



United States  
of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 110<sup>th</sup> CONGRESS, FIRST SESSION

Vol. 153

WASHINGTON, FRIDAY, JUNE 15, 2007

No. 97

## Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable SHELDON WHITEHOUSE, a Senator from the State of Rhode Island.

### PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal Father, may Your Name be magnified. Today, give our lawmakers the wisdom to put their trust in You. Help them to accept Your guidance and seek Your insights. Keep them from being intimidated by the many challenges they face, infusing them with confidence in Your power. Make them so sure of Your presence that no task may be too wearisome for them and no setback too daunting. Let their faith lead them away from strife and division as they find unity for the good of the Nation and world. May they depend unswervingly upon Your unlimited goodness.

We pray in Your holy Name. Amen.

### PLEDGE OF ALLEGIANCE

The Honorable SHELDON WHITEHOUSE led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. BYRD).

The legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, June 15, 2007.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable SHELDON WHITEHOUSE,

a Senator from the State of Rhode Island, to perform the duties of the Chair.

ROBERT C. BYRD,  
President pro tempore.

Mr. WHITEHOUSE thereupon assumed the chair as Acting President pro tempore.

### RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

### SCHEDULE

Mr. REID. Mr. President, we will shortly resume consideration of the energy legislation. There are no rollcall votes scheduled today. We have heard from a number of Senators on both sides of the aisle of their desire to come and offer amendments. The managers of the bill have indicated they are willing to set amendments aside to move on that. I think that is appropriate.

There will also be no rollcall votes on Monday. This has been a long schedule, but it is, again, my hope that Members will take that opportunity to come offer and debate amendments on this energy legislation.

Sometime next week—and I will meet and discuss this with the distinguished Republican leader—if this debate doesn't speed up and more amendments are not offered, then we will have to see if we can move to end the debate and finish this legislation.

There are issues that are important. There has to be some decision, a finality made with regard to the pieces of the bill that are so important, such as the renewable portfolio standard, the CAFE standards, and there is also interest in coal-to-liquid and the different ways that can be done.

As I understand it, those are the three big issues, so I would hope Members who have those issues, whether

amendments or whatever else they want to focus their attention on, would do so. The American people want us to do something dealing with energy. This is a good bipartisan bill, and I would hope Members would understand this is their time to come and offer amendments.

I would also note, as indicated in the morning press, that Senator MCCONNELL and I met last evening with a bipartisan group of Senators regarding immigration, and we now have a pathway forward on that. When we finish the energy legislation, we will move to that legislation. I think we have now an agreed-upon number of amendments that will be offered by Republicans and Democrats and we should get to that sometime next week.

We are going to finish that legislation and the energy legislation prior to our having our Fourth of July recess. I would also indicate to all Senators and staffs, it is Friday, and I know that a lot of times—I would not say a lot of times but on a number of occasions—I have indicated we might have to work weekends. I know this causes a lot of stress to folks. But everyone should know that to complete this bill and to complete the immigration bill will require next weekend, without any question, next weekend, Saturday and Sunday.

Now, of course, it is always possible that through unanimous consent certain work that could be done in 1 day could be put over to another day, and I understand that. But Senators should understand this is the real thing. If we are going to finish these two bills, which both the Republican leader and I think is absolutely mandatory and essential, Senators should be advised that next Saturday and Sunday, which means the preceding Friday, which is a week from today, and a week from Monday, we will be in session.

We only have 2 weeks left in this work period, and I hope we don't have to run into the Fourth of July recess

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



Printed on recycled paper.

S7779

period, which is only 1 week long. We have a number of things we are going to try to do this morning. We are going to get to a couple of judges. We hope to pass those. We have a number of other things we need to do. We have so many things we need to complete, but a lot of them are very complicated and difficult, such as the Energy bill and immigration. At least we have a pathway forward on these, and I think we can work them out.

It goes without saying that if we are able to complete these prior to the Fourth of July recess, that would be fine. But if we can't, the Fourth of July recess will take second fiddle to these important pieces of legislation.

#### RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order the leadership time is reserved.

#### CREATING LONG-TERM ENERGY ALTERNATIVES FOR THE NATION ACT OF 2007

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of H.R. 6, which the clerk will report by title.

The legislative clerk read as follows:

A bill (H.R. 6) to reduce our Nation's dependency on foreign oil by investing in clean, renewable, and alternative energy resources, promoting new emerging energy technologies, developing greater efficiency, and creating a Strategic Energy Efficiency and Renewables Reserve to invest in alternative energy, and for other purposes.

Pending:

REID AMENDMENT NO. 1502, IN THE NATURE OF A SUBSTITUTE.

Reid (for Bingaman) amendment No. 1537 (to amendment No. 1502), to provide for a renewable portfolio standard.

Klobuchar (for Bingaman) amendment No. 1573 (to amendment No. 1537), to provide for a renewable portfolio standard.

Bingaman (for Klobuchar) amendment No. 1557 (to amendment No. 1502), to establish a national greenhouse gas registry.

Kohl amendment No. 1519 (to amendment No. 1502), to amend the Sherman Act to make oil-producing and exporting cartels illegal.

Kohl (for DeMint) amendment No. 1546 (to amendment 1502), to provide that legislation that would increase the national average fuel prices for automobiles is subject to a point of order in the Senate.

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

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

AMENDMENT NO. 1608 TO AMENDMENT NO. 1502

Mr. CORKER. I ask unanimous consent the pending amendment be tempo-

rarily laid aside so I may offer amendment No. 1608.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. DOMENICI. Mr. President, I understand this is all right with the other side, so we have no objection.

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

The clerk will report.

The legislative clerk read as follows:

The Senator from Tennessee [Mr. CORKER] proposes an amendment numbered 1608 to amendment No. 1502.

Mr. CORKER. I ask unanimous consent the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To allow clean fuels to meet the renewable fuel standard)

In section 102(1)(B)(v), strike "and" at the end.

In section 102(1)(B)(vi), strike the period at the end and insert "; and".

At the end of section 102(1)(B), add the following:

(vii) after December 31, 2015, any fuel that—

(I) is not derived from crude oil; and

(II) achieves—

(aa) as compared to conventional gasoline, lifecycle emission reductions of 2 or more air pollutants, including—

(AA) sulfur dioxide;

(BB) nitrogen oxides;

(CC) carbon monoxide;

(DD) particulate matter with a diameter smaller than 10 microns; and

(EE) volatile organic compounds; and

(bb) a 20-percent reduction in lifecycle greenhouse gas emissions compared to conventional gasoline.

In section 102, redesignate paragraphs (3) through (7) as paragraphs (4) through (8), respectively, and insert between paragraphs (2) and (4) (as so redesignated) the following:

(3) CLEAN FUEL.—The term "clean fuel" means motor vehicle fuel, boiler fuel, or home heating fuel that—

(A) is not derived from crude oil;

(B)(i) as compared to conventional gasoline, has lower lifecycle emissions of 2 or more air pollutants, including—

(I) sulfur dioxide;

(II) nitrogen oxides;

(III) carbon monoxide;

(IV) particulate matter with a diameter smaller than 10 microns; and

(V) volatile organic compounds; or

(ii) achieves a 20-percent reduction in lifecycle greenhouse gas emissions compared to conventional gasoline; and

(C) has lower lifecycle greenhouse gas emissions than conventional gasoline.

In section 102, strike paragraph (6) (as so redesignated) and insert the following:

(6) RENEWABLE FUEL.—

(A) IN GENERAL.—The term "renewable fuel" means motor vehicle fuel, boiler fuel, or home heating fuel that is—

(i) produced from renewable biomass; and

(ii) used to replace or reduce the quantity of fossil fuel present in a fuel or fuel mixture used to operate a motor vehicle, boiler, or furnace.

(B) INCLUSION.—The term "renewable fuel" includes—

(i) conventional biofuel;

(ii) advanced biofuel; and

(iii) clean fuel.

In section 111(a)(1)(B)(i)(II), insert "(other than clean fuels)" after "renewable fuels".

Mr. CORKER. Mr. President, if we are serious about energy security and reducing our dependence on foreign oil and our consumption of gasoline, we have to, through our energy legislation, encourage a variety of fuels and technologies. Current law requires 5.4 billion gallons of renewable fuel in 2008, and 7.5 billion gallons in 2012. The underlying bill on the floor today increases the amount to 8.5 billion gallons in 2008 and 36 billion gallons by the year 2022.

The underlying bill focuses on renewable fuels, including ethanol from corn and cellulosic ethanol, and I think that is outstanding. I am so proud the State of Tennessee is going to be playing a very large role in our country meeting those objectives.

The amendment I am offering expands the renewable fuel standard by adding a clean fuel definition so any fuel meeting criteria may be a part of the 36 billion gallon mandate. It does not in any way strike or replace the underlying fuels that qualify.

To qualify as a clean fuel under this amendment, a fuel must meet the following requirements: not be derived from crude oil, and achieve life cycle greenhouse gas emission reductions that are better than the life cycle greenhouse gas emissions of conventional gasoline.

In addition, on top of what I just said, it must meet one of the following requirements: achieve a life cycle emission reduction compared with conventional gasoline of two or more criteria pollutants. Those pollutants include sulfur dioxide, nitrogen oxides, carbon monoxide, volatile organic compounds, and particulate matter with a diameter smaller than 10 microns; and achieve a life cycle greenhouse gas emission reduction of 20 percent compared to conventional gasoline.

Under no circumstances per this amendment can a fuel qualify if its greenhouse gas emissions are not less than conventional gasoline and if it is derived from crude oil. In other words, crude oil products do not qualify and the life cycle greenhouse gas emissions have to be less than conventional gasoline.

In addition, a clean fuel may participate in the advanced biofuels carve-out beginning in 2016 if it meets the following requirements: not derived from crude oil, achieves a life cycle emission reduction compared to conventional gasoline of two or more criteria pollutants including sulfur dioxide, nitrogen oxides, carbon monoxide, volatile organic compounds, and particulate matter with a diameter smaller than 10 microns and, the other hurdle, achieves life cycle greenhouse gas emission reductions of 20 percent compared to conventional gasoline.

We have a number of technologies that are being pursued today that could meet the solutions our country needs to pursue. While I am a tremendous fan of much of what is happening right now with ethanol—again the

State of Tennessee playing a big role—we need to allow the entrepreneurs in our country to help us solve this problem of dependence on oil from foreign sources, especially those that are not friendly to our country. For that reason, ethanol should not be our only solution. What we should try to do as a body is not to pick winners and losers. What we should do is set standards and allow the market to meet those standards.

We have, again, tremendous initiatives going throughout our country. What we need to do in the Senate is not to define too narrowly what we want to help us be less dependent on foreign oil. If we do that, we will continue to consume more and more gasoline. My amendment is focused on making sure we continue to pursue energy security, that we allow our gross domestic product to grow, and we harness that great entrepreneurialism that exists throughout our country; that we do everything we can to lower greenhouse gas emissions and other criteria pollutants that also create tremendous damage to people throughout our country. I think this amendment does that.

I ask my fellow Senators to endorse this particular amendment.

I notice at this point, after offering this amendment, there is an absence of a quorum, and I wish to set aside my amendment.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. McCONNELL. I ask unanimous consent I be allowed to proceed for a few moments in morning business.

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

#### THE DEATH OF RUTH BELL GRAHAM

Mr. McCONNELL. Mr. President, I would like to say a word about the passing yesterday of a great woman.

As a child, Ruth Bell dreamed of surrendering her life to missionary work abroad. Then she gave up that dream so someone else could live it in her place. In this and in so many other quiet sacrifices, Ruth Bell Graham truly lived the life her husband preached.

She inspired generations of men and women with her honest, wise, and faith-filled writings. And she inspired us again at the end by accepting with serenity the physical suffering of a long and painful illness.

Her autobiography told the story of an ordinary woman struggling to raise a family while her famous husband wandered the world preaching to a thousand roaring crowds. But, as she said, "I'd rather have a little bit of Bill than a lot of any other man."

Looking back last night on more than 60 years of marriage, Billy Graham remembered his wife with a thankful heart. "I am so grateful to the Lord that he gave me Ruth," he said. As America says goodbye to the First Lady of Evangelical Christianity, we make those words our own.

Like the Biblical heroine whose name she shared, Ruth Bell Graham followed her pilgrim's journey wherever it took her. As a mother, a counselor, and the indispensable confidant of the world's most famous preacher, she was always content to stay in the background. Her missionary field was her home. And in this, she was a powerful witness of the Gospel she loved.

We are grateful for her faithfulness. And we mourn with the Graham family—Billy, Franklin, Nelson, Virginia, Anne, and Ruth—at the loss of this good and faithful servant.

Mr. CARDIN. Mr. President, I ask unanimous consent to lay the pending amendment aside.

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

#### AMENDMENT NO. 1520 TO AMENDMENT NO. 1502

Mr. CARDIN. I call up amendment No. 1520 and ask for its immediate consideration.

The ACTING PRESIDENT pro tempore. The clerk will report.

The legislative clerk read as follows:

The Senator from Maryland [Mr. CARDIN] proposes an amendment numbered 1520 to amendment No. 1502.

Mr. CARDIN. I ask unanimous consent the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To promote the energy independence of the United States)

At the end of subtitle D of title II, add the following:

#### SEC. 255. SUPPORT FOR ENERGY INDEPENDENCE OF THE UNITED STATES.

It is the policy of the United States to provide support for projects and activities to facilitate the energy independence of the United States so as to ensure that all but 10 percent of the energy needs of the United States are supplied by domestic energy sources by calendar year 2017.

#### SEC. 256. ENERGY POLICY COMMISSION.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—There is established a commission, to be known as the "National Commission on Energy Independence" (referred to in this section as the "Commission").

(2) MEMBERSHIP.—The Commission shall be composed of 15 members, of whom—

(A) 3 shall be appointed by the President;

(B) 3 shall be appointed by the majority leader of the Senate;

(C) 3 shall be appointed by the minority leader of the Senate;

(D) 3 shall be appointed by the Speaker of the House of Representatives; and

(E) 3 shall be appointed by the minority leader of the House of Representatives.

(3) CO-CHAIRPERSONS.—

(A) IN GENERAL.—The President shall designate 2 co-chairpersons from among the members of the Commission appointed.

(B) POLITICAL AFFILIATION.—The co-chairpersons designated under subparagraph (A) shall not both be affiliated with the same political party.

(4) DEADLINE FOR APPOINTMENT.—Members of the Commission shall be appointed not later than 90 days after the date of enactment of this Act.

(5) TERM; VACANCIES.—

(A) TERM.—A member of the Commission shall be appointed for the life of the Commission.

(B) VACANCIES.—Any vacancy in the Commission—

(i) shall not affect the powers of the Commission; and

(ii) shall be filled in the same manner as the original appointment.

(b) PURPOSE.—The Commission shall conduct a comprehensive review of the energy policy of the United States by—

(1) reviewing relevant analyses of the current and long-term energy policy of, and conditions in, the United States;

(2) identifying problems that may threaten the achievement by the United States of long-term energy policy goals, including energy independence;

(3) analyzing potential solutions to problems that threaten the long-term ability of the United States to achieve those energy policy goals; and

(4) providing recommendations that will ensure, to the maximum extent practicable, that the energy policy goals of the United States are achieved.

(c) REPORT AND RECOMMENDATIONS.—

(1) IN GENERAL.—Not later than December 31 of each of calendar years 2009, 2011, 2013, and 2015, the Commission shall submit to Congress and the President a report on the progress of United States in meeting the long-term energy policy goal of energy independence, including a detailed statement of the findings, conclusions, and recommendations of the Commission.

(2) LEGISLATIVE LANGUAGE.—If a recommendation submitted under paragraph (1) involves legislative action, the report shall include proposed legislative language to carry out the action.

(d) COMMISSION PERSONNEL MATTERS.—

(1) STAFF AND DIRECTOR.—The Commission shall have a staff headed by an Executive Director.

(2) STAFF APPOINTMENT.—The Executive Director may appoint such personnel as the Executive Director and the Commission determine to be appropriate.

(3) EXPERTS AND CONSULTANTS.—With the approval of the Commission, the Executive Director may procure temporary and intermittent services under section 3109(b) of title 5, United States Code.

(4) FEDERAL AGENCIES.—

(A) DETAIL OF GOVERNMENT EMPLOYEES.—

(i) IN GENERAL.—Upon the request of the Commission, the head of any Federal agency may detail, without reimbursement, any of the personnel of the Federal agency to the Commission to assist in carrying out the duties of the Commission.

(ii) NATURE OF DETAIL.—Any detail of a Federal employee under clause (i) shall not interrupt or otherwise affect the civil service status or privileges of the Federal employee.

(B) TECHNICAL ASSISTANCE.—Upon the request of the Commission, the head of a Federal agency shall provide such technical assistance to the Commission as the Commission determines to be necessary to carry out the duties of the Commission.

(e) RESOURCES.—

(1) IN GENERAL.—The Commission shall have reasonable access to materials, resources, statistical data, and such other information from Executive agencies as the Commission determines to be necessary to carry out the duties of the Commission.

(2) FORM OF REQUESTS.—The co-chairpersons of the Commission shall make requests for access described in paragraph (1) in writing, as necessary.

Mr. CARDIN. Mr. President, so many of my colleagues on both sides of the aisle have come to this floor to talk about the need for this Nation to become energy independent. In fact, I think each Member of this body believes this country should be energy independent and can become energy independent. We need to be independent for many reasons.

First and foremost is the issue of national security. We should not be dependent for oil upon some country halfway around the world that disagrees with our foreign policy, which affects what we can do internationally. We should be independent for national security reasons.

We should also be energy independent for economic reasons. Yesterday in the Small Business Committee we held a hearing on the impact that increased gasoline prices are having on small businesses in our communities. It is having an impact on our entire economy. Again, the OPEC countries decide what the price of oil will be and it affects gasoline prices, energy prices, and our economy. We need to become energy independent for the economic security of America.

Yes, we need to become energy independent for environment issues. Global climate change is a real danger to this country and we need to have an energy policy that will also make us friendlier toward our environment.

For all these reasons we need to become energy independent. We are not today. We import from other countries over one-third of our energy needs in this country and, of course, a significant amount of that is oil. I believe we can become energy independent in 10 years. I think, if we have the national will and the energy policies, it can be accomplished.

The amendment I sent before this body today sets as our goal producing 90 percent of our energy needs by the year 2017. Each of us has ideas as to how to achieve energy independence. There have been many good suggestions that have been brought forward by my colleagues. I have introduced legislation that would require the Federal Government to construct its buildings to LEED Silver standards. Buildings represent one-third of the energy use in this country. Mr. President, 38 percent of the carbon dioxide emissions come from buildings. That, of course, is the major greenhouse gas. Federal buildings consume 40 percent of the Federal Government's energy bill, \$3.73 billion in 2002. The GSA is already using LEED standards in encouraging Federal construction, but all new Federal facilities should meet these new LEED Silver standards.

I ask my colleagues to go down the road here a couple of miles to the new NOAA facility located in Suitland, MD, and see the type of construction we should be building that gives our Federal Government the necessary facility to conduct its business but also is one that will save us a considerable amount of energy.

LEED-certified buildings use 32 percent less energy, 26 percent less natural gas, and 36 percent total less energy used. I mention that because that is just one way this Nation can move toward energy independence.

We know we will be having a debate on the Senate floor next week on the CAFE standards, on the efficiencies of our automobile and light truck engines. Yes, efficiency can save us a lot of energy and can help make us energy independent.

Let me mention another example, the automobile tires we use. If we used the right tires, we could save millions of barrels of gasoline every year. Public transit, I can tell you in my own State, the Purple Line is not only needed to get people from one place to the other in this region, it will save us considerable energy. Investment in public transit will help with efficiency in this country. We need to develop alternative and renewable energy sources. There are so many potentials.

Solar power. We invented the ability to use solar power for energy. The technologies have come from America. BP Solar, which is located in Fredrick, MD, is a leading example of what we can do. But we do not use solar energy anywhere near as much as we should in this country.

Wind is available, but we do not use that technology as much as we should. Cellulosic ethanol or gasoline is another major potential source for becoming energy independent.

Biodiesel. We have a person from the eastern shore, Berlin, MD, who has a biodiesel plant. And that county, Worcester County, uses their fleet of diesel trucks and the biodiesel saving us energy. So alternatives and renewable sources can help us.

We also need to fund new technology for developing clean-burning coal and the next generation of nuclear power and the use of hydrogen power. I mention that because these are the discussions we are having on the floor of this body, ways in which we can become energy independent by being more efficient in the use of energy, by developing alternative and renewable energy sources and putting our resources into research for the next generation of technology to meet our energy needs.

So what does my amendment do? My amendment establishes a commission to monitor our program and to keep us on track to accomplish our goal, to be energy independent by 2017. It allows for midcourse adjustments by the commission, making recommendations on a 2-year cycle, so we can make those cycles of adjustments. We keep control, the Congress keeps control of the

energy policies of the country. But we have a bipartisan way in which we can make sure we live up to our commitment to be energy independent in 10 years.

If our constituents know we are going to accomplish this goal, they are going to be willing to do what is necessary so we achieve this energy independence. It maintains the responsibility of this body and the other body across the hall. It is our Apollo commitment. I have heard more Senators use that term, "Apollo commitment." It is our Apollo commitment.

It took us 10 years. We made that commitment to put a person on the Moon, and we succeeded. If we make the commitment today to be energy independent in 10 years, we can achieve that goal. That is what this amendment does. I hope it will not be a controversial amendment. I hope we can get it done so we put into this legislation our commitment to truly become energy independent.

Mr. President, I have a second amendment I want to call up. I want to make sure there is—I know there is a protocol of alternating amendments. If there is no objection, I was going to ask unanimous consent—I see that the Senator from New Mexico is here.

Let me make sure. I have a second amendment I wanted to call up. I know we are alternating.

Mr. DOMENICI. We will be ready with ours in just 1 minute. We will offer one. We would object.

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

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. DOMENICI. First, let me say to my friend from Maryland, if you will wait a minute, you do not even have to leave the floor. It will not take very long.

Mr. President, I ask the pending amendment be set aside so I might call up the Thune amendment, which we have agreed to.

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

AMENDMENT NO. 1609 TO AMENDMENT NO. 1502

Mr. DOMENICI. Mr. President, I send to the desk amendment No. 1609 on behalf of Senator THUNE and ask for its immediate consideration.

The ACTING PRESIDENT pro tempore. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from New Mexico [Mr. DOMENICI], for Mr. THUNE, proposes an amendment numbered 1609 to amendment No. 1502.

Mr. DOMENICI. Mr. President, I ask unanimous consent the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To provide requirements for the designation of national interest electric transmission corridors)

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . CLEAN ENERGY CORRIDORS.**

Section 216 of the Federal Power Act (16 U.S.C. 824p) is amended—

(1) in subsection (a)—

(A) by striking “(1) Not later than” and inserting the following:

“(1) IN GENERAL.—Not later than”;

(B) by striking paragraph (2) and inserting the following:

“(2) REPORT AND DESIGNATIONS.—

“(A) IN GENERAL.—After considering alternatives and recommendations from interested parties (including an opportunity for comment from affected States), the Secretary shall issue a report, based on the study conducted under paragraph (1), in which the Secretary may designate as a national interest electric transmission corridor any geographic area experiencing electric energy transmission capacity constraints or congestion that adversely affects consumers, including constraints or congestion that—

“(i) increases costs to consumers;

“(ii) limits resource options to serve load growth; or

“(iii) limits access to sources of clean energy, such as wind, solar energy, geothermal energy, and biomass.

“(B) ADDITIONAL DESIGNATIONS.—In addition to the corridor designations made under subparagraph (A), the Secretary may designate additional corridors in accordance with that subparagraph upon the application by an interested person, on the condition that the Secretary provides for an opportunity for notice and comment by interested persons and affected States on the application.”;

(C) in paragraph (3), the striking “(3) The Secretary” and inserting the following:

“(3) CONSULTATION.—The Secretary”;

(D) in paragraph (4)—

(i) by striking “(4) In determining” and inserting the following:

“(4) BASIS FOR DETERMINATION.—In determining”;

(ii) by striking subparagraphs (A) through (E) and inserting the following:

“(A) the economic vitality and development of the corridor, or the end markets served by the corridor, may be constrained by lack of adequate or reasonably priced electricity;

“(B)(i) economic growth in the corridor, or the end markets served by the corridor, may be jeopardized by reliance on limited sources of energy; and

“(ii) a diversification of supply is warranted;

“(C) the energy independence of the United States would be served by the designation;

“(D) the designation would be in the interest of national energy policy; and

“(E) the designation would enhance national defense and homeland security.”;

(2) by adding at the end the following:

“(1) RATES AND RECOVERY OF COSTS.—

“(1) IN GENERAL.—Not later than 1 year after the date of enactment of this subsection, the Commission shall promulgate regulations providing for the allocation and recovery of costs prudently incurred by public utilities in building and operating facilities authorized under this section for transmission of electric energy generated from clean sources (such as wind, solar energy, geothermal energy, and biomass).

“(2) APPLICABLE PROVISIONS.—All rates approved under the regulations promulgated under paragraph (1), including any revisions to the regulations, shall be subject to the requirements under sections 205 and 206 that all rates, charges, terms, and conditions be just and reasonable and not unduly discriminatory or preferential.”.

Mr. DOMENICI. Mr. President, having presented the amendment, I now ask that the Thune amendment be set aside so the next amendment may be offered by the Senator from Maryland.

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

The Senator from Maryland is recognized.

Mr. CARDIN. Mr. President, I send to the desk an amendment and ask for its immediate consideration.

The ACTING PRESIDENT pro tempore. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Maryland [Mr. CARDIN], for himself, Ms. MIKULSKI, Mr. DODD, Mr. KERRY, Mr. REED, Mr. KENNEDY, Mr. WHITEHOUSE, and Ms. SNOWE, proposes an amendment numbered 1610 to amendment No. 1502.

Mr. CARDIN. Mr. President, I ask unanimous consent the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To provide for the siting, construction, expansion, and operation of liquefied natural gas terminals)

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . SITING, CONSTRUCTION, EXPANSION, AND OPERATION OF LNG TERMINALS.**

Section 10 of the Act of March 3, 1899 (33 U.S.C. 403), is amended—

(1) by striking the section designation and all that follows through “creation” and inserting the following:

**“SEC. 10. OBSTRUCTION OF NAVIGABLE WATERS; WHARVES AND PIERS; EXCAVATIONS AND FILLING IN.**

“(a) IN GENERAL.—The creation”;

(2) by adding at the end the following:

“(b) SITING, CONSTRUCTION, EXPANSION, AND OPERATION OF LNG TERMINALS.—

“(1) DEFINITION OF AFFECTED STATE.—In this subsection, the term ‘affected State’ means, with respect to a liquefied natural gas terminal that is the subject of an application for an authorization under this section, a State that—

“(A) would be directly connected by a pipeline to the liquefied natural gas terminal;

“(B) would be located within 15 miles of the liquefied natural gas terminal; or

“(C) is designated as an affected State by the Secretary due to a risk of damage to the coastal environment of the affected State that is equal to or greater than the risk of damage to the coastal environment of the State in which the liquefied natural gas terminal is proposed to be located.

“(2) LIMITATION.—The Secretary shall not approve or disapprove an application for an authorization under this section for the siting, construction, expansion, or operation of a liquefied natural gas terminal pursuant to this section without the express concurrence of the Governor of each affected State.”.

Mr. CARDIN. Mr. President, this amendment I am introducing with Senators MIKULSKI, DODD, REED, KENNEDY, WHITEHOUSE, and SNOWE would restore the authority of State and local governments to protect the environment and ensure public safety with respect to the siting of liquefied natural gas, LNG, terminals within their States.

This measure simply gives our States a say in whether these kinds of facilities should be built within their boundaries and, if so, the exact location.

The amendment adds a provision to the Rivers and Harbors Act of 1899. Under that law, the Army Corps of Engineers, acting for the Secretary of the Army, is responsible for issuing permits to anyone who wants to build a structure in and above the waters of the United States. These are often called section 10 permits because that is where the provision is found in the Rivers and Harbors Act.

Currently, the Army Corps issues all such permits. In the narrow conditions outlined in our amendment, the Corps would have to get the concurrence of the affected State before issuing a permit to build an LNG terminal. That is all, just work with the States. It is just federalism. That is what federalism is all about, the Federal Government working with the States. The States certainly have a direct interest on the siting of LNG plants.

This amendment does not limit the Federal Regulatory Energy Commission, FERC. FERC will still be able to make its decisions regarding siting, construction, and operation of LNG facilities. So be it. But the Army Corps of Engineers also has a say in whether such a facility can be built in the waters of the United States. Today we turn to the Corps for relief.

In recent years, the LNG industry has proposed building dozens of new LNG terminals throughout the United States, as LNG's share of the natural gas market continues to grow rapidly. Many of these terminals are being planned near populated areas or environmentally sensitive coastal areas. We are simply seeking an opportunity for States to have a meaningful opportunity to take those safety and environmental issues into account.

Maryland is already home of one of the six operating LNG terminals in the United States. This bill would have no effect whatsoever on that facility. In fact, that facility is generally welcomed by its host community and is supported by county and local elected officials. That is how it should be. Companies that want to build an LNG terminal should work with the local community and address all of the safety and security concerns. It can be done. We have the proof of it in the State of Maryland.

This amendment is not designed to stop LNG terminals. It is solely to make sure that such projects are sited properly. Unfortunately, that is not always the case. AES Sparrows Point

LNG and Mid-Atlantic Express have proposed building a new terminal near a densely populated area of Baltimore. Our area congressional delegation, Senator MIKULSKI and I, Governor O'Malley, Baltimore County Executive Jim Smith, and local officials and community leaders believe this project poses unacceptable public safety, economic and environmental risks, and does not serve the public interest.

Yet under current law, FERC now has exclusive authority to approve on-shore LNG terminal siting applications. But these facilities still must obtain environmental permits, including a section 10 permit under the provisions of the Rivers and Harbors Act.

It is vital, in my opinion, that State and local authorities and the public have a meaningful opportunity to participate in the decisionmaking process about where these plants are located. An accident or a terrorist act at an LNG terminal could have a devastating impact on the communities nearby, so they should have a voice in the siting.

The amendment I am introducing today seeks to restore that authority and gives Governors some real clout. The proponents of building LNG terminals should have to negotiate in good faith with States and local communities if they want those communities to bear the risk associated with such operations.

My amendment does not prohibit the construction of LNG terminals. It merely levels the playing field with regard to determining where they will be located. It is what federalism should be all about. We should respect that. This amendment moves us in that direction.

I urge my colleagues to join me in supporting this amendment.

Mr. President, I yield the floor, and I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. CARDIN). Without objection, it is so ordered.

Mr. NELSON of Florida. Mr. President, we are on the Energy bill. It is expected that we are going to have a big fight out here, a political fight, regarding the question of miles per gallon—requirements for the manufactured automobiles, light trucks, and then what are medium-size and heavier trucks—what the miles per gallon requirements are going to be.

A couple weeks ago, I was on an Intelligence Committee trip all through Africa. Needless to say, there is increasing al-Qaida presence in Africa. Indeed, an organization called AQIM—al-Qaida in the Islamic Maghreb—is a group that broke through the barriers of the Presidential palace in Algiers, Algeria, and a suicide bomber detonated a bomb right next to the Presidential palace, injuring and killing

some people, doing damage to the Presidential palace, but the President was not harmed.

What we have is an increasing threat not only to the peoples of Africa but to the interests of the United States. What is one of those interests? One of those interests is all the places from which we get oil. One of those places is the Niger River Delta in the country of Nigeria.

I met with the new President of Nigeria. He had just been inaugurated some 5 days earlier, and I believe he understands the significant threat to Nigeria's oil production. Already a good portion of Nigeria's oil production is siphoned off by bandits and others who are using kidnappings, asking for ransom, tapping into the oil wells, siphoning off the oil and the gas to the point that they produce about 3 million barrels a day of oil, and yet what they are shipping is only about 2.4 million barrels a day. So they are losing right there, off the bat, just to bandits, 600,000 barrels of oil a day, just in that one country.

But that oil that is shipped is shipped to the United States. That oil represents 12 to 14 percent of America's daily consumption. What happens if the terrorists strike and a major part of that oil production is eliminated? Well, you can imagine what America would do if it suddenly had 12 to 14 percent less oil per day.

Oh, by the way, that is not the only place where we are threatened. We are also threatened, indeed, by a fellow named Hugo Chavez, President of Venezuela. Venezuela sends us 12 to 14 percent of our daily consumption of oil. Of course, he has been making those threats as well. But that is little more of an idle threat, in this Senator's opinion, because of the vast infrastructure the Venezuelan oil company PDVSA has through their distribution outlets of Citgo gas stations here in America.

All right, what does this have to do with the Energy bill? It has a lot to do with the Energy bill because one of the primary things we ought to be doing as a matter of Government policy is weaning ourselves from oil and particularly from foreign oil. What is one of the best ways to do that? It is to go to the place where most oil is consumed in America, and that is in the transportation sector. And where in the transportation sector is most of the oil consumed? It is in our personal vehicles.

So if we really want to do something that would affect this ripple effect if al-Qaida struck in a number of very sensitive oil-producing places in Africa, then right here in this Senate, at this moment, considering the Energy bill, we better be serious about what we are doing for miles-per-gallon requirements.

Now, it is almost inexcusable that back when we had the oil embargo in the early 1970s and we said we were going to do something about it, that then we went back to sleep. Then again

we had another disruption of the oil flow in the late 1970s, and we went through the drill again, and we said we were going to do something about it, and we went back to sleep. All of those mileage standards we put into law kept being delayed and excused and sidelined, and here we are where we are, with American automobile companies being some of the worst in dragging their feet, so that higher mileage per gallon has not been achieved, and we find ourselves so dependent on oil and, indeed, so dependent on foreign oil to the tune of 60 percent of our daily consumption of oil is being imported from foreign shores.

So what are we going to do about it? All right, the moment of truth is coming in a few days because we are going to have a chance to enact this bill and what it has in the bill, which is 35 miles per gallon by the year 2020—that is 13 years in the future—35 miles per gallon on cars and light trucks, and then there are some exceptions for medium-size and heavier trucks.

In 13 years, can America go from a standard of somewhere around 26 miles per gallon to 35 miles per gallon? If we have the technology to do some of the extraordinary things we have already done in technology—in energy, in defense, in so many things—do we have the capability, technologically, in 13 years to increase the fleet average to 35 miles per gallon? You bet we do. The question is, Do we have the political will? That is going to be the moment of truth.

Now, there are going to be those who are going to come with a seductive alternative—Senator LEVIN, Senator STABENOW. Their seductive alternative is: Well, we will do the same number of miles per gallon, but we will stretch it out a little bit further. We will make it 2025 instead of 2020.

Do we have the political will to make the decision that the time is now to change our oil-consuming habits so we can lessen our dependence on oil, and specifically foreign oil?

This Senator is going to offer an even tougher standard: 40 miles per gallon. We have the technology. Do we have the political will? I think it is going to be very hard to pass 40 miles per gallon. Senator FEINSTEIN, Senator BINGAMAN, and others came up with what is in the bill now: 35 miles per gallon over the course of the next 13 years. I think it ought to be higher. I think we ought to be serious. I will tell my colleagues, if al-Qaida ever does strike and cut off that oil, this Senate will be in session and we will be exacting much higher standards, because the political will would be demanded at that point. Are we going to look over the horizon and see all of the pitfalls and avoid them by going ahead and enacting into law a stronger standard?

I have had the privilege of representing my State of Florida for the past 7 years in the Senate, and I have tried, along with other Senators, particularly Senator KERRY, to enact

higher mileage per gallon standards on SUVs. We could never get the votes because there wasn't the political will. The clock is ticking and time is running out. It is going to happen because a lot of those oilfields scattered around the world—and I have given one example of Nigeria—are vulnerable to attack. The only way we are going to prevent those attacks is our intelligence apparatus, working with the intelligence services of other nations, to find out in advance so we can prevent it, because they can't defend it there. The military forces of those countries throughout the world are not sufficient to defend it. We are only going to prevent it by finding out about it through the gathering of intelligence. But our intelligence gathering can't be 100 percent foolproof. So the likelihood is it is going to happen.

Let's get prepared, I beg the Senate. We have dragged our feet. We have not produced more than about 39 votes in the past to increase miles per gallon standards on SUVs. Will we wake up, America? Will we have the will? It is coming, and it is going to come about next Tuesday or Wednesday when we vote on these amendments.

Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Colorado is recognized.

Mr. SALAZAR. Mr. President, let me congratulate my friend from Florida for his passionate statement on this imperative. As Abraham Lincoln might say, we are trying to give our Nation a new birth of freedom from the oil addiction that is very much compromising the national security of our Nation. Certainly how we deal with transportation fuels and move forward with higher standards and more efficient vehicles is something I hope this body has the political will to do through the underlying bill, which will move us to 35 miles per gallon within a reasonable time period. I very much appreciate his leadership on this effort and I look forward to joining him on this battle next week as we try to move forward.

AMENDMENT NO. 1524 TO AMENDMENT NO. 1502

Mr. President, I ask unanimous consent that the pending amendment be set aside, and I call up amendment No. 1524.

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

The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Colorado [Mr. SALAZAR], for himself, Mr. GRASSLEY, Mr. OBAMA, Mr. HARKIN, Mr. HAGEL, Mr. LUGAR, Mr. LIEBERMAN, Mr. FEINGOLD, Mrs. CLINTON, Mr. CASEY, Mr. BEN NELSON, Mr. BROWNBACK, Mr. KOHL, Mr. KERRY, Mr. JOHNSON, Mr. TESTER, Ms. CANTWELL, Mr. THUNE, and Mr. COCHRAN, proposes an amendment numbered 1524 to amendment No. 1502.

Mr. SALAZAR. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

AMENDMENT NO. 1524

(Purpose: To express the sense of Congress relating to the use of renewable resources to generate energy)

On page 27, after line 23, add the following:  
**SEC. 113. SENSE OF CONGRESS RELATING TO THE USE OF RENEWABLE RESOURCES TO GENERATE ENERGY.**

(a) FINDINGS.—Congress finds that—

(1) the United States has a quantity of renewable energy resources that is sufficient to supply a significant portion of the energy needs of the United States;

(2) the agricultural, forestry, and working land of the United States can help ensure a sustainable domestic energy system;

(3) accelerated development and use of renewable energy technologies provide numerous benefits to the United States, including improved national security, improved balance of payments, healthier rural economies, improved environmental quality, and abundant, reliable, and affordable energy for all citizens of the United States;

(4) the production of transportation fuels from renewable energy would help the United States meet rapidly growing domestic and global energy demands, reduce the dependence of the United States on energy imported from volatile regions of the world that are politically unstable, stabilize the cost and availability of energy, and safeguard the economy and security of the United States;

(5) increased energy production from domestic renewable resources would attract substantial new investments in energy infrastructure, create economic growth, develop new jobs for the citizens of the United States, and increase the income for farm, ranch, and forestry jobs in the rural regions of the United States;

(6) increased use of renewable energy is practical and can be cost effective with the implementation of supportive policies and proper incentives to stimulate markets and infrastructure; and

(7) public policies aimed at enhancing renewable energy production and accelerating technological improvements will further reduce energy costs over time and increase market demand.

(b) SENSE OF CONGRESS.—It is the sense of Congress that it is the goal of the United States that, not later than January 1, 2025, the agricultural, forestry, and working land of the United States should—

(1) provide from renewable resources not less than 25 percent of the total energy consumed in the United States; and

(2) continue to produce safe, abundant, and affordable food, feed, and fiber.

Mr. SALAZAR. Mr. President, I rise today to offer the 25x'25 resolution as an amendment to H.R. 6, the Energy bill. I am proud to be joined in this endeavor by a broad bipartisan group of Senators. They include Senators GRASSLEY, HARKIN, LUGAR, OBAMA, HAGEL, CLINTON, FEINGOLD, CASEY, NELSON of Nebraska, BROWNBACK, KOHL, KERRY, JOHNSON, TESTER, CANTWELL, THUNE, and COCHRAN, all of whom are sponsors of S. Con. Res. 3, which we introduced earlier this year.

Mr. President, 25x'25 is a critical vision for our energy future that will help reduce our dependence on foreign oil by building a new energy economy here at home. Our amendment establishes a national goal of producing 25 percent of America's energy from renewable sources, such as solar, wind, and biofuels, by 2025.

The 25x'25 vision is widely endorsed, it is bold, and it is fully attainable. If implemented, it will dramatically improve our energy security, our economy, and our ability to protect the environment and combat global warming. 25x'25 complements the steps we are taking on the bill before us today which reflects the good work of the Energy and Natural Resources Committee and the other committees that have contributed so greatly to this bill.

I am pleased that 17 of my colleagues in the Senate from both sides of the aisle are cosponsoring this resolution. In addition, the 25x'25 vision has been endorsed by 22 current and former Governors and many State legislatures around the country.

The Big Three auto manufacturers—Ford, Chrysler, and General Motors—are all behind 25x'25. So are many agricultural organizations, environmental groups, scientists, and businesses, ranging from the Farmers' Union and the Farm Bureau to the Natural Resources Defense Council, and companies such as John Deere.

The breadth of support for the 25x'25 vision speaks to the extraordinary economic, environmental, and national security benefits that its achievement will yield. In all, nearly 400 organizations have embraced this vision and are working together on a plan to implement it.

The amendment I am introducing makes the 25x'25 vision a policy goal for our Nation. It sets a challenging but realistic target for our legislative and budgetary work on energy. Our amendment says the ingenuity and entrepreneurship of the American people should be the engine for a new, clean energy economy for the 21st century.

I urge every American to join with me and roughly 400 partner organizations that are part of 25x'25 to make this goal a reality. Results from a recent study conducted by the University of Tennessee show that reaching the 25x'25 goal is, indeed, achievable. The study also shows that 25x'25 would do the following: First, it would increase net farm income in America by \$180 billion and, including multiplier effects, could result in \$700 billion in economic activity annually for America. Secondly, it would create 5 million new jobs here at home by 2025; and third, it would save as much as \$15 billion in Government payments across America.

America's working people can and should be at the center of our energy revolution. Farmers and ranchers in my native San Luis Valley, in Sterling, CO, and elsewhere, are already leading the way. They are building biodiesel plants and ethanol refineries that help power cars, tractors, and trucks. They are building wind turbines in Prowers County and biomass generators in Jackson County, and they are searching for new technologies that will allow them to make even greater contributions to our energy supply. These Americans understand we cannot continue to import 60 percent of our oil

from foreign countries, many of which are hostile to the United States. If we aim to be strong and secure in this world, we must have this kind of bold vision. They know we will have to build a clean energy economy for America if we are to reduce our dependence on foreign oil.

A clean energy economy will take root in our farms and in our fields. It will help revitalize a rural America that has been forgotten for far too long. It will spur our engineers to new developments and designs, and it will help establish the United States as a world leader in clean energy technologies. It is time for Congress to take a more active role in our clean energy future. Establishing a national goal of 25x'25 is an important first step.

Americans understand we cannot continue to import 60 percent of our oil from foreign countries, many of which are hostile to the United States, if we aim to be strong and secure in the world. We must rid ourselves of this dependency and this addiction. They know we will have to build a clean energy economy if we are to reduce our dependence on foreign oil.

Today, with this amendment, we are articulating a common vision for our energy policy. It is a target that Governors, Senators, Representatives, State legislators, farmers, ranchers, business people, scientists, and automakers all wish to achieve. It is a target we can hit, particularly with the policies that are built into this bill.

I ask my Democratic and Republican colleagues to support this amendment and to join the millions of Americans who are already working toward the 25x'25 goal.

I want to make a comment about the imperative of the energy issue that is before the Senate today. When I look at the 21st century, I ask myself: What is it the people of my State, and what is it the people of America want me to do as their Senator, not only for our generation but for the next generation and generations to come? It seems to me the challenges of the 21st century are daunting challenges, major challenges, that face us. We can essentially put them into three, and they are all under an umbrella of security for this Nation and ultimately security for civilization.

The first of those challenges is foreign policy: How can we in America move forward and try to put Humpty Dumpty together again when we see so much violence in the Middle East and other places around the world? How can we make sure the dream and vision of the generation of World War II is something we preserve? How can we say to our children and to our grandchildren that the world we are leaving to them is a safer and more secure world? Certainly that generation of World War II believed they had accomplished that, that they were leaving a world which was a much safer and a much more secure world for the generations that would come after them.

Indeed, we have been the beneficiaries of their sacrifices. Over half a million Americans gave their lives to preserve freedom around the world in World War II, including members of my family who gave their lives on the soils of Europe. They had a vision of a more secure world.

We have some major challenges in Iraq, as we witness the violence there, and when we see what is happening today in Lebanon where we are on the precipice of another civil war there, and when we see what is happening in Gaza and Israel where Hamas has now apparently taken over the Gaza Strip and the emergency that we see President Abbas has declared in the Gaza Strip.

We have to somehow figure out this very challenging task of how we put the world back together again. How do we secure the vision the people of America want us to have, which is that we create a safer and more secure world for ourselves and for those generations who will come behind us?

The second issue which, in my view, confronts America today and which is interrelated with some of the violence we see in the Middle East is energy. For far too long we have neglected this issue. I am proud of the fact that in 2005, this body came together in a bipartisan way and we opened a new chapter for energy in America. I am very proud of this bill today because it builds on that chapter that gets us to energy independence. We have to look at the failings of America under both Democratic and Republican administrations in the past. Jimmy Carter, Richard Nixon—Richard Nixon first—coined the term “energy independence” when OPEC was formed. President Jimmy Carter spoke to the Nation late one night back in the 1970s and said: We need to deal with energy with the same kind of moral imperative of war.

Yet what happened in the 1980s and the 1990s? The low cost of fuel essentially allowed America to go to sleep at the switch. The consequence has been that instead of importing 30 percent of our oil as we were in 1970, today we import 60 percent of our oil. The consequence is we have compromised the national security of the United States.

I have been on the border of Israel and Lebanon and looked down at the camps of Hamas and the daunting signs of Hezbollah where Hezbollah had captured at that time Israeli soldiers, and they were at that time daring Prime Minister Sharon to go into southern Lebanon.

What is it that creates that kind of condition? What is it that allows Hezbollah to have over 37,000 rockets in their armory? What is it that allows the funding and the creation of a militia of more than 10,000 militant soldiers within the Hezbollah organization? It is the oil. It is the oil revenue that is going into some countries in the Middle East, including Iran, that is

directly funding those interests who are fighting the interests of America across the world.

In fact, we have gotten to the position where those interests have become so powerful economically that now with the potential of Iran arming itself with nuclear capabilities, we should all be very concerned about the security not only of Israel but also of the Middle East and of our entire world.

What does Iran with nuclear armaments mean to the national security of our world? It is a fact that it is our energy dependence, the glutton nature of our energy dependence on oil from those countries that has compromised our national security.

So when we work on the energy issue of our country, we need to know we are working on an imperative of the 21st century. It is an imperative of the 21st century that we get ourselves rid of this addiction to foreign oil. That is why we see progressives and conservatives coming together, Democrats and Republicans coming together, to try to tackle this issue.

Much of what we have in this legislation before the Senate comes from the efforts of the energy futures coalition that coined the term “set America free.” “Set America free.” Our passage of this legislation, hopefully this next week, will be part of that achievement where we as Senators will stand and we will say we have taken another bold step in this agenda of setting America free.

A second issue that obviously confronts the people of America is health care. That is an issue for another day. That is an issue we will be dealing with as we look at health insurance for children and a whole host of other issues. But today and next week, we have an opportunity to deliver on one of the imperatives of the 21st century for the United States of America, and that imperative is that we move forward with courage and with boldness on the vision of energy independence.

Our amendment today on 20x'25 is a critical part of that agenda because it sets forth a vision that is an achievable one that will get us to make sure we are producing 25 percent of our energy from renewable resources by the year 2025.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. SALAZAR. Mr. President, I understand the amendment I spoke about is acceptable to both sides. Therefore, I ask for a voice vote on the amendment.

The ACTING PRESIDENT pro tempore. Is there further debate? If not, the question is on agreeing to amendment No. 1524.

The amendment (No. 1524) was agreed to.

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

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

#### IMMIGRATION

Mr. DORGAN. Mr. President, I wish to comment on a couple of issues dealing with the Energy bill this morning. We will be back on the Energy bill starting on Monday. Before I do, I wish to mention as well the Washington Post column by Robert Novak yesterday entitled "Dorgan's Poison Pill." Mr. Novak once again stops just about a page or two short of good research. He has the opportunity on the op-ed page of a major paper to make his case, and we are so seldom offered that same opportunity by the Washington Post that I thought I would at least use the floor of the Senate to describe accurately what Mr. Novak was trying to write about.

He talks about an amendment I offered to the immigration bill. He calls it a "poison pill" in the title, and then he says: Dorgan pushed his "killer amendment" by voicing the Great Plains populism of his own State. That is sort of sniffing down your nose at the Great Plains populism that exists in some parts of this country.

Let me describe what this amendment was. The immigration bill is a bill that is complicated, it is controversial, it is a very large bill, and it has a lot of moving parts to it. One part of the bill deals with the issue of bringing in guest workers—people who aren't now here, who are living elsewhere in other parts of the world—bringing them in to take American jobs.

Now, I have great difficulty with the immigration bill as it is written. My feeling about immigration is we have a problem with illegal immigration. That is true, we certainly do, and we ought to try to address that problem. I think the first way and the thoughtful way to address that problem is to decide we are going to provide border security and border enforcement—just do first things first. First of all, provide border enforcement, and then we can do the other things.

That is not what this bill does. This bill brings in about six or eight moving parts, and in order to sign up support for it—for example, in order to get the U.S. Chamber of Commerce to support it, they also include a temporary or guest worker program that says we have people who are not now in this country whom we want to bring into this country to take American jobs because we don't have enough American workers, they claim.

In fact, they put together this Byzantine approach that says guest workers will come in, they will be able to bring their family with them and stay for 2 years. They have to go home for 1 year, take their family home, and then they can come back for 2 more years, then go home for 1 year and come back for 2 more years. So they can be here a total of 6 years, with 2 years gone, and their family with them their first or second tour. And by the way, no one knows whether they are going to go home once they get here. Who is going to keep track of people coming in three times in 6 years for 2-year periods each of the three occasions?

I offered an amendment on that particular issue of guest and temporary workers who would come in to take these jobs. My amendment was very simple. It said: Let's sunset that provision after 5 years and try to understand what has happened as a result of it, what has happened to American workers as a result of bringing in all these temporary workers. Is there downward pressure on American wages? Has this hurt American workers? My guess is it will. What if 80 percent of the people who come in under the temporary worker program never leave? Then they are here as illegal immigrants. Maybe that ought to matter. Maybe we should sunset this in 5 years and take a look at it.

That was my amendment. It passed by one vote on the floor of the Senate and is described by Mr. Novak as the "poison pill," the "killer amendment." That is unbelievable. I know where he got the language. He got the language from my colleagues here who were part of the "grand bargain"—a group of 14, I think it was, who went into a room, reached a grand bargain putting together this Byzantine immigration bill, brought it to the floor, and behaved as if they were the only people out of 100 Senators who had any ideas. There are 14 of us who have this idea, they believed, and anybody who offers amendments would not have an idea that would be worthy of improving it; therefore, we must resist and oppose all amendments.

That is the way this immigration bill went on the floor of the Senate. But it was not a poison pill or a killer amendment or anything of the sort. It was a kind of commonsense approach to try to say: Why don't we do this the right way?

Mr. Novak points to my colleague, Senator KYL from Arizona, in his column. It is interesting. Mr. KYL was part of the grand compromise and, of course, described my amendment. I think, as a "poison pill." Mr. KYL voted for the identical amendment 1 year ago. I offered the identical amendment 1 year ago, and Senator KYL voted for it then.

But those are just facts that Mr. Novak missed because, as I said, when you stop one page short of good research, you are not going to have the entire story.

#### ENERGY

Mr. President, let me now talk just a bit about the Energy bill. This is important.

We live on this little old planet, we circle the Sun, and we have about 6.4 billion neighbors. We live in this little portion of the planet called the United States, and we have built an economy that is extraordinary. We have expanded the middle class, created an economic engine that is almost unparalleled on this Earth.

In this planet we stick little straws and suck out oil. We suck out about 84 to 85 million barrels of oil every single day. One-fourth of that oil must come to the United States and be used here because we need it. We use one-fourth of all the oil every day that is pulled out of this earth, and 60 percent of the oil we use in this country comes from outside of our country. So we use one-fourth of the oil on the Earth every day, and over 60 percent of it comes from elsewhere. It comes from the Saudis—Saudi Arabia—Kuwait, Iraq, and Venezuela. Some troubled parts of the world—very troubled parts of the world—produce a substantial portion of the oil we need for our economy to work. If, God forbid, one morning we woke up and terrorists had interrupted the pipeline of oil to our country from troubled parts of the world, our economy would be flat on its back, and that is reason we have an energy bill on the floor of the Senate.

I think this is the first time we have debated the Energy bill in which we have come to an intersection in understanding that energy and climate change are intertwined, energy and climate change meet at the same intersection.

So we discuss all of these things. We discuss renewable electricity standards. Should we require that 15 percent of all electricity produced in this country be produced with renewable energy—wind energy, biomass, geothermal, solar energy? I believe the answer is yes. I feel very strongly about that. We will have a vote on that next week, and I think it will be very close.

Standards that would increase the efficiency of automobiles, we will have a vote on that, and it will be very close. We haven't had a change in the CAFE standards for automobiles for 25 years—25 years. Everything else about an automobile has changed. There is more computing power in a new automobile than there was on the lunar landing that put Neil Armstrong on the surface of the Moon. There is more computing power in one new car than was in the lunar landing. Everything has changed—cup holders, music systems, keyless entry—everything has changed about these vehicles except efficiency.

My wife purchased an automobile some years ago. She purchased an automobile that had a certain mileage standard on the window sticker. After 10 years, she was going to buy another car, and she looked at the new version,

the new car version of exactly what she purchased 10 years earlier. The mileage standard on the new car, 10 years later, was identical to the mileage standard of the car she had purchased, identical. Everything about the car had changed—the color, the look, I am sure the springs, the suspension—almost everything was changed, and it has cup holders and a better music system and keyless entry.

By the way, all those car companies opposed seatbelts and airbags and have always opposed CAFE standards.

But the point is, regarding efficiency, nothing is changing. So the question is this: If we are consuming all of this oil—much of it from troubled parts of the world—because we have such an oil-intensive economy and we want to be less dependent on the Saudis, Kuwaitis, and others, and 70 percent of our oil is used in vehicles, then don't we have to insist that this change and that vehicles become more efficient?

The automobile industry is doing full-page newspaper ads in my State—and I assume other States as well—telling people things about the proposal on the floor of the Senate that just aren't true—just not so. I think it was Will Rogers who said:

It is not what he knows that bothers me so much, it's what he says he knows for sure that just ain't so.

Well, some of the advertising that is going on around the country is just wrong. They have these screaming ads saying somebody is going to take your pickup truck away. It is not true. The new CAFE standards—or any efficiency standards—aren't like the old ones where if you produce too many pickup trucks, you have to cut back on pickup trucks and produce far more subcompacts. That is not the case.

These new approaches say that for every class of vehicle—and there are eight, including the big, heavy trucks—every class of vehicle must have efficiency. You must have increased efficiency for each class, not measured against another class. You must have increased efficiency in that class, and, yes, that includes pickup trucks. But those who are buying pickup trucks—and a lot of people are—ought to expect more efficiency. It is not a case where someone is going to say that you are not going to be able to find a pickup because we have to produce more subcompacts.

In my part of the country, it does occasionally—only on rare occasions—get cold. In North Dakota, when a rancher is going out in late March, and there is a blizzard and the wind is blowing 40 miles an hour and the temperature is 30 below, and he or she is out checking on the calves because it is calving season and they are trying to figure out what is going on—they don't want to go out in 40-mile-an-hour winds, with temperatures 30 below; that rarely happens, but occasionally—they do not want to go out driving in a Chevette or some subcompact car trying to figure out where they are going to move in

the pasture to find those cattle. They want a substantial vehicle. So they want four-wheel drives and pickup trucks, and I understand that. That is why this CAFE or this automobile efficiency standard has been changed and changed in the right way, requiring all classes of vehicles to be more efficient. We don't measure them against other classes. Every class is required to meet greater efficiency standards.

So that will be debated next week. I know there are people who will come and oppose it because the automobile industry is taking a position of: Yesterday forever; let's just keep doing what we have been doing, and that will be just fine. It is not just fine as a matter of public policy for this country. This country needs a changed agenda with respect to energy, and part of that changed agenda is increased efficiency for automobiles and for vehicles.

With respect to the renewable energy standard, the renewable electricity standard, I regret and I have said from time to time that my political party—we are not as good at developing titles and labels as the other party. No matter what they come up with, they are good. They come up with something that is probably going to even cause more pollution, and they call it Clear Skies. They come up with something that will cut down trees, and they call it Healthy Forests. They are good at labeling.

We come up with something called renewable portfolio standard. We talk like twits. So we need to improve that. I call it homegrown energy or renewable electricity standards.

Let me describe what that means. It means we produce a lot of electricity, and we use it. We get up in the morning and the first thing we do is turn on a switch and that switch makes all things possible for us. It allows you to get hot water from a hot water heater, it allows you to plug in an electric razor, allows you to have the lights in your bathroom as you get ready for work. All of these things happen, but it is not automatic. Somebody is out there producing electricity in a coal-fired generating plant perhaps, or a generating plant that is fueled by natural gas.

What we are saying is, we want to set a standard of 15 percent of our electric energy to be produced with renewable energy. We now have unbelievable turbines that can take energy from the wind and turn it into electricity. Yes, you can advance your electricity issue with that or, an experiment I have in North Dakota that I am very excited about, you can take the energy from the wind, produce electricity, and with that electricity in the process of electrolysis, separate hydrogen from water and store hydrogen as a vehicle fuel; the wind to hydrogen, all renewable.

You can do the same with respect to the renewable electricity standard by requiring that 15 percent of the electricity we produce comes from biomass, solar energy, wind energy, geo-

thermal, and more. We should do that. I know it is a close vote. I know some oppose that. We should do that because it will advance this country's interests.

I want to make one additional point. There are some who say: You are out here talking about increased efficiency standards, you talk about renewable electricity and so on—what about more production? In fact, I just had a person call me a few minutes ago who said the same thing. What about more production? I believe we ought to have more production of energy. I have supported, along with my colleague, Senator CRAIG from Idaho—bipartisan—the two of us have supported something called the SAFE Act, which proposes and calls for more production from that area offshore that has the greatest potential. No, it is not Alaska, not California; it is the gulf, the Gulf of Mexico that has the greatest potential.

I was one who helped open lease 181, which was just opened. But I believe much more can be done to increase the potential on the Outer Continental Shelf on the Gulf of Mexico. I support that. I filed an amendment—we have not called it up because I don't believe we have the votes for that—but Senator CRAIG and I are discussing that issue. I support increased production because I believe it is a necessary part of a balanced energy strategy.

I think all of these issues are important. I know there are some who probably do not think the Energy bill is as important as it really is, but it is at the root of this country's future economic opportunity. This engine of ours, this economic engine of ours cannot and does not work without energy, and our energy policy has not been a particularly thoughtful policy. We waste a prodigious amount of energy in every way, every day. We can make buildings more efficient, we can make automobiles more efficient, we can make appliances more efficient. We should produce more. We should conserve more. There is so much we should do in energy policy.

Senator BINGAMAN and Senator DOMENICI, who are the chair and ranking member of the Energy Committee—I am a senior member of that committee—but with their leadership they have put together a bill that is now on the Senate floor, and I think it will advance our interests. But we need to do a couple of things.

No. 1, we need to support the CAFE standards. By the way, that comes from the Commerce Committee on which I serve. Senator INOUE and Senator STEVENS are to be complimented for what we were able to do in the Commerce Committee with respect to CAFE standards. Senator BOXER and the leadership of the EPW committee has also contributed to this bill. But we need to have a 15-percent standard of renewable fuels coming with respect to the production of electricity, and we need to support the CAFE standards that have come from the Commerce Committee.

I do not believe there are others who wish to speak. Let me do a couple of unanimous consents.

#### MORNING BUSINESS

Mr. DORGAN. Mr. President, I ask unanimous consent there now be a period of morning business with Senators permitted to speak therein up to 10 minutes each.

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

#### REVIEW EXTENSION

Mr. REID. Mr. President, I ask unanimous consent to have printed in the RECORD a letter from Senator LEVIN to me dated June 15, 2007.

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

U.S. SENATE,  
COMMITTEE ON ARMED SERVICES,  
Washington, DC, June 15, 2007.

Hon. HARRY REID,  
Majority Leader, U.S. Senate, Washington, DC.

DEAR SENATOR REID: On June 4, 2007, S. 1538, the Intelligence Authorization Act for Fiscal Year 2008, was referred to the Senate Armed Services Committee pursuant to paragraph 3(b) of S. Res. 400 of the 94th Congress, as amended by S. Res. 445 of the 108th Congress. In accordance with that resolution, I now request an additional extension of five days to enable the Committee to complete its review of the bill.

Thank you for your assistance.  
Sincerely,

CARL LEVIN,  
Chairman.

#### REMEMBERING SENATOR CRAIG THOMAS

Mr. CRAPO. Mr. President, I was deeply saddened to hear of the sudden passing of my colleague from Wyoming, Senator Craig Thomas. The loss we all feel at his passing Craig is tempered by the happy memories I have of working with him on so many issues of mutual interest. His efforts and his leadership on the panels on which we served together—the Senate Finance Committee, Senate Agriculture Committee, and Senate Environment and Public Works Committee—will remain foremost in my memory. I particularly admired his staunch advocacy for the needs of rural communities and farmers. Craig brought a special passion and expertise to issues affecting ranching families. His focus on their unique needs spanned the trade, economic, environmental, and public lands management issues of rural communities.

Craig brought to Congress his vision for the needs of Wyoming and rural States, and he became a strong advocate of effective resource and energy policies. I am pleased to have partnered with him in applying technologies to improving our Nation's energy generation. Although he lived his life modestly, he became a leader in national park stewardship, and the

American people owe him a debt of gratitude for his promotion of the undeserved national parks system. I also appreciated his long and thoughtful counsel on ways to update the Endangered Species Act.

In recent months, Craig took a prime role on the Finance Committee in working to simplify the Federal Tax Code and improve entitlement and health care assistance to the least fortunate. As one who took to heart the importance of protecting the taxpayers' dollars, Craig was a strong proponent of restoring the sustainability of our Nation's welfare system. And Craig understood that economic development in rural States like Wyoming was inextricably linked to trade promotion that ensured open and fair markets abroad. I will miss his stalwart and consistent advocacy for farming communities as the Senate considered trade legislation.

As a man who represented a small State in population, Craig towered large over the landscape of thoughtful conservative Members of Congress. I think a fitting tribute and legacy to our late friend would be to adopt his resolution making July 28, National Day of the Cowboy. My thoughts and prayers are with Craig's family and friends. I will miss my good friend and colleague.

#### RESPONSIBLE FATHERHOOD AND HEALTHY FAMILIES ACT

Mr. OBAMA. Mr. President, yesterday, just days before Father's Day, I was pleased to join my colleague and good friend Senator BAYH in reintroducing the Responsible Fatherhood and Healthy Families Act. Within the next few days companion legislation will be introduced in the House of Representatives by Congresswoman CARSON of Indiana and my friend from Chicago, Congressman DANNY DAVIS.

It is time to address the crisis of absentee fathers. We must ask ourselves why more than a quarter of all American families have only one parent present, and more than a third live without their father. We must get a handle on why 40 percent of the children in America who live without their father have not seen him in over a year.

There is no question that most single mothers are doing a heroic job raising their kids. They are working two and three jobs, dropping their kids off at school or daycare or with friends or relatives, responding to their illnesses, and, quite frankly, doing the work that is often a challenge these days for even two parents. My appreciation for single mothers is unwavering. My own father was not around when I was growing up, and my mother and grandparents had to step up to the plate to fill my father's role.

But most people would agree that children are almost always better off with both parents contributing their fair share, and the data shows this.

Children are more likely to be poor and to do worse in school without both parents in their life. And a healthy relationship between children and their father is important to healthy growth and development.

The Responsible Fatherhood and Healthy Families Act addresses these problems by removing government barriers to healthy relationships and responsible fatherhood. It improves the economic stability of parents who accept their parenting responsibility. Our bill sets a high standard for parents and helps them to reach it with incentives, support, and tougher enforcement of child support obligations.

It takes courage to raise a child. We can't simply legislate that courage and expect all parents to get and stay married. We can't legislate good parenting skills or good behavior role models. We can't legislate economic success for all families. But we can help those who are trying to do the right thing and eliminate some of the roadblocks they face. And we can provide some tools to help these courageous parents succeed.

This act removes government roadblocks by eliminating a perverse disincentive to marriage in the Temporary Assistance to Needy Families program. Congress is sending the wrong message by telling States that they may be penalized for serving married couples. There should be equality for two-parent families receiving TANF, and States should not be required to meet a separate work participation rate for the two-parent families in their caseload.

This act also makes vital improvements to the child support system, which affects noncustodial fathers as much or more than any other government program. It will restore funding for child support enforcement and require States to pass the full amount of child support collected along to the family. Research has confirmed that a father is more likely to pay child support if he knows that the money is going to his kids.

We also require States to review the amount of child support arrears that are owed to the state, and we clarify existing state authority to forgive such arrearages. A father who earns only \$10,000 per year, and who has \$20,000 of child support debt because the State billed him for the Medicaid birthing costs of his child, is probably going to work underground and avoid paying child support altogether. It is in the best interest of all members of his family that a father has an incentive to get a legitimate job and to begin taking care of his family.

States are also provided funding to assess any other barriers to healthy family formation or sustainable employment created by their child support and criminal justice systems. They are encouraged to establish commissions to propose state law changes that would be in the best interest of children.

Another important aspect of this act is fostering economic stability for fathers and their families. This act establishes three employment demonstration programs. One program is supervised by courts or state child support agencies that serve parents who are determined to be in need of employment services in order to pay child support obligations. The court can arrange temporary employment services for the father rather than throwing him in jail for nonpayment of support. The second is a transitional jobs program that combines temporary subsidized employment with activities that help fathers develop skills and remove barriers to employment. The third program establishes public-private partnerships to provide fathers with "career pathways" that help them advance from jobs at low skill levels through jobs that require greater skills and provide family-sustaining wages and benefits.

These programs are modeled on successful initiatives in Indiana and Illinois and will be subject to rigorous evaluations to ensure the goals are being achieved.

In both the Illinois State Senate and the Senate, I have led efforts to expand the earned-income tax credit, EITC, which is one of the most successful antipoverty programs in the country to date. It rewards work and supplements wages that may be too low to support a family. The Responsible Fatherhood and Healthy Families Act would double the number of working single adults eligible for EITC benefits, increase the benefit, reward and support parents who are current on their child support payments, and reduce the EITC marriage penalty which hurts low-income families. Under this plan, full-time workers making minimum wage would get an EITC benefit up to \$555, more than three times greater than the \$175 benefit they get today. If the workers are responsibly supporting their children on child support, this bill would give those workers a benefit of \$1,110.

Additionally, this bill improves the Responsible Fatherhood and Marriage Promotion programs that were funded by the Deficit Reduction Act. Funding is increased, and all Fatherhood and Marriage programs are required to coordinate with domestic violence prevention services to reduce instances of domestic violence and promote healthy, nonviolent relationships.

I would like take a final few moments to talk about the breakdown of families in the African-American community, because the epidemic of absentee fathers runs deep. Today, around 70 percent of Black children are born outside of marriage. Of the 30 percent born to married parents, more than half experience a divorce. That means that about 85 percent of Black children spend some or all of their childhood in a home without their father. As our children grow up, statistics continue to paint a bleak picture. Fewer than 6 of every 10 young Black men are em-

ployed, and in some of our urban and rural areas the rate of unemployment is over 50 percent. Roughly one-third of young Black men are involved in some way with the criminal justice system. And young Black men have the lowest educational attainment among Black and White men and women.

These factors contribute to low marriage rates among African-American men. But by age 34, nearly half of black men are fathers. And roughly two-thirds of all Black men leaving prison are fathers. As hard as some of these men try, it is likely that their children will also be denied the advantages of healthy parental relationships and married families. Their children will be more likely to live in poverty and to become young, unmarried parents themselves. Their children's life chances will be limited. The cycle of poverty and despair will continue.

It is important to remember that there is no segment of our population no income level, no religion, and no race—that is immune to these challenges. Some segments of the population are worse off than others. However, I believe there is reason for hope. At the time of the birth of the child, most fathers are close to both the mother and their child. The challenge is to maintain healthy relationships between parents and to strengthen the early bonds between fathers and their children. The challenge is to improve economic opportunity for all parents so they can support themselves and their families. The challenge is to break the cycle by strengthening America's most vulnerable and fragile families.

That is what this bill does, and it is fully paid for by revenue raised by closing tax loopholes. This is a solid first step forward in removing government barriers to healthy family formation, and addressing the crisis of fatherhood among our Nation's low-income populations. I urge my colleagues to support the Responsible Fatherhood and Healthy Families Act of 2007.

#### ARMENIAN GENOCIDE

Mr. BIDEN. Mr. President, at a time when we are witnessing the devastating consequences of ethnic and sectarian division in places such as Iraq and Darfur, I believe it is vital to recognize the efforts of those who work to promote peace and reconciliation. In that spirit, I wish to commend the 53 Nobel laureates who signed an appeal by the Elie Wiesel Foundation for Humanity in support of "tolerance, contact and cooperation between Turks and Armenians."

In their appeal, the laureates call on both Turks and Armenians to take the steps necessary to open the Turkish-Armenian border, generate confidence through civil society cooperation, improve official contacts, and allow basic freedoms. As part of this commitment, the laureates call on Turkey to end all forms of discrimination against ethnic and religious minorities and abolish

Article 301 of the Turkish Penal Code. This provision has been used to take legal action against those who speak out about the Armenian genocide, including Nobel laureate Orhan Pamuk and recently murdered Turkish-Armenian journalist Hrant Dink. There is no question that article 301 contributed to the toxic political environment that led up to Mr. Dink's assassination in January.

The laureates also note that "Turks and Armenians have a huge gap in perceptions over the Armenian Genocide." To address this chasm of understanding, they call for further study and dissemination of a report prepared by the International Center for Transitional Justice. That impartial analysis of the massacres perpetrated against Armenians in the early 20th century concluded that the killings "can be said to include all the elements of the crime of genocide . . ." This finding was corroborated by the International Association of Genocide Scholars, which issued its own statement in 1997 to reaffirm "that the mass murder of Armenians in Turkey in 1915 is a case of genocide which conforms to the statutes of the United Nations Convention on the Prevention and Punishment of Genocide." The existence of these independent evaluations of the Armenian genocide and relevant international law should provide an opportunity for both countries to accept the verdict of history and move forward.

Mr. President, the Senate Foreign Relations Committee has unanimously passed S. Res. 65, a resolution echoing many of the sentiments expressed by the laureates and honoring the life of Hrant Dink, a leading proponent of Turkish-Armenian reconciliation up until the time of his brutal murder. It is my hope that the full Senate will adopt this important measure without further delay.

I congratulate the Wiesel Foundation for its work to produce this important statement and request consent that it be printed in the RECORD. I hope that the words of these Nobel laureates will encourage the people of both nations to recognize and ultimately transcend the legacy of the Armenian genocide. Once this occurs, I have every confidence that the people of Armenia and Turkey will be able to rebuild the ties between their countries and forge a new, enduring peace.

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

THE ELIE WIESEL  
FOUNDATION FOR HUMANITY,  
New York, NY, April 9, 2007.

DEAR FRIENDS: We, the undersigned Nobel laureates, issue this appeal directly to the peoples of Turkey and Armenia. Mindful of the sacrifice paid by Hrant Dink, the ethnic Armenian editor of *Agos* in Turkey, who was assassinated on January 19, 2007, and whose death was mourned by both Turks and Armenians, we believe that the best way to pay tribute to Mr. Dink is through service to his life's work safeguarding freedom of expression and fostering reconciliation between Turks and Armenians.

To these ends, Armenians and Turks should encourage their governments to:

Open the Turkish-Armenian border. An open border would greatly improve the economic conditions for communities on both sides of the border and enable human interaction, which is essential for mutual understanding. Treaties between the two countries recognize existing borders and call for unhampered travel and trade.

Generate confidence through civil society cooperation. Turks and Armenians have been working since 2001 on practical projects that offer great promise in creatively and constructively dealing with shared problems. The governments should support such efforts by, for example, sponsoring academic links between Turkish and Armenian faculty, as well as student exchanges.

Improve official contacts. Civil society initiatives would be enhanced by the governments' decision to accelerate their bilateral contacts, devise new frameworks for consultation, and consolidate relations through additional treaty arrangements and full diplomatic relations.

Allow basic freedoms. Turkey should end discrimination against ethnic and religious minorities and abolish Article 301 of the Penal Code, which makes it a criminal offense to denigrate Turkishness. Armenia also should reverse its own authoritarian course, allow free and fair elections, and respect human rights.

Turks and Armenians have a huge gap in perceptions over the Armenian Genocide. To address this gap, we refer to the 2003 "Legal Analysis on the Applicability of the United Nations Convention on the Prevention and Punishment of the Crime of Genocide to Events which Occurred During the Early Twentieth Century," which corroborated findings of the International Association of Genocide Scholars.

It concluded that, "At least some of the [Ottoman] perpetrators knew that the consequences of their actions would be the destruction, in whole or in part, of the Armenians of eastern Anatolia, as such, or acted purposefully towards this goal and, therefore, possessed the requisite genocidal intent. The Events can thus be said to include all the elements of the crime of genocide as defined in the Convention." It also concluded that, "The Genocide Convention contains no provision mandating its retroactive application."

The analysis offers a way forward, which addresses the core concerns of both Armenians and Turks. Of course, coming to terms will be painful and difficult. Progress will not occur right away. Rather than leaving governments to their own devices, affected peoples and the leaders of civil society need to engage in activities that promote understanding and reconciliation while, at the same time, urging their governments to chart a course towards a brighter future.

Sincerely,

Peter Agre, Nobel Prize, Chemistry (2003).  
Sidney Altman, Nobel Prize, Chemistry (1989).

Philip W. Anderson, Nobel Prize, Physics (1977).

Kenneth J. Arrow, Nobel Prize, Economics (1972).

Richard Axel, Nobel Prize, Medicine (2004).  
Baruj Benacerraf, Nobel Prize, Medicine (1980).

Gunter Blobel, Nobel Prize, Medicine (1999).

Georges Charpak, Nobel Prize, Physics (1992).

Steven Chu, Nobel Prize, Physics (1997).

J.M. Coetzee, Nobel Prize, Literature (2003).

Claude Cohen-Tannoudji, Nobel Prize, Physics (1997).

Mairead Corrigan Maguire, Nobel Prize, Peace (1976).

Robert F. Curl Jr., Nobel Prize, Chemistry (1996).

Paul J. Crutzen, Nobel Prize, Chemistry (1995).

Frederik W. de Klerk, Nobel Prize, Peace (1993).

Johann Deisenhofer, Nobel Prize, Chemistry (1998).

John B. Fenn, Nobel Prize, Chemistry (2002).

Val Fitch, Nobel Prize, Physics (1980).

Jerome I. Friedman, Nobel Prize, Physics (1990).

Donald A. Glaser, Nobel Prize, Physics (1960).

Sheldon Glashow, Nobel Prize, Physics (1979).

Roy J. Glauber, Nobel Prize, Physics (2005).

Clive W.J. Granger, Nobel Prize, Economics (2003).

Paul Greengard, Nobel Prize, Medicine (2000).

David J. Gross, Nobel Prize, Physics (2004).

Roger Guillemin, Nobel Prize, Medicine (1977).

Dudley R. Herschbach, Nobel Prize, Chemistry (1986).

Avram Hershko, Nobel Prize, Chemistry (2004).

Roald Hoffman, Nobel Prize, Chemistry (1981).

Daniel Kahneman, Nobel Prize, Economics (2002).

Eric R. Kandel, Nobel Prize, Medicine (2000).

Aaron Klug, Nobel Prize, Chemistry (1982).

Edwin G. Krebs, Nobel Prize, Medicine (1992).

Sir Harold W. Kroto, Nobel Prize, Chemistry (1996).

Finn E. Kydland, Nobel Prize, Economics (2004).

Leon M. Lederman, Nobel Prize, Physics (1988).

Anthony J. Leggett, Nobel Prize, Physics (2003).

Rudolph A. Marcus, Nobel Prize, Chemistry (1992).

Daniel L. McFadden, Nobel Prize, Economics (2000).

Craig C. Mello, Nobel Prize, Medicine (2006).

Robert C. Merton, Nobel Prize, Economics (1997).

Marshall W. Nirenberg, Nobel Prize, Medicine (1968).

Sir Paul Nurse, Nobel Prize, Medicine (2001).

Douglas D. Osheroff, Nobel Prize, Physics (1996).

Martin L. Perl, Nobel Prize, Physics (1995).

John C. Polanyi, Nobel Prize, Chemistry (1986).

Stanley Prusiner, Nobel Prize, Medicine (1997).

José Ramos-Horta, Nobel Prize, Peace (1996).

Richard J. Roberts, Nobel Prize, Medicine (1993).

Wole Soyinka, Nobel Prize, Literature (1986).

Elie Wiesel, Nobel Prize, Peace (1986).

Betty Williams, Nobel Prize, Peace (1976).

Kurt Wüthrich, Nobel Prize, Chemistry (2002).

dertaken over the past few years by two nephrologists who, only recently, have come to call Idaho "home." Dr. Naeem Rahim and his brother Dr. Fahim Rahim, originally from Pakistan, came to Pocatello, Idaho from New York City in 2005. In less than a year, the Rahim brothers established a world-class kidney treatment center, the Idaho Kidney Institute. Their work has meant improved health and saved lives for those suffering from chronic kidney disease, uncontrolled high blood pressure, postkidney transplant care, internal medicine, diabetes-related kidney problems, anemia and dialysis care. Started in Pocatello, the institute has offices in Blackfoot and Idaho Falls. The Rahim brothers have helped people of all ages seeking relief and care for renal diseases, both critical and long-term care.

The Rahim brothers have closed a gap in treatment facilities and services for kidney patients in southeast Idaho and, in particular, understand the need for preventive care. Additionally, they have a reputation for delivering their medical expertise with an astute sense of care and concern for their patients. Their outstanding work was brought to my attention by a family who had sought care for an ill relative, literally, across the Nation, with limited success. Upon learning of the Idaho Kidney Institute, they sought treatment there, and met with overwhelming success. It is good to know that Idahoans have access to such exceptional medical expertise, right at home.

Idaho has many gems; Doctors Fahim and Naeem Rahim are two such gems.●

#### HONORING WEBSTER P. PHILLIPS

● Mr. BAUCUS. Mr. President, today, Senator GRASSLEY and I recognize Webster Phillips, a distinguished executive at the Social Security Administration. Web is Associate Commissioner for Legislative Development. He is a dedicated public servant who has served his country for more than 30 years.

A native of Illinois, Web served in the U.S. Army in Vietnam. He began his career at Social Security in the local office in Alton, IL, as a claims representative. In 1980, he became an operations supervisor in the Rock Island, IL, Social Security office. In 1983, Web was selected as a management intern and completed a series of developmental assignments in the Chicago regional office and in SSA headquarters in Baltimore. In 1987, Web joined the staff of the Office of Legislation and Congressional Affairs, and has worked in a variety of assignments since that time.

Senator GRASSLEY and I met Web in 1991, when he was assigned to the Senate Committee on Finance while participating in the LEGIS-Fellows program. In 1993, Web returned to the Finance Committee where he participated in the development of the legislation enacted by the Congress in 1994 that established SSA as an independent

#### ADDITIONAL STATEMENTS

#### RECOGNIZING DRS. NAEEM AND FAHIM RAHIM

● Mr. CRAPO. Mr. President, today I recognize the remarkable efforts un-

agency. Since 1995, Web has been assigned to SSA's Legislative Affairs Office in Washington. He was selected to serve in his current position as Associate Commissioner of Legislative Development in February 1999.

The staff of the Finance Committee has had the pleasure of working with Web on many issues relating to Social Security during his tenure at SSA. He has always been resourceful, insightful, and forthcoming.

Web will retire from the Social Security Administration on July 3, 2007. He will be sorely missed by his colleagues and his many friends on the Hill. He will leave behind the numerous individuals he has mentored and encouraged over the years and who will now carry on this work.

Both Senator GRASSLEY and I feel that it is important that we in Congress recognize the many women and men who devote their working lives to improving the lives of others. Career civil servants often do their work in quiet anonymity behind the scenes providing vital service to the American people. They are rarely recognized for their many contributions. Webster Phillips is one of those people. His record of leadership at the Social Security Administration and his commitment to providing the American people with effective and compassionate service is a record of which he can be justly proud.

Senator GRASSLEY and I wish Web all the best in his retirement from Federal service and thank him for his many years of dedicated service.●

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. BYRD:

S. 1633. A bill to authorize the Secretary of the Interior to conduct a special resource study to determine the suitability and feasibility of including the battlefield and related sites of the Battle of Shepherdstown in Shepherdstown, West Virginia, as part of Harpers Ferry National Historical Park or Antietam National Battlefield, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. AKAKA (for himself, Ms. MURKOWSKI, Ms. CANTWELL, and Mr. INOUE):

S. 1634. A bill to implement further the Act approving the Covenant to Establish a Commonwealth of the Northern Mariana Islands in Political Union with the United States of America, and for other purposes; to the Committee on Energy and Natural Resources.

By Ms. CANTWELL (for herself, Mr. BINGAMAN, and Mr. DOMENICI):

S. 1635. A bill to provide for the reimbursement of wildland firefighters for the cost of professional liability insurance; to the Committee on Energy and Natural Resources.

By Mrs. DOLE (for herself and Mrs. LINCOLN):

S. 1636. A bill to amend the Internal Revenue Code of 1986 to permanently allow penalty-free withdrawals from retirement plans for individuals called to active duty for at least 179 days; to the Committee on Finance.

By Mr. INHOFE:

S. 1637. A bill to establish a geothermal heat pump technology acceleration program relating to General Services Administration facilities; to the Committee on Environment and Public Works.

By Mr. LEAHY (for himself, Mr. HATCH, Mr. REID, Mr. MCCONNELL, Mrs. FEINSTEIN, and Mr. GRAHAM):

S. 1638. A bill to adjust the salaries of Federal justices and judges, and for other purposes; to the Committee on the Judiciary.

#### ADDITIONAL COSPONSORS

S. 57

At the request of Mr. INOUE, the name of the Senator from Illinois (Mr. OBAMA) was added as a cosponsor of S. 57, a bill to amend title 38, United States Code, to deem certain service in the organized military forces of the Government of the Commonwealth of the Philippines and the Philippine Scouts to have been active service for purposes of benefits under programs administered by the Secretary of Veterans Affairs.

S. 311

At the request of Ms. LANDRIEU, the name of the Senator from Hawaii (Mr. AKAKA) was added as a cosponsor of S. 311, a bill to amend the Horse Protection Act to prohibit the shipping, transporting, moving, delivering, receiving, possessing, purchasing, selling, or donation of horses and other equines to be slaughtered for human consumption, and for other purposes.

S. 439

At the request of Mr. REID, the name of the Senator from Nebraska (Mr. HAGEL) was added as a cosponsor of S. 439, a bill to amend title 10, United States Code, to permit certain retired members of the uniformed services who have a service-connected disability to receive both disability compensation from the Department of Veterans Affairs for their disability and either retired pay by reason of their years of military service or Combat-Related Special Compensation.

S. 442

At the request of Mr. DURBIN, the name of the Senator from Montana (Mr. BAUCUS) was added as a cosponsor of S. 442, a bill to provide for loan repayment for prosecutors and public defenders.

S. 871

At the request of Mr. LIEBERMAN, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of S. 871, a bill to establish and provide for the treatment of Individual Development Accounts, and for other purposes.

S. 901

At the request of Mr. KENNEDY, the names of the Senator from Maryland (Mr. CARDIN) and the Senator from Missouri (Mrs. MCCASKILL) were added as cosponsors of S. 901, a bill to amend the Public Health Service Act to provide additional authorizations of appropriations for the health centers program under section 330 of such Act.

S. 1172

At the request of Mr. DURBIN, the name of the Senator from South Da-

kota (Mr. JOHNSON) was added as a cosponsor of S. 1172, a bill to reduce hunger in the United States.

S. 1175

At the request of Mr. DURBIN, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 1175, a bill to end the use of child soldiers in hostilities around the world, and for other purposes.

S. 1233

At the request of Mr. AKAKA, the name of the Senator from Iowa (Mr. HARKIN) was added as a cosponsor of S. 1233, a bill to provide and enhance intervention, rehabilitative treatment, and services to veterans with traumatic brain injury, and for other purposes.

S. 1285

At the request of Mr. DURBIN, the names of the Senator from California (Mrs. BOXER), the Senator from Maryland (Mr. CARDIN), the Senator from Delaware (Mr. CARPER), the Senator from Iowa (Mr. HARKIN), the Senator from Massachusetts (Mr. KENNEDY) and the Senator from Missouri (Mrs. MCCASKILL) were added as cosponsors of S. 1285, a bill to reform the financing of Senate elections, and for other purposes.

S. 1432

At the request of Mr. BROWN, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 1432, a bill to amend the Food Stamp Act of 1977 and the Richard B. Russell National School Lunch Act to improve access to healthy foods, and for other purposes.

S. 1618

At the request of Mr. SALAZAR, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 1618, a bill to amend the Internal Revenue Code of 1986 to provide a credit for the production of a cellulosic biofuel.

S. RES. 215

At the request of Mr. ALLARD, the names of the Senator from Connecticut (Mr. LIEBERMAN), the Senator from Michigan (Mr. LEVIN) and the Senator from Rhode Island (Mr. WHITEHOUSE) were added as cosponsors of S. Res. 215, a resolution designating September 25, 2007, as "National First Responder Appreciation Day".

S. RES. 236

At the request of Mr. BAYH, the name of the Senator from Florida (Mr. MARTINEZ) was added as a cosponsor of S. Res. 236, a resolution supporting the goals and ideals of the National Anthem Project, which has worked to restore America's voice by re-teaching Americans to sing the national anthem.

AMENDMENT NO. 1572

At the request of Mr. SALAZAR, the names of the Senator from Oregon (Mr. SMITH), the Senator from Tennessee (Mr. ALEXANDER) and the Senator from New Jersey (Mr. MENENDEZ) were added as cosponsors of amendment No. 1572

proposed to H.R. 6, a bill to reduce our Nation's dependency on foreign oil by investing in clean, renewable, and alternative energy resources, promoting new emerging energy technologies, developing greater efficiency, and creating a Strategic Energy Efficiency and Renewables Reserve to invest in alternative energy, and for other purposes.

## AMENDMENT NO. 1574

At the request of Mr. LAUTENBERG, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of amendment No. 1574 intended to be proposed to H.R. 6, a bill to reduce our Nation's dependency on foreign oil by investing in clean, renewable, and alternative energy resources, promoting new emerging energy technologies, developing greater efficiency, and creating a Strategic Energy Efficiency and Renewables Reserve to invest in alternative energy, and for other purposes.

## STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. LEAHY (for himself, Mr. HATCH, Mr. REID, Mr. MCCONNELL, Mrs. FEINSTEIN, and Mr. GRAHAM):

S. 1638. A bill to adjust the salaries of Federal justices and judges, and for other purposes; to the Committee on the Judiciary.

Mr. LEAHY. Mr. President, today I am pleased to introduce the Federal Judicial Salary Restoration Act of 2007. Since 1969, the salaries of Federal judges have significantly declined when adjusted for inflation. This bill would demonstrate our respect and appreciation for our hardworking Federal judges by authorizing an immediate and substantial increase in judicial salaries. Our bill recognizes the important constitutional role judges play in administering justice, interpreting our laws, and providing the ultimate check and balance in our system of government. It is time Congress treated the Federal judiciary with the respect that a co-equal branch of government deserves.

Eight years ago, in 1999, the President's salary was doubled to \$400,000 a year. We are not proposing to increase judges' salaries by 100 percent, but by half that, by 50 percent. The increase is an important step in ensuring the independence of the judiciary. Judicial independence is critical for preserving our system of government and protecting the rights of all Americans. Surely we can do half as much for the judicial branch of Government as we did for the executive branch 8 years ago.

For too long, judicial salaries have failed even to keep up with inflation while public and private sector salaries have surged ahead. According to information provided by the Administrative Office of the United States Courts, judicial salaries have declined by nearly 25 percent in real terms since 1969. Dur-

ing the same time, private sector salaries have increased by more than 15 percent. In 1969, a Federal district court judge earned 20 percent more than a law school dean and about 30 percent more than a senior law professor at a top law school. By contrast, today top law school deans make twice as much as district court judges, and senior law professors at those schools make nearly 50 percent more. Many recent law school graduates will make more in their starting salary at a private law firm than we pay to an experienced district court judge. Those in the executive branch have enjoyed periodic raises that have taken their salaries well above those of judges. For example, SEC trial attorneys now make up to \$180,330, which is significantly higher than the annual salary of our Federal trial judges.

In addition, the workload for Federal judges has increased dramatically. Since 1960, the caseload for district court judges has climbed by almost 60 percent and the caseload of circuit court judges has jumped more than 200 percent. Judges who are working to preserve the rule of law in America and to make equal justice a reality should be respected, and their labor should be compensated.

Paul Volcker, the chair of the National Commission on the Public Service, recently noted in *The Wall Street Journal* that congressional inaction on judicial pay could erode the high professional standards and independence of the Judiciary. Chief Justice Rehnquist repeatedly called for an increase in judicial pay, warning that "[i]nadequate compensation seriously compromises the judicial independence fostered by life tenure" and that "... low salaries might force judges to return to the private sector rather than stay on the bench." Chief Justice Roberts pointed to an increasing trend in early retirement in his last "Year-End Report on the Federal Judiciary," noting that many of those retired judges have gone to work in the private sector. Justice Anthony Kennedy testified before the Senate Judiciary Committee in February about similar threats to judicial independence.

This bill addresses these concerns by granting a raise for all Federal judges. This bipartisan legislation has broad support. President Bush supports a significant pay raise for judges, as does the American Bar Association, as do the deans of 130 of the Nation's top law schools, civil rights groups, and others.

One of the first bills we passed in the Senate this year, S. 197, authorized cost-of-living adjustments for the salaries of United States judges. Senators SPECTER, FEINSTEIN and CORNYN joined me in cosponsoring this bill. Unfortunately, that bill has failed to move through the House of Representatives. Too often during the last several years our Federal judges have not been given a standard cost-of-living raise. That, too, has contributed to the diminution in their real compensation.

Our democracy and the rights we enjoy depend on a strong and independent judiciary. During the last few years it has been the courts that have acted to protect our liberties and our Constitution. The independence of the judiciary is compromised, however, if judges leave the bench for financial reasons. The quality of the judiciary is threatened if judges' salaries are inadequate to attract and retain our best legal minds. Given the essential role that the judiciary plays in our system of government, we should pass this raise to judicial salaries.

I thank my Judiciary Committee colleagues, Senator HATCH, Senator FEINSTEIN and Senator CORNYN for agreeing to join me in introducing this bill. I also thank Majority Leader REID, as well as Minority Leader MCCONNELL, for their support of this legislation and their commitment to the Federal judiciary.

## AMENDMENTS SUBMITTED AND PROPOSED

SA 1610. Mr. CARDIN (for himself, Ms. MIKULSKI, Mr. DODD, Mr. KERRY, Mr. REED, Mr. KENNEDY, Mr. WHITEHOUSE, and Ms. SNOWE) proposed an amendment to amendment SA 1502 proposed by Mr. REID to the bill H.R. 6, to reduce our Nation's dependency on foreign oil by investing in clean, renewable, and alternative energy resources, promoting new emerging energy technologies, developing greater efficiency, and creating a Strategic Energy Efficiency and Renewables Reserve to invest in alternative energy, and for other purposes.

SA 1611. Mr. COLEMAN submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. REID to the bill H.R. 6, supra; which was ordered to lie on the table.

SA 1612. Mr. COLEMAN submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. REID to the bill H.R. 6, supra; which was ordered to lie on the table.

SA 1613. Mr. COLEMAN submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. REID to the bill H.R. 6, supra; which was ordered to lie on the table.

SA 1614. Mr. TESTER (for himself, Mr. BYRD, Mr. ROCKEFELLER, Mr. SALAZAR, and Mr. BINGAMAN) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. REID to the bill H.R. 6, supra; which was ordered to lie on the table.

SA 1615. Ms. COLLINS (for herself, Ms. CANTWELL, Ms. SNOWE, and Mrs. MURRAY) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. REID to the bill H.R. 6, supra.

SA 1616. Mr. DURBIN (for himself and Mr. CARPER) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. REID to the bill H.R. 6, supra; which was ordered to lie on the table.

SA 1617. Mr. TESTER submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. REID to the bill H.R. 6, supra; which was ordered to lie on the table.

SA 1618. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill H.R. 6, supra; which was ordered to lie on the table.

SA 1619. Mr. INHOFE submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. REID to the bill H.R.

6, supra; which was ordered to lie on the table.

SA 1620. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill H.R. 6, supra; which was ordered to lie on the table.

SA 1621. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill H.R. 6, supra; which was ordered to lie on the table.

SA 1622. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill H.R. 6, supra; which was ordered to lie on the table.

#### TEXT OF AMENDMENTS

**SA 1610.** Mr. CARDIN (for himself, Ms. MIKULSKI, Mr. DODD, Mr. KERRY, Mr. REED, Mr. KENNEDY, Mr. WHITEHOUSE, and Ms. SNOWE) proposed an amendment to amendment SA 1502 proposed by Mr. REED to the bill H.R. 6, to reduce our Nation's dependency on foreign oil by investing in clean, renewable, and alternative energy resources, promoting new emerging energy technologies, developing greater efficiency, and creating a Strategic Energy Efficiency and Renewables Reserve to invest in alternative energy, and for other purposes; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . SITING, CONSTRUCTION, EXPANSION, AND OPERATION OF LNG TERMINALS.**

Section 10 of the Act of March 3, 1899 (33 U.S.C. 403), is amended—

(1) by striking the section designation and all that follows through "creation" and inserting the following:

**"SEC. 10. OBSTRUCTION OF NAVIGABLE WATERS; WHARVES AND PIERS; EXCAVATIONS AND FILLING IN.**

"(a) IN GENERAL.—The creation"; and

(2) by adding at the end the following:

"(b) SITING, CONSTRUCTION, EXPANSION, AND OPERATION OF LNG TERMINALS.—

"(1) DEFINITION OF AFFECTED STATE.—In this subsection, the term 'affected State' means, with respect to a liquefied natural gas terminal that is the subject of an application for an authorization under this section, a State that—

"(A) would be directly connected by a pipeline to the liquefied natural gas terminal;

"(B) would be located within 15 miles of the liquefied natural gas terminal; or

"(C) is designated as an affected State by the Secretary due to a risk of damage to the coastal environment of the affected State that is equal to or greater than the risk of damage to the coastal environment of the State in which the liquefied natural gas terminal is proposed to be located.

"(2) LIMITATION.—The Secretary shall not approve or disapprove an application for an authorization under this section for the siting, construction, expansion, or operation of a liquefied natural gas terminal pursuant to this section without the express concurrence of the Governor of each affected State."

**SA 1611.** Mr. COLEMAN submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. REID to the bill H.R. 6, to reduce our Nation's dependency on foreign oil by investing in clean, renewable, and alternative energy resources, promoting new emerging energy technologies, developing greater efficiency, and cre-

ating a Strategic Energy Efficiency and Renewables Reserve to invest in alternative energy, and for other purposes; which was ordered to lie on the table; as follows:

On page 38, strike lines 11 through 17 and insert the following:

"(4) PROJECT DESIGN.—

"(A) IN GENERAL.—A project for which a guarantee is made under this subsection shall have a project design that—

"(i) has been validated through the operation of a continuous process pilot facility with an annual output of at least 50,000 gallons of ethanol or the energy equivalent volume of other advanced biofuels; or

"(ii) provides for upgrades to an existing ethanol production facility that would increase ethanol production at the facility through the addition of cellulosic production capabilities, if the Secretary certifies that—

"(I) the upgrades would increase total ethanol production at the facility; and

"(II) the facility has the cellulosic transportation and logistical resources and cellulosic process technologies necessary to provide the increase in ethanol production required under subclause (I).

"(B) PRIORITY.—In providing guarantees under this subsection, the Secretary shall give priority to projects to be carried out in communities with a population of 25,000 or less residents.

**SA 1612.** Mr. COLEMAN submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. REID to the bill H.R. 6, to reduce our Nation's dependency on foreign oil by investing in clean, renewable, and alternative energy resources, promoting new emerging energy technologies, developing greater efficiency, and creating a Strategic Energy Efficiency and Renewables Reserve to invest in alternative energy, and for other purposes; which was ordered to lie on the table; as follows:

On page 47, after line 23, add the following:

**SEC. 131. RENEWABLE FUEL COMPREHENSIVE STRATEGIC COORDINATION.**

(a) IN GENERAL.—The Secretary shall develop a comprehensive strategic program to coordinate, to the maximum extent practicable—

(1) the renewable fuel standards required by this Act; and

(2) the distribution infrastructure development and vehicle production levels necessary to minimize economic disruption as a result of those standards.

(b) REPORT.—The Secretary shall submit to Congress a report that contains—

(1) a determination of the Secretary with respect to the effectiveness and practicality of using, on a national scale, an ethanol blend fuel (such as E-15 or E-20 blended fuel) to achieve the most efficient expansion of ethanol use; and

(2) if the Secretary determines that use of an ethanol blend fuel as described in paragraph (1) would be effective and practicable, recommendations of the Secretary relating to—

(A) the appropriate type and level of use of ethanol blend fuels; and

(B) an interagency plan to achieve that type and level.

**SA 1613.** Mr. COLEMAN submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. REID to the bill H.R. 6, to reduce our Nation's dependency on foreign oil by

investing in clean, renewable, and alternative energy resources, promoting new emerging energy technologies, developing greater efficiency, and creating a Strategic Energy Efficiency and Renewables Reserve to invest in alternative energy, and for other purposes; which was ordered to lie on the table; as follows:

On page 12, strike the table between lines 15 and 16 and insert the following:

Calendar year:	"Applicable volume of renewable fuel (in billions of gallons):"
2008	8.5
2009	10.5
2010	12.0
2011	12.6
2012	14.2
2013	15.8
2014	18.4
2015	23.0
2016	26.0
2017	29.0
2018	32.0
2019	35.0
2020	38.0
2021	41.0
2022	44.0."

On page 13, line 3, strike "2016" and insert "2012".

On page 13, strike the table between lines 5 and 6 and insert the following:

Calendar year:	"Applicable volume of advanced biofuels (in billions of gallons):"
2012	1.0
2013	2.0
2014	4.0
2015	8.0
2016	11.0
2017	14.0
2018	17.0
2019	20.0
2020	23.0
2021	27.0
2022	30.0."

**SA 1614.** Mr. TESTER (for himself, Mr. BYRD, Mr. ROCKEFELLER, Mr. SALAZAR, and Mr. BINGAMAN) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. REID to the bill H.R. 6, to reduce our Nation's dependency on foreign oil by investing in clean, renewable, and alternative energy resources, promoting new emerging energy technologies, developing greater efficiency, and creating a Strategic Energy Efficiency and Renewables Reserve to invest in alternative energy, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. 3 \_\_\_\_ . COAL INNOVATION DIRECT LOAN PROGRAM.**

(a) IN GENERAL.—Title XXXI of the Energy Policy Act of 1992 (42 U.S.C. 13571 et seq.) is amended by adding at the end the following:

**"SEC. 3105. COAL INNOVATION DIRECT LOAN PROGRAM.**

"(a) DEFINITIONS.—In this section:

"(1) CARBON CAPTURE.—The term 'carbon capture' means the capture, separation, and compression of carbon dioxide that would otherwise be released to the atmosphere at a facility in the production of end products of a project prior to transportation of the carbon dioxide to a long-term storage site.

“(2) COAL-TO-LIQUID PRODUCT.—The term ‘coal-to-liquid product’ means a liquid fuel resulting from the conversion of a feedstock, as described in this section.

“(3) COMBUSTIBLE END PRODUCT.—The term ‘combustible end product’ means any product of a facility intended to be used as a combustible fuel.

“(4) CONVENTIONAL BASELINE EMISSIONS.—The term ‘conventional baseline emissions’ means—

“(A) the lifecycle greenhouse gas emissions of a facility that produces combustible end products, using petroleum as a feedstock, that are equivalent to combustible end products produced by a facility of comparable size through an eligible project;

“(B) in the case of noncombustible products produced through an eligible project, the average lifecycle greenhouse gas emissions emitted by projects that—

“(i) are of comparable size; and  
“(ii) produce equivalent products using conventional feedstocks; and

“(C) in the case of synthesized gas intended for use as a combustible fuel in lieu of natural gas produced by an eligible project, the lifecycle greenhouse gas emissions that would result from equivalent use of natural gas.

“(5) ELIGIBLE PROJECT.—The term ‘eligible project’ means a project—

“(A) that employs gasification technology or another conversion process for feedstocks described in this section; and

“(B) for which—

“(i) the annual lifecycle greenhouse gas emissions of the project are at least 20 percent lower than conventional baseline emissions;

“(ii) at least 75 percent of the carbon dioxide that would otherwise be released to the atmosphere at the facility in the production of end products of the project is captured for long-term storage;

“(iii) the individual or entity carrying out the eligible project has entered into an enforceable agreement with the Secretary to implement carbon capture at the percentage that, by the end of the 5-year period after commencement of commercial operation of the eligible project—

“(I) represents the best available technology; and

“(II) achieves a reduction in carbon emissions that is not less than 75 percent; and

“(iv) in the opinion of the Secretary, sufficient commitments have been secured to achieve long-term storage of captured carbon dioxide beginning as of the date of commencement of commercial operation of the project.

“(6) FACILITY.—The term ‘facility’ means a facility at which the conversion of feedstocks to end products takes place.

“(7) GASIFICATION TECHNOLOGY.—The term ‘gasification technology’ means any process that converts coal, petroleum residue, renewable biomass, or other material that is recovered for energy or feedstock value into a synthesis gas composed primarily of carbon monoxide and hydrogen for direct use or subsequent chemical or physical conversion.

“(8) GREENHOUSE GAS.—The term ‘greenhouse gas’ means any of—

“(A) carbon dioxide;

“(B) methane;

“(C) nitrous oxide;

“(D) hydrofluorocarbons;

“(E) perfluorocarbons; and

“(F) sulfur hexafluoride.

“(9) LIFECYCLE GREENHOUSE GAS EMISSIONS.—The term ‘lifecycle greenhouse gas emissions’ means the aggregate quantity of greenhouse gases attributable to the production and transportation of end products at a facility, including the production, extraction, cultivation, distribution, marketing,

and transportation of feedstocks, and the subsequent distribution and use of any combustible end products, as modified by deducting, as determined by the Administrator of the Environmental Protection Agency—

“(A) any greenhouse gases captured at the facility and sequestered;

“(B) the carbon content, expressed in units of carbon dioxide equivalent, of any feedstock that is renewable biomass; and

“(C) the carbon content, expressed in units of carbon dioxide equivalent, of any end products that do not result in the release of carbon dioxide to the atmosphere.

“(10) LONG-TERM STORAGE.—The term ‘long-term storage’ means sequestration with an expected maximum rate of carbon dioxide leakage over a specified period of time that is consistent with the objective of reducing atmospheric concentrations of carbon dioxide, subject to a permit issued pursuant to law in effect as of the date of the sequestration.

“(11) RENEWABLE BIOMASS.—The term ‘renewable biomass’ has the definition given the term in section 102 of the Renewable Fuels, Consumer Protection, and Energy Efficiency Act of 2007.

“(12) SEQUESTRATION.—The term ‘sequestration’ means the placement of carbon dioxide in a geological formation, including—

“(A) an operating oil and gas field;

“(B) coal bed methane recovery;

“(C) a depleted oil and gas field;

“(D) an unmineable coal seam;

“(E) a deep saline formation; and

“(F) a deep geological systems containing basalt formations.

“(b) FEED ASSISTANCE PROGRAM.—

“(1) IN GENERAL.—Subject to paragraph (3), and in accordance with section 988 of the Energy Policy Act of 2005 (42 U.S.C. 16352), not later than 1 year after the date of the enactment of this section, the Secretary shall carry out a program to provide grants for use in obtaining or carrying out any services necessary for the planning, permitting, and construction of an eligible project.

“(2) SELECTION OF ELIGIBLE PROJECTS.—The Secretary shall select eligible projects to receive grants under this section—

“(A) through the conduct of a reverse auction, in which eligible projects proposed to be carried out that have the greatest rate of carbon capture and long-term storage, and the lowest lifecycle greenhouse gas emissions, are given priority;

“(B) that, taken together, would—

“(i) represent a variety of geographical regions;

“(ii) use a variety of feedstocks and types of coal; and

“(iii) to the extent consistent with achieving long-term storage, represent a variety of geological formations; and

“(C) for which eligible projects, in the opinion of the Secretary—

“(i) each award recipient is financially viable without the receipt of additional Federal funding associated with the proposed project;

“(ii) each recipient will provide sufficient information to the Secretary for the Secretary to ensure that the qualified investment is expended efficiently and effectively;

“(iii) a market exists for the products of the proposed project, as evidenced by contracts or written statements of intent from potential customers;

“(iv) the project team of each recipient is competent in the construction and operation of the gasification technology proposed; and

“(v) each recipient has met such other criteria as may be established and published by the Secretary.

“(3) MAXIMUM AMOUNT OF GRANTS.—In carrying out this subsection, the Secretary shall provide not more than—

“(A) \$20,000,000 in grant funds for any eligible project; and

“(B) \$200,000,000 in grant funds, in the aggregate, for all eligible projects.

“(c) DIRECT LOAN PROGRAM.—

“(1) IN GENERAL.—Not later than 1 year after the date of enactment of this section, and subject to funds being made available in advance through appropriations Acts, the Secretary shall carry out a program to provide a total of not more than \$10,000,000,000 in loans to eligible individuals and entities (as determined by the Secretary) for use in carrying out eligible projects.

“(2) APPLICATION.—An applicant for a loan under this section shall comply with the terms and conditions in section 215(b)(3) of the Renewable Fuels, Consumer Protection, and Energy Efficiency Act of 2007 in the same manner in which applicants for Renewable Energy Construction grants are required to comply with that section.

“(3) SELECTION OF ELIGIBLE PROJECTS.—The Secretary shall select eligible projects to receive loans under this section—

“(A) through the conduct of a reverse auction, in which eligible projects proposed to be carried out that have the greatest rate of carbon capture and long-term storage, and the lowest lifecycle greenhouse gas emissions, are given priority;

“(B) that, taken together, would—

“(i) represent a variety of geographic regions;

“(ii) use a variety of types of feedstocks and coal; and

“(iii) to the extent consistent with achieving long-term storage, represent a variety of geological formations; and

“(C) for which eligible projects, in the opinion of the Secretary—

“(i) each award recipient is financially viable without the receipt of additional Federal funding associated with the proposed project;

“(ii) each recipient will provide sufficient information to the Secretary for the Secretary to ensure that the qualified investment is expended efficiently and effectively;

“(iii) a market exists for the products of the proposed project, as evidenced by contracts or written statements of intent from potential customers;

“(iv) the project team of each recipient is competent in the construction and operation of the gasification technology proposed; and

“(v) each recipient has met such other criteria as may be established and published by the Secretary.

“(4) USE OF LOAN FUNDS.—

“(A) IN GENERAL.—Subject to subparagraph (B), funds from a loan provided under this section may be used to pay up to 100 percent of the costs of capital associated with reducing lifecycle greenhouse gas emissions at the facility (including carbon dioxide capture, compression, and long-term storage, cogeneration, and gasification of biomass) carried out as part of an eligible project.

“(B) TOTAL PROJECT COST.—Funds from a loan provided under this section may not be used to pay more than 50 percent of the total cost of an eligible project.

“(5) RATES, TERMS, AND REPAYMENT OF LOANS.—A loan provided under this section—

“(A) shall have an interest rate that, as of the date on which the loan is made, is equal to the cost of funds to the Department of the Treasury for obligations of comparable maturity;

“(B) shall have a term equal to the lesser of—

“(i) the projected life, in years, of the eligible project to be carried out using funds from the loan, as determined by the Secretary; and

“(ii) 25 years;

“(C) may be subject to a deferral in repayment for not more than 5 years after the

date on which the eligible project carried out using funds from the loan first begins operations, as determined by the Secretary; and

“(D) shall be made on the condition that the Secretary shall be subrogated to the rights of the recipient of the payment as specified in the loan or related agreements, including, as appropriate, the authority (notwithstanding any other provision of law)—

“(i) to complete, maintain, operate, lease, or otherwise dispose of any property acquired pursuant to the guarantee or a related agreement; or

“(ii) to permit the borrower, pursuant to an agreement with the Secretary, to continue to pursue the purposes of the project, if the Secretary determines the pursuit to be in the public interest.

“(6) **METHODOLOGY.**—Not later than 18 months after the date of enactment of this section, the Administrator of the Environmental Protection Agency shall, by regulation, establish a methodology for use in determining the lifecycle greenhouse gas emissions of products produced using gasification technology.

“(d) **STUDY OF MAINTAINING COAL-TO-LIQUID PRODUCTS IN STRATEGIC PETROLEUM RESERVE.**—Not later than 1 year after the date of enactment of this section, the Secretary and the Secretary of Defense shall—

“(1) conduct a study of the feasibility and suitability of maintaining coal-to-liquid products in the Strategic Petroleum Reserve; and

“(2) submit to the Committee on Energy and Natural Resources and the Committee on Armed Services of the Senate and the Committee on Energy and Commerce and the Committee on Armed Services of the House of Representatives a report describing the results of the study.

“(e) **REPORT ON EMISSIONS OF COAL-TO-LIQUID PRODUCTS USED AS TRANSPORTATION FUELS.**—

“(1) **IN GENERAL.**—In cooperation with the Secretary, the Secretary of Defense, the Administrator of the Federal Aviation Administration, and the Secretary of Health and Human Services, the Administrator of the Environmental Protection Agency shall—

“(A) carry out a research and demonstration program to evaluate the emissions of the use of coal-to-liquid fuel for transportation, including diesel and jet fuel;

“(B) evaluate the effect of using coal-to-liquid transportation fuel on emissions of vehicles, including motor vehicles and nonroad vehicles, and aircraft (as those terms are defined in sections 216 and 234, respectively, of the Clean Air Act (42 U.S.C. 7550, 7574)); and

“(C) in accordance with paragraph (4), submit to Congress a report on the effect on air and water quality, water scarcity, land use, and public health of using coal-to-liquid fuel in the transportation sector.

“(2) **GUIDANCE AND TECHNICAL SUPPORT.**—The Administrator of the Environmental Protection Agency, in consultation with the Secretary, shall issue any guidance or technical support documents necessary to facilitate the effective use of coal-to-liquid fuel and blends under this subsection.

“(3) **REQUIREMENTS.**—The program described in paragraph (1)(A) shall take into consideration—

“(A) the use of neat (100 percent) coal-to-liquid fuel and blends of coal-to-liquid fuels with conventional crude oil-derived fuel for heavy-duty and light-duty diesel engines and the aviation sector;

“(B) the production costs associated with domestic production of those fuels and prices for consumers; and

“(C) the overall greenhouse gas effects of substituting coal-derived fuels for crude oil-derived fuels.

“(4) **REPORTS.**—The Administrator of the Environmental Protection Agency shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Energy and Commerce of the House of Representatives—

“(A) not later than 180 days after the date of enactment of this section, an interim report on actions taken to carry out this subsection; and

“(B) not later than 1 year after the date of enactment of this section, a final report on actions taken to carry out this subsection.

“(f) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated such sums as are necessary to carry out this section.”

(b) **CONFORMING AMENDMENT.**—The table of contents of the Energy Policy Act of 1992 (42 U.S.C. prec. 13201) is amended by adding at the end of the items relating to title XXXI the following:

“Sec. 3105. Coal innovation direct loan program.”

**SA 1615.** Ms. COLLINS (for herself, Ms. CANTWELL, Ms. SNOWE, and Mrs. MURRAY) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. REID to the bill H.R. 6, to reduce our Nation’s dependency on foreign oil by investing in clean, renewable, and alternative energy resources, promoting new emerging energy technologies, developing greater efficiency, and creating a Strategic Energy Efficiency and Renewables Reserve to invest in alternative energy, and for other purposes; as follows:

At the end of title III, insert the following:

**SEC. 305. ABRUPT CLIMATE CHANGE RESEARCH PROGRAM.**

(a) **ESTABLISHMENT OF PROGRAM.**—The Secretary of Commerce shall establish within the Office of Oceanic and Atmospheric Research of the National Oceanic and Atmospheric Administration, and shall carry out, a program of scientific research on abrupt climate change.

(b) **PURPOSES OF PROGRAM.**—The purposes of the program are as follows:

(1) To develop a global array of terrestrial and oceanographic indicators of paleoclimate in order to sufficiently identify and describe past instances of abrupt climate change.

(2) To improve understanding of thresholds and nonlinearities in geophysical systems related to the mechanisms of abrupt climate change.

(3) To incorporate such mechanisms into advanced geophysical models of climate change.

(4) To test the output of such models against an improved global array of records of past abrupt climate changes.

(c) **ABRUPT CLIMATE CHANGE DEFINED.**—In this section, the term “abrupt climate change” means a change in the climate that occurs so rapidly or unexpectedly that human or natural systems have difficulty adapting to the climate as changed.

(d) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to the Department of Commerce for each of fiscal years 2009 through 2014, to remain available until expended, \$10,000,000 to carry out the research program required under this section.

**SA 1616.** Mr. DURBIN (for himself and Mr. CARPER) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr.

REID to the bill H.R. 6, to reduce our Nation’s dependency on foreign oil by investing in clean, renewable, and alternative energy resources, promoting new emerging energy technologies, developing greater efficiency, and creating a Strategic Energy Efficiency and Renewables Reserve to invest in alternative energy, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title I, add the following:

**SEC. 131. REPORT ON USE OF FUNDS TO REDUCE OIL AND FUEL CONSUMPTION.**

(a) **REPORT; INCORPORATION OF INFORMATION INTO PLANS.**—

(1) **REPORT.**—Not later than December 1, 2008, each State and metropolitan planning organization that serves a population of 200,000 or more shall make available to the public, using the Internet and other means commonly used to inform the public, a report that describes—

(A) the ways in which the planned use of Federal funds made available under the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (Public Law 109-59), and title 23, United States Code, to the State or metropolitan planning organization for the preceding fiscal year, including any documentation or materials assembled in the project development process on anticipated fuel and cost savings benefits, will—

(i) reduce the demand for gasoline and diesel fuels; and

(ii) lower household transportation expenditures; and

(B)(i) the number of residences, jobs, and shopping venues within the State or metropolitan area, as applicable, that are located within ½ of a mile of any transit or intercity rail transportation station or stop; and

(ii) with respect to transit and intercity rail stations and stops described in clause (i)—

(I) the frequency of transit or intercity rail transportation service; and

(II) a description of whether the transit and intercity rail stations and stops are safely accessible by pedestrians.

(2) **INCORPORATION OF INFORMATION INTO PLANS.**—For fiscal year 2009 and each fiscal year thereafter, each State and metropolitan planning organization described in paragraph (1) shall consider and include in any update or revision of the transportation improvement program of the State or metropolitan planning organization the information required to be included in the report submitted under paragraph (1).

(b) **INFORMATION, DATA, AND TECHNICAL ASSISTANCE.**—The Secretary, with assistance from the Bureau of Transportation Statistics, Bureau of Labor Statistics, and other Federal agencies, shall provide to States and metropolitan planning organizations any information, data, and technical assistance that would assist the States and metropolitan planning organizations in preparing the report under subsection (a)(1).

(c) **REPORT ON FUEL SAVINGS.**—Not later than July 1, 2009, the Secretary shall submit to Congress a report that describes any cumulative savings in fuel, the most effective fuel savings measures, and any other benefits identified by the States and metropolitan planning organizations, from the use of Federal funds made available under the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (Public Law 109-59) during each of fiscal years 2008 and 2009.

**SA 1617.** Mr. TESTER submitted an amendment intended to be proposed to

amendment SA 1502 proposed by Mr. REID to the bill H.R. 6, to reduce our Nation's dependency on foreign oil by investing in clean, renewable, and alternative energy resources, promoting new emerging energy technologies, developing greater efficiency, and creating a Strategic Energy Efficiency and Renewables Reserve to invest in alternative energy, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. 305. PROPOSED REGULATORY PLAN.**

(a) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the President, acting through the Chairman of the Council on Environmental Quality, shall develop a proposed regulatory plan for the long-term geologic storage of carbon dioxide.

(b) CONSULTATION.—In developing the proposed regulatory plan, the Chairman of the Council on Environmental Quality shall consult with—

- (1) the Secretary of the Interior;
- (2) the Secretary of Agriculture;
- (3) the Secretary of Energy;
- (4) the Secretary of Transportation;
- (5) the Administrator of the Environmental Protection Agency;
- (6) the Chairman of the Federal Energy Regulatory Commission;
- (7) the Attorney General; and
- (8) such other officials as the Chairman of the Council on Environmental Quality determines to be appropriate.

(c) CONTENTS.—The proposed regulatory plan shall include—

(1) a recommended performance standard for long-term geologic storage of carbon dioxide, including—

(A) a minimum period of time that carbon dioxide stored in a geologic formation will remain in the formation without substantial leakage to the atmosphere; and

(B) a maximum percentage of acceptable leakage from a formation over the minimum storage period;

(2) recommended standards for certifying geologic storage sites, which standards shall—

(A) include criteria for site selection and management of long-term storage in each of the types of geologic settings described in section 963(c)(3)(A) of the Energy Policy Act of 2005 (42 U.S.C. 16293(c)(3)(A)); and

(B) ensure that carbon dioxide stored in a geologic storage site shall not—

(i) present a substantial threat to the health or safety of the public or the environment; or

(ii) present a substantial risk of leakage in a quantity in excess of the maximum acceptable leakage rate recommended under paragraph (1)(B);

(3) recommended standards and best practices for the injection of carbon dioxide into, and the management of, geologic storage sites to ensure the suitability of long-term storage;

(4) a proposed regulatory framework for the leasing of Federal land or an interest in land for the long-term geologic storage of carbon dioxide that ensures that—

(A) the views of adjacent residents, landowners, and the general public are heard and considered;

(B) the quality of scientific, scenic, historical, ecological, environmental, air, atmospheric, water resource, and archeological values of the Federal land or an interest in land overlaying a geologic storage site are protected; and

(C) the United States receives fair market value for the use of Federal land or an interest in land for the long-term storage of carbon dioxide;

(5) a report on the potential for any legal liability that may arise out of, or result from, a release of carbon dioxide from a long-term geologic storage site (on Federal or non-Federal land) that may result in bodily injury, sickness, disease, or death, the loss of or damage to property, or the loss of use of property, including—

(A) the likelihood of a release resulting in legal liability;

(B) the maximum amount of legal liability;

(C) the commercial availability of financial protection from legal liability; and

(D) recommendations for additional legislation that may be needed to—

(i) provide financial protection to persons storing carbon dioxide at Federal sites; or

(ii) compensate the public from any harm to 1 or more persons or property resulting from the release of carbon dioxide at a long-term geologic storage site; and

(6) a prioritized list of—

(A) Federal sites that are geologically suitable for storage of carbon dioxide; and

(B) the locations at which carbon dioxide may be stored without adversely affecting the use for which the site was reserved or acquired.

(d) REPORT TO CONGRESS.—Not later than 2 years after the date of enactment of this Act, the President shall submit the proposed regulatory plan to appropriate committees of Congress, including—

(1) the Committee on Energy and Natural Resources of the Senate;

(2) the Committee on Environment and Public Works of the Senate;

(3) the Committee on Energy and Commerce of the House of Representatives; and

(4) the Committee on Natural Resources of the House of Representatives.

(e) EFFECT ON OTHER LAWS.—Nothing in this section modifies or otherwise affects the authority of a Federal land management agency to manage land under the jurisdiction of the agency in accordance with applicable law.

**SA 1618.** Mr. INHOFE submitted an amendment intended to be proposed by him to the bill H.R. 6, to reduce our Nation's dependency on foreign oil by investing in clean, renewable, and alternative energy resources, promoting new emerging energy technologies, developing greater efficiency, and creating a Strategic Energy Efficiency and Renewables Reserve to invest in alternative energy, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. . ELECTION TO EXPENSE THREE DIMENSIONAL SEISMIC DATA EXPENDITURES.**

(a) IN GENERAL.—Part VI of subchapter B of chapter 1 of the Internal Revenue Code of 1986 is amended by inserting after section 179E the following new section:

**“SEC. 179F. ELECTION TO EXPENSE THREE DIMENSIONAL SEISMIC DATA EXPENDITURES.**

“(a) TREATMENT AS EXPENSES.—Notwithstanding section 167(h), a taxpayer may elect to treat 100 percent of the cost of any qualified three dimensional seismic data expenditure as an expense which is not chargeable to capital account. Any cost so treated shall be allowed as a deduction for the taxable year in which the qualified three dimensional seismic data expenditure is made.

“(b) ELECTION.—

“(1) IN GENERAL.—An election under this section for any taxable year shall be made on the taxpayer's return of the tax imposed by

this chapter for the taxable year. Such election shall specify any three dimensional seismic data expenditure to which the election applies and shall be made in such manner as the Secretary may by regulations prescribe.

“(2) ELECTION IRREVOCABLE.—Any election made under this section may not be revoked except with the consent of the Secretary.

“(c) QUALIFIED THREE DIMENSIONAL SEISMIC DATA EXPENDITURE.—For purposes of this section, the term ‘qualified three dimensional seismic data expenditure’ means any geological and geophysical expenses described in section 167(h)(1) paid or incurred in connection with the collection, processing, or interpretation of three dimensional seismic data.

“(d) COORDINATION WITH SECTION 179.—No expenditures shall be taken into account under subsection (a) with respect to the portion of the cost of any property specified in an election under section 179.”.

(b) CROSS REFERENCE.—Section 167(h) of such Code (relating to amortization of geological and geophysical expenditures) is amended by adding at the end the following new paragraph:

“(6) TREATMENT OF THREE DIMENSIONAL SEISMIC DATA EXPENDITURES.—For the treatment of geological and geophysical expenses relating to three dimensional seismic data expenditures, see section 179F.”.

(c) CLERICAL AMENDMENT.—The table of sections for part VI of subchapter B of chapter 1 of such Code is amended by inserting after the item relating to section 179E the following new item:

“Sec. 179F. Election to expense three dimensional seismic data expenditures.”.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to expenditures paid or incurred in taxable years beginning after December 31, 2007.

**SA 1619.** Mr. INHOFE submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. REID to the bill H.R. 6, to reduce our Nation's dependency on foreign oil by investing in clean, renewable, and alternative energy resources, promoting new emerging energy technologies, developing greater efficiency, and creating a Strategic Energy Efficiency and Renewables Reserve to invest in alternative energy, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. . ELIMINATION OF TAXABLE INCOME LIMIT ON PERCENTAGE DEPLETION FOR OIL AND NATURAL GAS PRODUCED FROM MARGINAL PROPERTIES.**

(a) IN GENERAL.—Subparagraph (H) of section 613A(c)(6) of the Internal Revenue Code of 1986 (relating to oil and natural gas produced from marginal properties) is amended to read as follows:

“(H) NONAPPLICATION OF TAXABLE INCOME LIMIT WITH RESPECT TO MARGINAL PRODUCTION.—The second sentence of subsection (a) of section 613 shall not apply to so much of the allowance for depletion as is determined under subparagraph (A).”.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2006.

**SA 1620.** Mr. INHOFE submitted an amendment intended to be proposed by him to the bill H.R. 6, to reduce our Nation's dependency on foreign oil by

investing in clean, renewable, and alternative energy resources, promoting new emerging energy technologies, developing greater efficiency, and creating a Strategic Energy Efficiency and Renewables Reserve to invest in alternative energy, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. . INCREASE OF BARRELS PER DAY AND CUBIC FEET LIMITATIONS.**

(a) IN GENERAL.—Section 613A(c) of the Internal Revenue Code of 1986 (relating to exemption for independent producers and royalty owners) is amended—

(1) by striking “1,000” in paragraph (3)(B) and inserting “1,500”, and

(2) by striking “6,000” in paragraph (4) and inserting “9,000”.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2007.

**SA 1621.** Mr. INHOFE submitted an amendment intended to be proposed by him to the bill H.R. 6, to reduce our Nation’s dependency on foreign oil by investing in clean, renewable, and alternative energy resources, promoting new emerging energy technologies, developing greater efficiency, and creating a Strategic Energy Efficiency and Renewables Reserve to invest in alternative energy, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. . INCREASED PHASEOUT THRESHOLD CREDIT FOR PRODUCING OIL AND GAS FROM MARGINAL WELLS.**

(a) IN GENERAL.—Section 45I(b)(2)(A) of the Internal Revenue Code of 1986 (relating to reduction as oil and gas prices increase) is amended—

(1) in clause (i)—

(A) by striking “\$15” and inserting “\$22”, and

(B) by striking “\$1.67” and inserting “\$2.50”, and

(2) by striking “\$0.33” in clause (ii) and inserting “\$0.30”.

(b) AMENDMENT OF INFLATION ADJUSTMENT.—Subparagraph (B) of section 45I(b)(2) of such Code (relating to inflation adjustment) is amended—

(1) by striking “2005” and inserting “2008”, and

(2) by striking “2004” and inserting “2007”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2007.

**SA 1622.** Mr. INHOFE submitted an amendment intended to be proposed by him to the bill H.R. 6, to reduce our Nation’s dependency on foreign oil by investing in clean, renewable, and alternative energy resources, promoting new emerging energy technologies, developing greater efficiency, and creating a Strategic Energy Efficiency and Renewables Reserve to invest in alternative energy, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. . INCREASE OF BARRELS PER DAY LIMITATION FOR THE SMALL REFINER EXCEPTION.**

(a) IN GENERAL.—Section 613A(d)(4) of the Internal Revenue Code of 1986 (relating to ex-

clusion of certain refiners) is amended by striking “75,000” and inserting “100,000”.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2007.

**ORDER FOR RECORD TO REMAIN OPEN**

Mr. DORGAN. Mr. President, I ask unanimous consent the record remain open today until 1 p.m., notwithstanding an adjournment of the Senate, for the submission of statements, cosponsorships, and introduction of legislation.

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

**ORDERS FOR MONDAY, JUNE 18, 2007**

Mr. DORGAN. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand adjourned until 2 p.m. on Monday, June 18; that on Monday, following the prayer and the pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, and the time for the two leaders reserved for their use later in the day; that there then be a period of morning business until 3:30 p.m., with Senators permitted to speak for up to 10 minutes each and with the time equally divided and controlled between the two leaders or their designees; that following morning business the Senate then resume consideration of H.R. 6, the comprehensive energy legislation.

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

**ORDER FOR ADJOURNMENT**

Mr. DORGAN. Mr. President, I ask unanimous consent that notwithstanding the order for adjournment and morning business, it be in order for Senator COLLINS to call up an amendment with respect to H.R. 6, and that the consideration of that amendment and her statement thereon be printed in the RECORD as if the measure was pending, and that at the conclusion of her remarks the Senate stand adjourned under the previous order.

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

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

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

The ACTING PRESIDENT pro tempore. The Senator from Maine.

Ms. COLLINS. I ask unanimous consent that the order for the quorum call be rescinded.

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

**H.R. 6—AMENDMENT NO. 1615**

Ms. COLLINS. Mr. President, I call up amendment No. 1615, which is pending at the desk.

The ACTING PRESIDENT pro tempore. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Maine [Ms. COLLINS], for herself and Ms. CANTWELL, Ms. SNOWE, and Mrs. MURRAY, proposes an amendment numbered 1615 to amendment No. 1502.

Ms. COLLINS. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To provide for the development and coordination of a comprehensive and integrated United States research program that assists the people of the United States and the world to understand, assess, and predict human-induced and natural processes of abrupt climate change)

At the end of title III, insert the following:

**SEC. 305. ABRUPT CLIMATE CHANGE RESEARCH PROGRAM.**

(a) ESTABLISHMENT OF PROGRAM.—The Secretary of Commerce shall establish within the Office of Oceanic and Atmospheric Research of the National Oceanic and Atmospheric Administration, and shall carry out, a program of scientific research on abrupt climate change.

(b) PURPOSES OF PROGRAM.—The purposes of the program are as follows:

(1) To develop a global array of terrestrial and oceanographic indicators of paleoclimate in order to sufficiently identify and describe past instances of abrupt climate change.

(2) To improve understanding of thresholds and nonlinearities in geophysical systems related to the mechanisms of abrupt climate change.

(3) To incorporate such mechanisms into advanced geophysical models of climate change.

(4) To test the output of such models against an improved global array of records of past abrupt climate changes.

(c) ABRUPT CLIMATE CHANGE DEFINED.—In this section, the term “abrupt climate change” means a change in the climate that occurs so rapidly or unexpectedly that human or natural systems have difficulty adapting to the climate as changed.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Department of Commerce for each of fiscal years 2009 through 2014, to remain available until expended, \$10,000,000 to carry out the research program required under this section.

Ms. COLLINS. Mr. President, I rise today to propose an amendment that would authorize funding for abrupt climate change research. I am very pleased to be joined on this amendment by Senator CANTWELL, Senator SNOWE, and Senator MURRAY. Our amendment would authorize \$10 million per year for the next 6 years for the National Oceanic and Atmospheric Administration, NOAA, in partnership with universities across the Nation to conduct research into abrupt climate change.

I recognize the Senate has reached no consensus with regard to how best to respond to climate change. Nevertheless, I believe there is one issue on

which we can agree, and that is the need for a great deal more scientific research in order to better understand the potential risk of abrupt climate change.

Understanding and predicting climate changes are enormous scientific challenges. The challenges are made even more difficult with the recognition that the climate system is capable of dramatic and abrupt changes. Scientists have determined that past global temperatures have swung as much as 20 degrees Fahrenheit within a decade, accompanied by drought in some places and catastrophic floods in others.

An abrupt climate change triggered by the ongoing buildup of greenhouse gases in the atmosphere would also likely result in the redistribution of atmospheric moisture and rainfall, with substantial impact for the world's food supply.

Unfortunately, we have no satisfactory understanding of what triggers abrupt climate change. Both the National Academy of Sciences and the administration's Strategic Climate Change Science Plan identify abrupt climate change as the key priority for additional research. The National Academy has stated that:

Large, abrupt climate changes have repeatedly affected much or all of the earth.

The academy went on to state that:

Abrupt climate changes are not only possible but likely in the future, potentially with large impacts on ecosystems and societies.

The academy noted we are not doing nearly enough to identify even the threat of abrupt climate change. The amendment the four of us are proposing would lay the framework and provide the funds for the United States to better understand and address abrupt climate change. One reason this funding is so urgent is we are rapidly losing one of the greatest sources of information, and that is ice cores from glaciers.

The University of Maine's Climate Change Institute has one of the best known and best regarded abrupt climate change research programs in the

entire world, I am proud to say. The Climate Change Institute uses ice cores from glaciers and ice sheets around the world to make discoveries that change the way we think about climate change.

Unfortunately, numerous glaciers around the world are melting. When they go, the very record that has given us so much of this critical climate history will also be lost. I have had several terrific opportunities to see for myself how scientists are able to use glaciers and ice sheets to better understand climate change. Last year, I joined Senators MCCAIN and SUNUNU in traveling to Antarctica to see groundbreaking research taking place on ice more than 2 miles deep at the South Pole. Along the way, we toured some of the University of Maine's research sites in New Zealand with distinguished university professor George Denton. He was the first scientist from the University of Maine to be elected to the National Academy of Scientists.

According to Professor Denton, 50 percent of the glaciers in New Zealand have melted since 1860, and this melting is unprecedented in the last 5,000 years. We stood with the professor on sites that had been buried by massive glaciers at the beginning of the 20th century, but now they are ice free. It was remarkable to see this firsthand.

Two years ago, I traveled with a group of Senators to the northernmost community in the world, Ny-Alesund, in Norway. The scientists we met told us that global climate change is occurring more rapidly now than at any time since the beginning of civilization. They further stated that the region of the globe changing most rapidly is the Arctic. In fact, the Arctic, in many ways, is the proverbial canary in the coal mine when it comes to climate change. The changes are remarkable and disturbing.

In the last 30 years, the Arctic has lost sea ice cover over an area 10 times as large as the entire State of Maine. In the summer, the change has been even more dramatic with twice as much ice loss. The ice that remains is

as much as 40 percent thinner than it was only a few decades ago.

Senator MCCAIN and others and I witnessed massive blocks of ice falling off glaciers that have already retreated well back from the shores against which they once rested. The melting of glaciers and sea ice, the thawing of the permafrost, the increase in sea levels resulting from warming, are already beginning to cause environmental, social, and economic changes.

In Barrow, AK, for example, we met with native people who told us they are seeing insects they have never seen that far north before. They told us the salmon run has changed. We saw telephone poles that were tilted over because, for the first time, the permafrost is thawing. The changes were very evident and they are very troubling in many cases. If these changes were to be compounded by an abrupt climate change on the scale seen in our history, the result could be devastating.

The amendment I am proposing has passed the Senate twice before, as part of the 2001 and the 2003 Energy bills, and was initially included in the managers' package this year. I hope this is the year we finally pass this important provision into law.

We need to act now. We need to authorize this funding so we can gain a better understanding of the possibility of abrupt climate change causing enormous and relatively rapid changes in our climate.

I urge my colleagues to support the amendment.

Mr. President, I yield the floor.

---

ADJOURNMENT UNTIL MONDAY,  
JUNE 18, 2007, at 2 p.m.

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate stands adjourned until 2 p.m. on Monday, June 18, 2007.

Thereupon, the Senate, at 11:57 a.m., adjourned until Monday, June 18, 2007, at 2 p.m.