

I am very pleased Dr. Castleberry could join us in the Senate today. I thank him for his service to the students and faculty at Northwest University, as well as his dedication to helping communities around the world.

I also thank Senate Chaplain Dr. Black for inviting Dr. Castleberry to deliver the opening prayer for the Senate this morning.

I yield the floor.

The ACTING PRESIDENT pro tempore. The majority leader.

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#### SCHEDULE

Mr. REID. Madam President, today at a quarter to 10, the Republican leader or his designee will make a motion to proceed to S.J. Res. 26, which is a joint resolution of disapproval of a rule submitted by EPA relating to the endangerment findings and the cause or contributing findings for greenhouse gases. There will be up to 6 hours of debate equally divided between Senators MURKOWSKI and BOXER or their designees, with the controlled time alternating in 30-minute blocks, with Senator MURKOWSKI controlling the first 30 minutes. If all time is used, the vote on the motion to proceed will occur at 3:45 p.m. If the motion to proceed is agreed to, there will be an additional 1 hour of debate on the joint resolution prior to a vote on passage of the joint resolution.

As I indicated yesterday, there will be no rollcall votes tomorrow or Monday, June 14.

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#### EPA RULE

Mr. REID. Madam President, the Murkowski resolution, which we will take up soon, will increase pollution, increase our dependence on foreign oil, and stall our efforts to create jobs and, in so doing, stall our efforts to move to a clean energy economy.

This resolution does nothing to create jobs in Nevada or anywhere else in our country. It does create jobs in places from where we are importing oil—the Middle East, Venezuela, places such as that—but not in our country.

In fact, this resolution will damage the certainty and clarity that businesses want to invest in innovative and job-creating technologies that reduce pollution. This includes clean renewable power using the Sun, the wind, and geothermal energy.

This resolution is not going to help bring us closer to providing more incentives for the production or use of clean-burning natural gas. This resolution is not going to help provide funding for Nevadans or Alaskans or any other State to cope with and adapt to a changing and increasingly unfriendly climate.

Forcing this vote seems to be a largely partisan political ploy designed to divide Democrats and Republicans and to pander to the dirty, just-say-no crowd. They want business as usual with no limits on their ability to pollute.

The White House has made it clear that the Murkowski resolution would be vetoed if it passes. We all know, in fact, if it does pass and a veto is made, that it would be sustained.

We also know that this resolution is a great big gift to big oil, at least 455 million more barrels of oil would be used, making at least \$50 billion extra for the oil companies, and billions more if this resolution were to become law. And most of that oil will come from overseas. We know that.

Is this the kind of business as usual the American people want? Of course not. No, the public wants companies to give them choices of cars, products, and fuels that are less polluting, affordable, and made in America, not from the Persian Gulf, China, or other places.

This resolution is very much a choice about the future of our country. Do we want to return to the days when big oil and their friends, with OPEC's help, decided America's economic destiny or are we going to work together to solve the incredibly difficult problems posed by the way we produce and use energy? Are we going to work together to reduce pollution?

I am convinced that we can pass strong, bipartisan legislation to create jobs, protect the environment, and make a safer and more secure future. But that would require the help of everyone in the Senate to be involved in a constructive engagement, and only a few have stepped forward. I hope that changes soon.

Will the Chair announce the business before the Senate?

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#### RESERVATION OF LEADER TIME

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

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#### RECOGNITION OF THE MINORITY LEADER

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

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#### RESOLUTION OF OPPOSITION

Mr. MCCONNELL. Madam President, later today, the Senate will vote on an issue of vital importance to every American family and business, and that is whether the Environmental Protection Agency should be allowed to impose a backdoor national energy tax on the American people.

This vote is needed because of the administration's insistence on advancing its goals by any means possible, in this case by going around the legislative branch and imposing this massive, job-killing tax on Americans through an unaccountable Federal agency.

Ironically, just last year, President Obama and EPA Administrator Lisa Jackson took the position that on an issue of this magnitude, which touches

every corner of our economy, Congress, not the EPA, should determine how to reduce greenhouse gas emissions. But now that it is clear Congress will not pass this new national energy tax this year, the administration has shifted course and is now trying to get done through the backdoor what they have not been able to get through the front door.

Like the cap-and-trade legislation they would replace, these EPA regulations would raise the price of everything from electricity to gasoline to fertilizer to food on our supermarket shelves. That is why groups representing farmers, builders, manufacturers, small business owners, and the U.S. Chamber of Commerce are so strongly opposed to these EPA regulations and so supportive of the Murkowski resolution to stop them.

These groups know these backdoor moves by EPA will deal a devastating blow to an economy already in rough shape. And so does the President. He said himself that his plan would cause electricity prices for consumers to "necessarily skyrocket." The President himself said this plan would cause prices for consumers to "necessarily skyrocket."

At a time of nearly 10-percent unemployment, these new regulations would kill U.S. jobs. According to one estimate, the House cap-and-trade bill would kill more than 2 million U.S. jobs and put American businesses at a disadvantage to their competitors overseas.

Closer to home, these regulations would be especially devastating for States such as Kentucky and other Midwestern coal States. EPA regulations resulting in dramatic energy price increases would jeopardize the livelihoods of the 17,000 miners in our State and an additional 51,000 jobs that depend on coal production and the low cost of electricity that Kentuckians enjoy. That is why in the last few days alone, my office has received more than 1,000 letters, e-mails, and phone calls from Kentuckians opposed to this effort from EPA.

A lot of Kentuckians work hard to ensure that our State has the lowest industrial electricity rate in the Nation, and that is something we are proud of at home.

This bill would lead to a dramatic increase in these electricity rates, punishing businesses both large and small.

But the job losses would not stop there. As I indicated, this backdoor energy tax would be felt on farms as well, where increased energy and fertilizer prices would drive up costs for farmers and livestock producers who do not have the ability to pass on these increases. This would be an especially painful blow to them, and that is why the Farm Bureau and many other farm groups oppose what the EPA is trying to do.

There are many different views in this body on how to reduce greenhouse gas emissions. Some favor the Kerry-

Lieberman cap-and-trade bill, a significant portion of which, by the way, has been pushed by the oil company BP. Many Members on this side of the aisle have proposals they support as well.

One thing we should be able to agree on is that the worst possible outcome is for the unelected bureaucrats at the EPA to unilaterally impose these job-killing regulations. That is why it is my hope that later this afternoon we will vote to stop this blatant power grab by the administration and EPA and pass Senator MURKOWSKI's legislation to stop this backdoor national energy tax dead in its tracks.

This effort by the EPA would be devastating for jobs and an economy that needs them desperately. It is bad for the economy and bad for representative democracy. It should be stopped.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Alaska.

#### RESOLUTION OF DISAPPROVAL OF EPA RULE—MOTION TO PROCEED

Ms. MURKOWSKI. Madam President, during the Memorial Day recess, we received two pieces of alarming news that should inform the work of every Member in this Chamber. First, we learned the national debt has surpassed \$13 trillion in total, and then shortly after that, we learned that nearly all the jobs that were added in May came from temporary census positions. The private sector created just 41,000 jobs last month—many fewer than expected and certainly a far cry from the pace that will allow us to dig out from under this economic recession.

I think we all recognize there is no question that our recovery is still fragile—very much in doubt. It is also quite clear it will take some time for millions of unemployed Americans to find their jobs and get back on their feet again. These tough facts should encourage us to focus on these policies that create jobs, that reduce our debt, and at the same time should encourage us to guard against policies that fail in either or both of those areas.

Madam President, we are here today to debate a policy that works against both of those goals—the Environmental Protection Agency's effort to impose economy-wide climate regulations under the Clean Air Act. The sweeping powers being pursued by the EPA are the worst possible option for reducing greenhouse gas emissions, and there is broad bipartisan agreement that this approach would forgo all of the benefits, all of the protections that are possible through legislation. It would reduce emissions at an unreasonably high cost and through an unnecessarily bureaucratic process. It would amount to an unprecedented power grab, ceding Congress's responsibilities to unelected bureaucrats, and move a very important debate, a critical debate, from our open halls to behind an agency's closed doors.

This approach should have been, could have been taken off the table

long ago. Yet because the EPA is determined to move forward aggressively and because neither Congress nor the administration has acted to stop them, it is now in the process of becoming our Nation's de facto energy and climate policy.

Because this is our worst option to reduce emissions and Congress needs time to develop a more appropriate solution, I have introduced a resolution of disapproval—I introduced this back in January—to halt the EPA's regulations. My resolution does not affect the science behind the endangerment finding, but it will prevent the finding from being enforced through economy-wide regulations.

Forty other Senators here in this body have joined me and are cosponsors of this effort. Our resolution has garnered significant support among the American people, and from the day it was introduced, we have had individuals and we have had groups and organizations from all across the country that have expressed their support and their appreciation. It really is a tremendous coalition, a significant coalition from farmers and manufacturers, to small business owners, to fish processors. There are more than 530 stakeholder groups that have endorsed our resolution's passage, and I will tell you, when you look at some of those groups, you would not put them in a category where you would say: Well, this is an entity that is standing up to fight, to push back against the EPA. But I will suggest to you that the broad range of stakeholders is really quite impressive.

Despite that support, I will still be the first to admit that we face an uphill battle. We oppose the EPA's regulations because of their costs, most definitely. But, unfortunately, that seems to be precisely why some Senators have gone out front to support them, hoping these economic costs will be so onerous that it will force us here in the Congress, here in the Senate, to adopt legislation we otherwise wouldn't move to do.

This has been an interesting, sometimes difficult and contentious several months as we have moved forward with this resolution of disapproval. Personal attacks have been directed at supporters of this resolution in an effort, I think, to intimidate others from adding their names.

The EPA Administrator has, somewhat incredibly, suggested our resolution was somehow related to the oil spill that is ongoing in the gulf. Some have even claimed the resolution is a bailout for the oil companies and are trying to make sure we don't let another crisis go to waste—in other individuals' terms—in their efforts to pass sweeping cap-and-trade measures. I would suggest that the only similarity I see between the spill in the Gulf of Mexico and the EPA's regulations is that both of these are unmitigated disasters. One is happening now; the other one is waiting in the wings if Congress fails to adopt this resolution.

This decision—where we are today here in the Senate debating this resolution of disapproval—ultimately boils down to four substantive factors. The first one is the inappropriateness of the Clean Air Act for reducing greenhouse gas emissions. The second is the likelihood that the courts will strike down the tailoring rule. Then we also have the lack of economic analysis from the EPA, which is stunning—that we do not have a better sense in terms of what the economic impact of these regulations will be. Then finally and certainly above all else is the undisputed fact that climate policy should be written here in Congress. It is not just LISA MURKOWSKI who says that, and it is not just the other 40 Senators who have signed on as cosponsors to this resolution of disapproval; it is everyone from the President, to the Administrator of the EPA, to colleagues on the House side who have said time and time again that it should be the Congress, it should be those of us who are elected Members of this body who set the policy of this country and not the unelected bureaucrats within an agency.

I would like to speak to each of these four factors in a little greater detail, so I will start by examining why the Clean Air Act is such an awful choice for reducing these emissions. I have explained this many times before, so I will reiterate two main points here—first is the way these regulations are carried out.

You have command-and-control directives that are issued by the government that affect every aspect of our lives, rather than market-based decisions made by consumers and businesses. I wish to reinforce that, the fact that these are directives that will impact every aspect of our lives.

When we were debating health care reform here on this floor not too many months ago, it was repeated time and time again that it was so important we get this right because health care reform will impact one-sixth of our economy. Well, I would suggest to you that when we are talking about climate policy, that is something which is going to impact every aspect—100 percent—of our economy.

The system imposed by the EPA will entail millions of permit decisions—millions of permit decisions—by mid-level EPA employees, without effective recourse, and it will leave regulated entities with very little flexibility to comply.

Another reason the Clean Air Act is extremely complicated for reducing greenhouse gas emissions: the Clean Air Act's explicit regulatory thresholds. They absolutely put an exclamation mark on why this law is such a poor choice for addressing climate change.

Under the Clean Air Act, if you emit more than 100 or 250 tons of a pollutant each year, you must acquire a Federal air permit. These relatively low limits