country that is a party to the agreement to promote and enforce core labor standards; and

(G) establish a commission of independent experts who shall receive, review, and adjudicate any complaint filed under the labor provisions of the trade agreement, and vest the commission with the authority to establish objective indicators to determine compliance with the obligations set forth in subparagraphs (B), (C), (D), (E), and (F).

(2) ENVIRONMENTAL AND PUBLIC SAFETY STANDARDS.—The environmental provisions shall—

(A) be included in the text of the agreement;

(B) prohibit each country that is a party to the agreement from weakening, eliminating, or failing to enforce domestic environmental or other public safety standards to promote trade or attract investment;

(C) require each such country to implement and enforce fully and effectively, including through domestic law, the country's obligations under multilateral environmental agreements and provide for the enforcement of such obligations under the agreement;

(D) prohibit the trade of products that are illegally harvested or extracted and the trade of goods derived from illegally harvested or extracted natural resources, including timber and timber products, fish, wildlife, and associated products, mineral resources, or other environmentally sensitive goods;

(E) provide that the failure to meet the environmental standards required by the agreement be subject to dispute resolution and enforcement mechanisms and penalties that are at least as effective as the mechanisms and penalties that apply to the commercial provisions of the agreement; and

(F) allow each country that is a party to the agreement to adopt and implement environmental, health, and safety standards, recognizing the legitimate right of governments to protect the environment and public health and safety.

(3) FOOD AND PRODUCT HEALTH AND SAFETY STANDARDS.—If the agreement contains health and safety standards for food and other products, the agreement shall—

(A) establish that food, feed, food ingredients, and other related food products may be imported into the United States from a country that is a party to the agreement only if such products meet or exceed United States standards with respect to food safety, pesticides, inspections, packaging, and labeling;

(B) establish that nonfood products may be imported into the United States from a country that is a party to the agreement only if such products meet or exceed United States health and safety standards with respect to health and safety, inspection, packaging and labeling;

(C) allow each country that is a party to the agreement to impose standards designed to protect public health and safety unless it can be clearly demonstrated that such standards do not protect the public health or safety;

(D) authorize the Commissioner of the Food and Drug Administration (in this Act, referred to as the ''Commissioner'') and the Consumer Product Safety Commission (in this Act, referred to as the ''Commission'') to assess the regulatory system of each country that is a party to the agreement to determine whether the system provides the same or better protection of health and safety for food and other products as provided under the regulatory system of the United States;

(E) if the Commissioner or the Commission determines that the regulatory system of

such a country does not provide the same or better protection of health and safety for food and other products as provided under the regulatory system of the United States, prohibit the importation into the United States of food and other products from that country;

(F) provide a process by which producers from countries whose standards are not found by the Commissioner or the Commission to meet United States standards may have their facilities inspected and certified in order to allow products from approved facilities to be imported into the United States;

(G) if harmonization of food or product health or safety standards is necessary to facilitate trade, such harmonization shall be based on standards that are no less stringent than United States standards; and

(H) establish mandatory end-use labeling of imports of milk protein concentrates.

(4) SERVICES PROVISIONS.—If the agreement contains provisions related to the provision of services, such provisions shall—

(A) preserve the right of Federal, State, and local governments to maintain essential public services and to regulate, for the benefit of the public, services provided to consumers in the United States by establishing a general exception to the national treatment commitments in the agreement that allows distinctions between United States and foreign service providers and qualifications or limitations on the provision of services;

(B)(i) require each country that is a party to the agreement to establish a list of each service sector that will be subject to the obligations of the country under the agreement; and

(ii) apply the agreement only to the service sectors that are on the list described in clause (i);

(C) establish a general exception to market access obligations that allows a country that is a party to the agreement to maintain or establish a ban on services the country considers harmful, if the ban is applied to domestic and foreign services and service providers alike;

(D) require service providers in any country that is a party to the agreement that provide services to consumers in the United States to comply with United States privacy, transparency, professional qualification, and consumer access laws and regulations;

(E) require that services provided to consumers in the United States that are subject to privacy laws and regulations in the United States may only be provided by service providers in other countries that provide privacy protections and protections for confidential information that are equal to or exceed the protections provided by United States privacy laws and regulations;

(F) require that financial and medical services be subject to United States privacy laws and be performed only in countries that provide protections for confidential information that are equal to or exceed the protections for such information under United States privacy laws;

(G) not require the privatization of public services in any country that is a party to the agreement, including services related to national security, social security, health, public safety, education, water, sanitation, other utilities, ports, or transportation; and

(H) provide for local governments to operate without being subject to market access obligations under the agreement.

(5) INVESTMENT PROVISIONS.—If the agreement contains provisions related to investment, such provisions shall—

(A) preserve the ability of each country that is a party to the agreement to regulate foreign investment in a manner consistent with the needs and priorities of the country;

(B) allow each such country to place reasonable restrictions on speculative capital to reduce global financial instability and trade volatility;

(C) not be subject to an investor-state dispute settlement mechanism under the agreement;

(D) ensure that foreign investors operating in the United States have rights no greater than the rights provided to domestic investors by the Constitution of the United States;

(E) provide for government-to-government dispute resolution relating to a government action that destroys all value of the real property of a foreign investor rather than dispute resolution between the government that took the action and the foreign investor;

(F) define the term ''investment'' to mean not more than a commitment of capital or acquisition of real property and not to include assumption of risk or expectation of gain or profit;

(G) define the term ''investor'' to mean only a person who makes a commitment or acquisition described in subparagraph (F);

(H) define the term ''direct expropriation'' as government action that does not merely diminish the value of property but destroys all value of the property permanently;

(I) not provide a dispute resolution system under the agreement for the enforcement of contracts between foreign investors and the government of a country that is a party to the agreement relating to natural resources, public works, or other activities under government control; and

(J) define the standard of minimum treatment to provide no greater legal rights than United States citizens possess under the due process clause of section 1 of the 14th amendment to the Constitution of the United States.

(6) PROCUREMENT STANDARDS.—If the agreement contains government procurement provisions, such provisions shall—

(A) require each country that is a party to the agreement to establish a list of industry sectors, goods, or services that will be subject to the national treatment and other obligations of the country under the agreement;

(B) with respect to the United States, apply only to State and local governments that specifically agree to the agreement and only to the industry sectors, goods, or services specifically identified by the State government and not apply to local governments; and

(C) include only technical specifications for goods or services, or supplier qualifications or other conditions for receiving government contracts that do not undermine—

(i) prevailing wage policies;

(ii) recycled content policies;

(iii) sustainable harvest policies;

(iv) renewable energy policies;

(v) human rights; or

(vi) labor project agreements.

(7) INTELLECTUAL PROPERTY REQUIREMENTS.—If the agreement contains provisions related to the protection of intellectual property rights, such provisions shall—

(A) promote adequate and effective protection of intellectual property rights;

(B) include only terms relating to patents that do not, overtly or in application, limit the flexibilities and rights established in the Declaration on the TRIPS Agreement and Public Health, adopted by the World Trade Organization at the Fourth Ministerial Conference at Doha, Qatar on November 14, 2001; and

(C) require that any provisions relating to the patenting of traditional knowledge be consistent with the Convention on Biological Diversity, concluded at Rio de Janeiro June 5, 1992.

(8) AGRICULTURAL STANDARDS.—If the agreement contains provisions related to agriculture, such provisions shall—

(A) protect the right of each such country to establish policies with respect to food and agriculture that require farmers to receive fair remuneration for management and labor that occurs on farms and that allow for inventory management and strategic food and renewable energy reserves, to the extent that such policies do not contribute to or allow the dumping of agricultural commodities in world markets at prices lower than the cost of production;

(B) protect the right of each country that is a party to the agreement to prevent dumping of agricultural commodities at below the cost of production through border regulations or other mechanisms and policies;

(C) ensure that all laws relating to antitrust and anti-competitive business practices remain fully in effect, and that their enforceability is neither pre-empted nor compromised in any manner;

(D) ensure adequate supplies of safe food for consumers;

(E) protect the right of each country that is a party to the agreement to encourage conservation through the use of best practices with respect to the management and production of crops; and

(F) ensure fair treatment of farm laborers in each such country.

(9) TRADE REMEDIES AND SAFEGUARDS.—If the agreement contains trade remedy provisions, such provisions shall—

(A) preserve fully the ability of the United States to enforce its trade laws, including antidumping and countervailing duty laws and safeguard laws;

(B) ensure the continued effectiveness of domestic and international prohibitions on unfair trade, especially prohibitions on dumping and subsidies, and domestic and international safeguard provisions;

(C) allow the United States to maintain adequate safeguards to ensure that surges of imported goods do not result in economic burdens on workers, firms, or farmers in the United States, including providing that such safeguards go into effect automatically based on certain criteria; and

(D) if the currency of a country that is a party to the agreement is deliberately misaligned, establish safeguard remedies that apply automatically to offset substantial and sustained currency movements.

(10) RULES OF ORIGIN PROVISIONS.—If the agreement contains provisions related to rules of origin, such provisions shall—

(A) ensure, to the fullest extent practicable, that goods receiving preferential treatment under the agreement are produced using inputs from a country that is a party to the agreement; and

(B) ensure the effective enforcement of such provisions.

(11) DISPUTE RESOLUTION AND ENFORCEMENT PROVISIONS.—If the agreement contains provisions related to dispute resolution, such provisions shall—

(A) incorporate the basic due process guarantees protected by the Constitution of the United States, including access to documents, open hearings, and conflict of interest rules for judges;

(B) require that any dispute settlement panel, including an appellate panel, dealing with intellectual property rights or environmental, health, labor, and other public law issues include panelists with expertise in such issues; and

(C) provide that dispute resolution proceedings are open to the public and provide

timely public access to information regarding enforcement, disputes, and ongoing negotiations related to disputes.

(12) TECHNICAL ASSISTANCE.—If the agreement contains technical assistance provisions, such provisions shall—

(A) be designed to raise standards in developing countries by providing assistance that ensures respect for diversity of development paths;

(B) be designed to empower civil society and democratic governments to create sustainable, vibrant economies and respect basic rights;

(C) provide that technical assistance shall not supplant economic assistance; and

(D) promote the exportation of goods produced with methods that support sustainable natural resources.

(13) EXCEPTIONS FOR NATIONAL SECURITY AND OTHER REASONS.—Each agreement shall—

(A) include an essential security exception that permits a country that is a party to the agreement to apply measures that the country considers necessary for the maintenance or restoration of international peace or security, or the protection of its own essential security interests, including regarding infrastructure, services, manufacturing, and other sectors; and

(B) include in its list of general exceptions the following language: ''Notwithstanding any other provision of this agreement, a provision of law that is nondiscriminatory on its face and relates to domestic health, consumer safety, the environment, labor rights, worker health and safety, economic equity, consumer access, the provision of goods or services, or investment, shall not be subject to challenge under the dispute resolution mechanism established under this agreement, unless the primary purpose of the law is to discriminate with respect to market access.''.

(14) FEDERALISM.—The agreement may only require a State government to comply with procurement, investment, or services provisions contained in the agreement if the State government has been consulted in full and has given explicit consent to be bound by such provisions.

(c) POINT OF ORDER IN SENATE.—The Senate shall cease consideration of a bill to implement a trade agreement if—

(1) a point of order is made by any Senator against the bill based on the noncompliance of the trade agreement with the requirements of subsection (b); and

(2) the point of order is sustained by the Presiding Officer.

(d) WAIVERS AND APPEALS.—

(1) WAIVERS.—Before the Presiding Officer rules on a point of order described in subsection (c), any Senator may move to waive the point of order and the motion to waive shall not be subject to amendment. A point of order described in subsection (c) is waived only by the affirmative vote of 60 Members of the Senate, duly chosen and sworn.

(2) APPEALS.—After the Presiding Officer rules on a point of order described in subsection (c), any Senator may appeal the ruling of the Presiding Officer on the point of order as it applies to some or all of the provisions on which the Presiding Officer ruled. A ruling of the Presiding Officer on a point of order described in subsection (c) is sustained unless 60 Members of the Senate, duly chosen and sworn, vote not to sustain the ruling.

(3) DEBATE.—Debate on the motion to waive under paragraph (1) or on an appeal of the ruling of the Presiding Officer under paragraph (2) shall be limited to 1 hour. The time shall be equally divided between, and controlled by, the majority leader and the minority leader of the Senate, or their designees.

SEC. 5. RENEGOTIATION PLAN FOR EXISTING TRADE AGREEMENTS.

The President shall submit to Congress a plan to bring trade agreements in effect on the date of the enactment of this Act into compliance with the requirements of section 4(b) not later than 90 days before the earlier of the day on which the President—

(1) initiates negotiations with a foreign country with respect to a new trade agreement; or

(2) submits a bill to Congress to implement a trade agreement.

SEC. 6. ESTABLISHMENT OF CONGRESSIONAL TRADE AGREEMENT REVIEW COMMITTEE.

(a) ESTABLISHMENT.—There is established a Congressional Trade Agreement Review Committee.

(b) FUNCTIONS.—The Committee—

(1) shall receive the report of the Comptroller General of the United States required under section 3;

(2) shall review the plan for bringing trade agreements into compliance with the requirements of section 4(b); and

(3) may, not later than 60 days after receiving the plan described in paragraph (2), add items for renegotiation to the plan, reject recommendations in the plan, or otherwise amend the plan by a vote of ⅔ of the members of the Committee.

(c) APPOINTMENT AND MEMBERSHIP.—The Committee shall be composed of the chairman and ranking members of the following:

(1) The Committee on Agriculture, Nutrition, and Forestry of the Senate.

(2) The Committee on Banking, Housing, and Urban Affairs of the Senate.

(3) The Committee on Commerce, Science, and Transportation of the Senate.

(4) The Committee on Energy and Natural Resources of the Senate.

(5) The Committee on Environment and Public Works of the Senate.

(6) The Committee on Finance of the Senate.

(7) The Committee on Foreign Relations of the Senate.

(8) The Committee on Health, Education, Labor, and Pensions of the Senate.

(9) The Committee on the Judiciary of the Senate.

(10) The Committee on Small Business and Entrepreneurship of the Senate.

(11) The Committee on Agriculture of the House of Representatives.

(12) The Committee on Education and Labor of the House of Representatives.

(13) The Committee on Energy and Commerce of the House of Representatives.

(14) The Committee on Financial Services of the House of Representatives.

(15) The Committee on Foreign Affairs of the House of Representatives.

(16) The Committee on the Judiciary of the House of Representatives.

(17) The Committee on Natural Resources of the House of Representatives.

(18) The Committee on Small Business of the House of Representatives.

(19) The Committee on Transportation and Infrastructure of the House of Representatives.

(20) The Committee on Ways and Means of the House of Representatives.

SEC. 7. SENSE OF CONGRESS REGARDING READINESS CRITERIA AND IMPROVING THE PROCESS FOR UNITED STATES TRADE NEGOTIATIONS.

It is the sense of Congress that if Congress considers legislation to provide for special procedures for the consideration of bills to implement trade agreements, that legislation shall include—

(1) criteria for the President to use in determining whether a country—

(A) is able to meet its obligations under a trade agreement;

(B) meets the requirements described in section 3(c); and

(C) is an appropriate country with which to enter into a trade agreement;

(2) a process by which the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives review the determination of the President described in paragraph (1) to verify that the country meets the criteria;

(3) requirements for consultation with Congress during trade negotiations that require more frequent consultations than required by the Bipartisan Trade Promotion Authority Act of 2002 (19 U.S.C. 3801 et seq.), including a process for consultation with any committee of Congress with jurisdiction over any area covered by the negotiations;

(4) binding negotiating objectives and requirements outlining what must and must not be included in a trade agreement, including the requirements described in section 4(b);

(5) a process for review and certification by Congress to ensure that the negotiating objectives described in paragraph (4) have been met during the negotiations;

(6) a process—

(A) by which a State may give informed consent to be bound by nontariff provisions in a trade agreement that relate to investment, the service sector, and procurement; and

(B) that prevents a State from being bound by the provisions described in subparagraph (A) if the State has not consented; and

(7) a requirement that a trade agreement be approved by a majority vote in both Houses of Congress before the President may sign the agreement.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 582—RECOGNIZING THE WORK AND ACCOMPLISHMENTS OF MR. HERBERT SAFFIR, INVENTOR OF THE SAFFIR-SIMPSON HURRICANE SCALE, DURING HURRICANE PREPAREDNESS WEEK

Mr. MARTINEZ (for himself and Mr. NELSON of Florida) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 582

Whereas Mr. Herbert Saffir protected countless individuals by conveying the threat levels of approaching hurricanes through a 5-tier system to measure hurricane strength;

Whereas the Saffir-Simpson Hurricane Scale has become the definitive means to describe hurricane strength;

Whereas Mr. Saffir, as a civil and structural engineer, was a pioneer in designing buildings and bridges for high wind resistance;

Whereas Mr. Saffir, as a participant in a United Nations project in 1969, helped to reduce hurricane damage to low-cost buildings worldwide;

Whereas Mr. Saffir was the principal of Saffir Engineering in Coral Gables, Florida;

Whereas Mr. Saffir fought tirelessly for safe building codes to ensure the safety of all people threatened by hurricanes;

Whereas Mr. Saffir was born in New York City, New York, on March 29, 1917, and died in Miami, Florida, on November 21, 2007; and

Whereas Hurricane Preparedness Week is observed the week beginning May 25, 2008: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the work and accomplishments of Mr. Herbert Saffir, inventor of the