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# Congressional Record

PROCEEDINGS AND DEBATES OF THE 111<sup>th</sup> CONGRESS, SECOND SESSION

## SENATE—Thursday, June 10, 2010

The Senate met at 9:30 a.m. and was called to order by the Honorable KIRSTEN E. GILLIBRAND, a Senator from the State of New York.

### PRAYER

The PRESIDING OFFICER. Today's prayer will be offered by our guest Chaplain, Rev. Dr. Joseph Castleberry, president of Northwest University, in Kirkland, WA.

The guest Chaplain offered the following prayer:

Let us pray.

"Our Father who art in heaven, hallowed be Thy Name. Thy Kingdom come, Thy will be done, on Earth as it is in heaven." As our founding mothers and fathers prayed before us, we ask again that You would make America a shining city on a hill. Make our land a beacon to all the world of the sacred values Your Kingly rule has taught us. Turn our hearts anew toward You, and let righteousness exalt our Nation. Pour out Your Spirit upon us, and hasten the day when peace will reign in the Kingdom.

Protect our military personnel around the world with Your strong hand and heal those who are wounded. Bless their families with the soothing touch of Your presence.

Bless these Senators and their staffs today with love and friendship, health and strength, wisdom and prudence, holiness and hope. Let them feel Your presence in the godly work of justice with which we have charged them. Let the cherished ideals of our Nation rule their deliberations this day and always.

We pray these things in the Name of the King of Kings and Lord of Lords. Amen.

### PLEDGE OF ALLEGIANCE

The Honorable KIRSTEN E. GILLIBRAND 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 bill clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, June 10, 2010.

To the Senate:

Under the provisions of Rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable KIRSTEN E. GILLIBRAND, a Senator from the State of New York, to perform the duties of the Chair.

ROBERT C. BYRD,  
President pro tempore.

Mrs. GILLIBRAND thereupon assumed the chair as Acting President pro tempore.

### RECOGNITION OF THE MAJORITY LEADER

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

### ORDER OF PROCEDURE

Mr. REID. Madam President, I ask unanimous consent that the Senator from Washington, Mrs. MURRAY, be recognized for whatever time she may take. Following that, I will announce the schedule for today and give an opening statement. We will see if at that time Senator MCCONNELL will be here to give a statement.

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

The Senator from Washington.

### THE GUEST CHAPLAIN

Mrs. MURRAY. Madam President, I am delighted to be here today to welcome our guest Chaplain, Dr. Joseph Castleberry, to the Senate. Dr. Castleberry is president of Northwest University in Kirkland, a town not far from where I grew up in Bothell, WA.

Northwest is a Christian university comprised of six schools and colleges,

including arts and sciences, business education, nursing, social and behavioral sciences, and ministry. The university offers about 50 undergraduate programs, eight master's degree programs, and a doctor of psychology program.

The school prides itself on its three core values of spiritual vitality, academic excellence, and empowered engagement.

Dr. Castleberry is an ordained minister in the Assemblies of God, the university's sponsoring denomination. His distinguished career has focused on both faith and education. He earned a bachelor of arts degree from Evangel University in 1983, a master of divinity degree from Princeton Theological Seminary in 1988, and a doctor of education degree in international educational development from Teachers College, Columbia University, in 1999.

In addition to that impressive background, Dr. Castleberry has a wide array of experience as a missionary, educator, and pastor. For over two decades, in fact, he served communities throughout Central and South America where he was involved in education, church planning, and community development.

Dr. Castleberry is the founder of the Freedom Valley Project. It is a community development ministry among African-American people of Ecuador's Chota Valley region. He is active in a number of academic and cultural programs devoted to furthering interreligious understanding and dialog.

Dr. Castleberry and his wife Kathleen have three daughters—Jessica, Jodie, and Sophie. I was also very amazed to learn that he speaks a remarkable 10 languages.

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.

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

## 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.

## 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 anyplace 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?

## RESERVATION OF LEADER TIME

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

## RECOGNITION OF THE MINORITY LEADER

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

## 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.