

In addition to all of that, the ethanol industry paid \$11 billion in Federal taxes in 2010. I want to emphasize that point. In 2010, the ethanol industry paid \$11 billion in Federal tax. So it is an important industry to our country and we need it to continue.

The point of the discussion today, though, is how best to do that. So for this discussion today, how do we create the right environment to stimulate private investment so we have that growing economy, we have more jobs, we have more energy, but we also generate more tax revenues with less government spending so we both grow our way out of this debt and deficit, we get this economy going, we create a better energy future for these young people and young people all over our great country.

That is why I have sponsored legislation, along with Senator THUNE and Senator KLOBUCHAR, that will reform the ethanol tax credit. It will provide deficit reduction and set us on the right path for alternative fuel development in our country for the long run. The legislation is called the Ethanol Tax Reform and Deficit Reduction Plan.

It is the right way to transition from the current VEETC, the volumetric ethanol excise tax credit, rather than the amendment today to simply do away with VEETC. This is the right transition for us to make from the VEETC to creating the right environment to stimulate investment and energy growth in biofuels for the future. The ethanol tax reform and deficit reduction plan provides \$1 billion in deficit reduction right away—provides \$1 billion in deficit reduction. But it also provides the right transition for ethanol by providing the right kind of energy policy. Specifically, we provide incentives for things such as blender pumps that offer consumers choice. We provide the right kind of incentives for research, development, and deployment of second-generation ethanol, specifically cellulosic ethanol, so that instead of making ethanol from food products, we make it from stover and wheat straw and other sources.

By combining blender pumps, flex fuel vehicles, and commonsense regulation on the part of the EPA that encourages higher fuel blends, we create the business environment that will foster growth in the ethanol industry.

What does that mean? That means, No. 1, we avoid the ongoing cost of subsidies such as the VEETC. Second, we set the ethanol industry up for long-term growth. Third, we gain jobs. We gain jobs at a time when we badly need them. We produce more energy, which reduces our dependence on foreign oil, and we gain tax revenues. We gain tax revenues to help reduce our deficit.

So we not only spend less directly, helping to reduce the deficit, we grow our economy, and that growing economy builds on the \$11 billion that the industry is already paying in Federal taxes, and we grow that base while we

are growing our jobs. That is the right way to move forward, to move out of our deficit situation in this economy, to get our economy going and also to produce more energy.

This is a market-based approach that will give customers more choice and also reduce their fuel costs. For example, you go into the station, there is a blender pump there. You have a flex fuel vehicle. You can dial up whatever blend you choose, anywhere from 0 percent biofuels all the way up to 85 percent, whatever works best for you, whatever works best for your pocketbook, whatever works best for your vehicle.

We have blender pumps in my State. We have an incentive for blender pumps in my State. As a result, we have more blender pumps than any other State in the country. The reality is today, if you buy fuel in North Dakota, almost all of the fuel you buy will have ethanol in it and you do not even realize it. Why? Because at a 90–10 percent blend, every vehicle can use it, and it is the lowest price gasoline at the pump, so dealers want to sell it. Consumers buy it. They simply buy it because they pick the lowest priced fuel at the pump. It is a 90–10 blend.

That is where we are going with this, a market-based approach. That is how it can work for the benefit of our economy, for the benefit of our energy future, for the benefit of reducing spending, and for the benefit of growing our tax revenues. That is the choice we have today. That is the right way to approach job creation and energy development in our country. We are reducing spending. We are improving and creating an environment for private sector investment that will help us build a probusiness climate for energy and economic growth in our country.

I urge my fellow Senators to make that progrowth choice.

I yield the floor.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER (Mr. TESTER). Morning business is closed.

EXECUTIVE SESSION

NOMINATION OF CLAIRE C. CECCHI TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF NEW JERSEY

NOMINATION OF ESTHER SALAS TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF NEW JERSEY

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider the following nominations which the clerk will report.

The assistant legislative clerk read the nominations of Claire C. Cecchi, of

New Jersey, to be United States District Judge for the District of New Jersey, and Esther Salas, of New Jersey, to be United States District Judge for the District of New Jersey.

The PRESIDING OFFICER. Under the previous order, there will be 1 hour for debate equally divided and controlled between the two leaders or their designees.

The Senator from New Jersey.

Mr. LAUTENBERG. Mr. President, today is a distinct honor for me to have the opportunity to fulfill the constitutional commitment that each of us has to assure the public at large that justice is being administered as it should be. We fulfill this commitment by making sure vacancies on the Federal bench are filled with individuals who have the proper experience and will provide the kind of fairness and balance in decisionmaking that confirms America's basic tenets.

Mr. President, during a 2-year hiatus that I took from the Senate, I was honored with the naming of a Federal courthouse in Newark after me, and I was so pleased to have that association with the justice administered in our society. Before the building was dedicated, I asked that an inscription that I authored be placed on the wall. It reads exactly as I labored to write it. It says:

The true measure of a democracy is the dispensation of justice.

As a matter of fact, when I shared that moment with my dear departed colleague, Senator Ted Kennedy, who questioned whether I wrote it because he knew I wasn't a lawyer, we joked about it, and I confirmed it. That is the way I saw things.

The sentiment behind that quote underscores how seriously I take my role in recommending New Jersey District Court nominees to President Obama. That is why I am so proud to come to the floor today and urge my colleagues to confirm President Obama's nomination of Judge Claire Cecchi and Judge Esther Salas to the U.S. District Court for New Jersey. Both are well qualified for the court, having devoted their careers to upholding the rule of law.

Throughout her career, Judge Cecchi has demonstrated her ability to navigate complicated legal matters and manage complex cases. During the confirmation process, she showed her temperament and diligence, she let us know something of her candor, and displayed the kind of character that she brings to the bench.

For the past 5 years, Judge Cecchi has served as a U.S. magistrate judge in the District of New Jersey, where she has presided over hundreds of civil and criminal cases.

Before joining the bench, Judge Cecchi spent 14 years in private practice, focusing on complex civil litigation. One of her passions is to encourage young people to pursue a career in the law. She has hosted Bring Your Child to Work Day programs in the district court, as well as a mock trial for

a local sixth grade class, to let young people have some understanding of what goes into making sure justice is fairly served in the Federal courts.

Judge Cecchi's community spirit is pronounced in her activities. She has volunteered for the Junior League, Orphans with AIDS, the Human Needs Food Pantry, and the Salvation Army, to name just a few.

She graduated from Fordham University Law School, and cum laude from Barnard College at Columbia University. Before being appointed to the bench, she was a partner at two New Jersey law firms, and she was an assistant corporation counsel for the City of New York.

Like Judge Cecchi, Judge Salas has earned the respect and admiration of New Jersey's legal community—first as an accomplished litigator and, for the past 5 years, as a U.S. magistrate judge. She was the first Latina in New Jersey to serve as a magistrate judge.

In a newspaper profile a few years ago, Judge Salas recalled how, when she was 10 years old, her family lost everything in a fire in the apartment building where they lived. The judge's mother said to her:

Things are going to be fine. We've gotten this far, and we are going to make it.

What determination that showed. I like to tell this story because I believe it demonstrates how Judge Salas's experiences have shaped her life and her career. She has known hardship, but she has also known great success as a member of New Jersey's legal community.

Before Judge Salas became a magistrate judge, she served 9 years as an assistant Federal public defender in Newark, representing indigent clients in a variety of cases. In addition, Judge Salas has worked in private practice, handling appellate work for a New Jersey law firm. She is a graduate of the Rutgers University School of Law, and she clerked for New Jersey Superior Court Judge Eugene Codey.

Additionally, Judge Salas has served as the president of the Hispanic Bar Association of New Jersey, an organization to which she has devoted countless volunteer hours throughout her career.

As I shared with the Judiciary Committee when I introduced Judge Cecchi and Judge Salas in March, I am not a lawyer, but I have a deep and abiding respect for the law. I was pleased to recommend Judge Claire Cecchi and Judge Esther Salas because both are unquestionably qualified to serve on the district court, and they will bring honor to the people of New Jersey and our country.

I am confident that my colleagues in the Senate will agree and vote overwhelmingly to confirm their nominations.

With that, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. LAUTENBERG. Mr. President, I ask unanimous consent that the time during the quorum call be equally divided, and I suggest the absence of a quorum.

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

The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. MENENDEZ. Mr. President, I rise to urge my colleagues to vote for the confirmation of two of New Jersey's most outstanding judicial professionals to fill two vacancies for United States District Court judges for the District of New Jersey. I understand that vote will be taking place around noon. Both of these very qualified women are now U.S. magistrate judges.

Judge Claire Cecchi and Judge Esther Salas are among the most respected leaders in New Jersey's judicial community. Both have demonstrated skill and professionalism on the bench and an impressive ability to manage the heavy and complex dockets before them.

Judge Cecchi has a broad range of litigation experience, having worked in the private sector for over 14 years. After serving in the Office of Corporation Counsel for the City of New York, she practiced with Robinson, St. John & Wayne, and later with Robinson, Lapidus, and Livelli, both large and well-respected New Jersey firms.

She has been no stranger to complex litigation for both defendants and plaintiffs. In the course of her distinguished career, she has focused on a range of challenging issues—from security litigation and complex tort matters to employment law, criminal cases, construction cases, and contracts. In handling a case involving a suit by the Securities and Exchange Commission—a prominent case against two companies in Federal Court in the Southern District of New York—Judge Cecchi demonstrated outstanding legal skills. She was singled out by many in the legal profession in New Jersey for her depth and range of knowledge on the subject and for her conduct of the case.

Judge Cecchi later went to the firm of Carpenter, Bennet & Morrisey, the second oldest law firm in New Jersey, where she worked for almost a decade developing a range of experience in environmental and toxic tort cases, class actions, patent cases, and employment law.

She is a graduate of Fordham University and Barnard College at Columbia University, and began her career clerking for the Honorable Kevin Thomas

Duffy of the Southern District of New York.

As a U.S. magistrate judge, she has shown a unique set of judicial skills that makes her an exceptional choice for the position of United States District Court Judge for the District of New Jersey, and I urge my colleagues to vote to confirm her nomination.

Magistrate Judge Esther Salas has been an exceptional public servant. In 2006, she became the first Hispanic to serve as a U.S. magistrate judge for the District of New Jersey. In her handling of a docket of well over 400 cases, she has earned the respect of many in the legal community who have said she is the finest judge they have worked with in many years of practice.

In a 10-year environmental dispute involving 350 attorneys, she managed the resulting avalanche of motions and counter-motions involving Federal and State claims for more than \$300 million in cleanup costs and damages. Her handling of the case prompted several lawyers not only to credit her with being the principal moving force in bringing the parties to agreement but recommending her to the Judiciary Committee with their unqualified support.

Prior to serving as a U.S. magistrate judge, Judge Salas worked for almost 10 years in the Federal Public Defenders Office, where she zealously provided her clients with her best legal advice and a skilled defense in what were often difficult and complex cases.

Judge Salas clerked with distinction for Superior Court Judge Eugene Codey, and—a proud New Jerseyan—she earned her degrees from Rutgers University and Rutgers University Law School.

She is a respected member of the New Jersey State Bar, a past president of the Hispanic bar of New Jersey, and an extraordinary jurist.

These two extraordinary nominees—two of New Jersey's most respected legal professionals—both deserve confirmation by the full Senate as U.S. District Court Judges for the District of New Jersey. I urge my colleagues to confirm their nominations and give New Jersey two respected and distinguished District Court judges who have earned the confidence of the legal community in my State, the recommendation of the Judiciary Committee and, in my view, deserve a unanimous vote in the full Senate.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. LEAHY. Mr. President, the Senate last confirmed a judicial nominee on May 17, almost 1 month ago. This is despite the fact that almost a score of

qualified nominees have been awaiting final consideration since that date. Last month, the Senate recessed for Memorial Day with 19 judicial nominees pending on the Senate's Executive Calendar. Of those, 16 are by anyone's definition consensus nominees. All 16 were unanimously approved by every Republican and every Democratic Senator on the Judiciary Committee after thorough review. They are all supported by their home State Senators, Republicans and Democrats. These are the kind of nominees who in past years would be confirmed within days of being reported to the Senate and without the extended delays that now burden every nomination.

With judicial vacancies continuing at crisis levels, affecting the ability of courts to provide justice to Americans around the country, I have been urging the Senate to vote on the judicial nominations reported favorably by the Judiciary Committee and pending on the Senate's Executive Calendar. My efforts have not yielded much success or sense of urgency. Nor have the statements by the Chief Justice of the United States, the Attorney General of the United States, the White House counsel, the Federal Bar Association and a number of Federal judges across the country.

Those who delay or prevent the filling of these vacancies must understand that they are delaying and preventing the administration of justice. We can pass all the bills we want to protect American taxpayers from fraud and other crimes, but you cannot lock up criminals or recover ill-gotten gains if you do not have judges. The mounting backlogs of civil and criminal cases are growing larger.

We should have regular votes on President Obama's highly qualified nominees, instead of more delays. With vacancies still totaling more than 90 on Federal courts throughout the country, and with nearly two dozen future vacancies on the horizon, there is no time to delay consideration of these nominations. Had we taken positive action on the consensus nominees, vacancies would have been reduced to below 80 for the first time since the beginning of President Obama's administration.

All of the nominations reported by the Judiciary Committee and pending on the Senate's Executive Calendar have been through the committee's fair and thorough process. We review extensive background material on each nominee. All Senators on the committee, Democratic and Republican, have the opportunity to ask the nominees questions at a live hearing. Senators also have the opportunity to ask questions in writing following the hearing and to meet with the nominees. All of these nominees which the committee reported to the Senate have a strong commitment to the rule of law and a demonstrated faithfulness to the Constitution. All have the support of their home state Senators, both Republican and Democratic. They should not

be delayed for weeks and months needlessly after being so thoroughly and fairly considered by the Judiciary Committee.

Today, the Senate is being allowed to vote on two more of President Obama's outstanding judicial nominees, Esther Salas and Claire Cecchi—both currently Federal magistrate judges for the U.S. District Court for the District of New Jersey, the court to which they are nominated. Judge Salas previously served as a Federal public defender and in private practice. She is a graduate of Rutgers University and Rutgers University School of Law. Judge Cecchi previously worked in private practice and for the city of New York. She graduated from Barnard College of Columbia University and Fordham University School of Law. Judge Salas and Judge Cecchi both have the strong support of their home state Senators, Senator LAUTENBERG and Senator MENENDEZ.

After today's votes on the two New Jersey nominees, there will remain more than a dozen other judicial nominations that were reported unanimously and that are being stalled for no good reason and without justification. They include several nominees to fill judicial emergency vacancies, including Paul Engelmayer and William Kuntz of New York, Richard Brooke Jackson of Colorado, Kathleen Williams of Florida, and Nelva Gonzales Ramos of Texas, as well as Henry Floyd of South Carolina to the Fourth Circuit.

Other nominations reported unanimously and without any opposition are Paul Oetken of New York, Romana Manglona of the Mariana Islands, Sara Lynn Darrow of Illinois, John Andrew Ross of Missouri, Timothy M. Cain of South Carolina, Nanette Jolivette Brown of Louisiana and Nancy Torreson of Maine. Some have been needlessly stalled before the Senate for months. Those with home state Republican Senators in support include Bernice Donald of Tennessee to the Sixth Circuit, Henry Floyd of South Carolina to the Fourth Circuit, Sara Lynn Darrow of Illinois, Kathleen Williams of Florida, Nelva Gonzales Ramos of Texas, John Andrew Ross of Missouri, Timothy Cain of South Carolina, Nanette Jolivette Brown of Louisiana, and Nancy Torreson of Maine. In spite of all this, we continue to be unable to secure consent from the Republican leadership for the Senate to consider and vote on these nominations. They will all be confirmed if allowed to be considered.

We could have made significant progress helping Americans seeking justice in our Federal courts before the Memorial Day recess. I hope Senators across the aisle can join together with us and work with the President to provide needed judicial resources before our Fourth of July recess.

I congratulate both of the outstanding nominees we will confirm today, and their families on what I expect will be their unanimous confirmations today.

Mr. GRASSLEY. Mr. President, today, the Senate will confirm two more of President Obama's judicial nominees. Both nominees are for seats in the District of New Jersey. With these confirmations today, the District of New Jersey will be fully staffed, with no vacancies.

I have been working throughout this Congress to confirm consensus nominees. Yet we continue to hear complaints in the blogs and elsewhere on the lack of confirmations or on the slow pace of confirmations. I think the record demonstrates otherwise. We have taken positive action on more than 60 percent of President Obama's nominees in this Congress. We have reported out of committee more than half the nominees. Twenty-six nominees will have been confirmed after today. Even with this pace, I remind my colleagues that we continue to carefully review the qualifications of all nominees. This is not a pro forma process. We expect quality nominations from the President, not just quantity.

Today, the Senate will consider two nominations, both to be U.S. district judge for the District of New Jersey. Since 2006, both have been serving as a U.S. magistrate judge for the District of New Jersey. I congratulate these nominees.

The first nominee is Claire Cecchi. Judge Cecchi received her bachelor's degree from Barnard College, Columbia University in 1986, and her juris doctorate from Fordham University School of Law in 1989.

Upon graduation, Judge Cecchi worked for the Office of Corporation Counsel for the city of New York. In 1992 she became an associate with the firm of Robinson, St. John & Wayne and its successor firm, Robinson, Lapidus & Livelli. There she focused her work in general practice with an emphasis on securities litigation. In 1997 Judge Cecchi joined the firm of Carpenter, Bennett & Morrissey, where she handled general litigation, including products liability, employment, antitrust, and patent law cases. She became a partner in that firm in 2001. In 2004 she joined the firm McElroy, Deutsch, Mulvaney & Carpetner, as of counsel. She was a partner in that firm in 2005 to 2006. Judge Cecchi also served as a State-certified mediator for the New Jersey State courts system while in private practice. She was appointed a magistrate judge in 2006, where she presides over pretrial motions, mediations, and settlements.

The American Bar Association has rated Judge Cecchi "majority qualified, minority well qualified."

The second nominee, Esther Salas, received both her bachelor's and juris doctorate from Rutgers University in 1991 and 1994, respectively.

Judge Salas began her legal career as a law clerk for Judge Eugene Cody of the Superior Court of New Jersey. After her clerkship, Judge Salas worked at the firm of Garces & Grabler, where she handled criminal

work and appellate matters. In 1997, she joined the Office of the Federal Public Defender as an assistant public defender, working for indigent criminals in Federal criminal matters. She was appointed as a U.S. magistrate judge for the District of New Jersey in 2006.

The American Bar Association has rated Judge Salas unanimously "well qualified."

I support these two nominees and congratulate them for their achievement and public service.

Mr. WHITEHOUSE. I now yield back all time.

The PRESIDING OFFICER. Without objection, all time is yielded back.

The question is, Will the Senate advise and consent to the nomination of Claire C. Cecchi, of New Jersey, to be United States District Judge for the District of New Jersey?

Mr. WHITEHOUSE. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Pennsylvania (Mr. CASEY) and the Senator from Hawaii (Mr. INOUE) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 98, nays 0, as follows:

[Rollcall Vote No. 88 Ex.]

YEAS—98

Akaka	Gillibrand	Moran
Alexander	Graham	Murkowski
Ayotte	Grassley	Murray
Barrasso	Hagan	Nelson (NE)
Baucus	Harkin	Nelson (FL)
Begich	Hatch	Paul
Bennet	Heller	Portman
Bingaman	Hoeven	Pryor
Blumenthal	Hutchison	Reed
Blunt	Inhofe	Reid
Boozman	Isakson	Risch
Boxer	Johanns	Roberts
Brown (MA)	Johnson (SD)	Rockefeller
Brown (OH)	Johnson (WI)	Rubio
Burr	Kerry	Sanders
Cantwell	Kirk	Schumer
Cardin	Klobuchar	Sessions
Carper	Kohl	Shaheen
Chambliss	Kyl	Shelby
Coats	Landrieu	Snowe
Coburn	Lautenberg	Stabenow
Cochran	Leahy	Tester
Collins	Lee	Thune
Conrad	Levin	Toomey
Coons	Lieberman	Udall (CO)
Corker	Lugar	Udall (NM)
Cornyn	Manchin	Vitter
Crapo	McCain	Warner
DeMint	McCaskill	Webb
Durbin	McConnell	Whitehouse
Enzi	Menendez	Wicker
Feinstein	Merkley	Wyden
Franken	Mikulski	

NOT VOTING—2

Casey Inouye

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the clerk will report the next nomination.

The legislative clerk read the nomination of Esther Salas, of New Jersey, to be United States District Judge for the District of New Jersey.

The PRESIDING OFFICER. If there is no further debate, the question is, Will the Senate advise and consent to the nomination of Esther Salas, of New Jersey, to be United States District Judge for the District of New Jersey?

The nomination was confirmed.

The PRESIDING OFFICER. The President will be immediately notified of the Senate's action.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will resume legislative session.

ORDER OF PROCEDURE

The PRESIDING OFFICER. The majority leader.

Mr. REID. Mr. President, notwithstanding the previous order, I ask unanimous consent that there be 5 minutes of debate equally divided and controlled between the proponents and opponents of the Coburn amendment No. 436, as modified, prior to a cloture vote on the Coburn amendment. That would be for debate only.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. REID. Mr. President, that debate would come after the recess.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:36 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. WEBB).

ECONOMIC DEVELOPMENT REVITALIZATION ACT OF 2011

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S. 782, which the clerk will report by title.

The legislative clerk read as follows:

A bill (S. 782) to amend the Public Works and Economic Development Act of 1965 to reauthorize that Act, and for other purposes.

Pending:

DeMint amendment No. 394, to repeal the Dodd-Frank Wall Street Reform and Consumer Protection Act.

Paul amendment No. 414, to implement the President's request to increase the statutory limit on the public debt.

Cardin amendment No. 407, to require the FHA to equitably treat homebuyers who have repaid in full their FHA-insured mortgages.

Merkley/Snowe amendment No. 428, to establish clear regulatory standards for mortgage servicers.

Kohl amendment No. 389, to amend the Sherman Act to make oil-producing and exporting cartels illegal.

Hutchison amendment No. 423, to delay the implementation of the health reform law in the United States until there is final resolution in pending lawsuits.

Portman amendment No. 417, to provide for the inclusion of independent regulatory

agencies in the application of the Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1501 et seq.).

Portman amendment No. 418, to amend the Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1501 et seq.) to strengthen the economic impact analyses for major rules, require agencies to analyze the effect of major rules on jobs, and require adoption of the least burdensome regulatory means.

McCain amendment No. 411, to prohibit the use of Federal funds to construct ethanol blender pumps or ethanol storage facilities.

McCain amendment No. 412, to repeal the wage rate requirements commonly known as the Davis-Beacon Act.

Merkley amendment No. 440, to require the Secretary of Energy to establish an Energy Efficiency Loan Program under which the Secretary shall make funds available to States to support financial assistance provided by qualified energy efficiency or renewable efficiency improvements.

Coburn modified amendment No. 436, to repeal the volumetric ethanol excise tax credit.

Brown (MA)/Snowe amendment No. 405, to repeal the imposition of withholding on certain payments made to vendors by government entities.

Inhofe amendment No. 430, to reduce amounts authorized to be appropriated.

Inhofe amendment No. 438, to provide for the establishment of a committee to assess the effects of certain Federal regulatory mandates.

Merkley amendment No. 427, to make a technical correction to the HUBZone designation process.

McCain amendment No. 441 (to Coburn modified amendment No. 436), to prohibit the use of Federal funds to construct ethanol blender pumps or ethanol storage facilities.

The PRESIDING OFFICER. Under the previous order, there will be 5 minutes for debate only equally divided on amendment No. 436, as modified, offered by the Senator from Oklahoma, Mr. COBURN.

Who yields time? No one has yielded time. Time will be charged equally to both sides.

The Senator from Minnesota.

Ms. KLOBUCHAR. Mr. President, I am speaking on this amendment. I oppose the amendment. I urge my colleagues to do the same. There is going to be a change with biofuels in this country. We are going to see a phasing out of the support for biofuels in terms of Federal policy. But the time to do it is not in the middle of the year after 7 years of Federal support with 5 days' notice.

Senator THUNE and I have an alternative bill that actually takes the rest of the year, the last 6 months of this year, the funding, and puts \$1 billion into deficit reduction, and then allows the industry to keep its footing so it can actually compete with oil.

I would remind my colleagues that this is now 10 percent of our fuel supply. There have been studies done that show the price of gasoline would escalate up to \$1 more a gallon if the rug were suddenly pulled out from under this industry. It is the only competition with oil. So while this industry, unlike the oil industry, has acknowledged that there is change ahead and that they are willing to be part of this change and actually put money on the