I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Mr. President, I will be very brief, I say to the Senator from Tennessee. I was in the Chamber when Senator DODD was paying tribute to his father on what would have been his 100th birthday. I didn't want to let this moment slip by without telling Senator DODD, when I was a young boy, I was up in this gallery. I don't know if it was this gallery or this one, but I was looking down and I remember seeing your father.

I asked the people who were sitting with me: Who is that Senator?

They said that was Senator Tom Dodd.

I said: That man looks like a Senator.

Mr. DODD. Right.

Mr. CONRAD. He had that booming voice, and he had an air about him, an air of authority. It was very interesting to see others' reaction to him. You could see they had respect for him in the way he was addressed.

I later, then, read a book about him. I don't think I have ever told Senator DODD this, but I read a book about your father, about the life he had led. I remember distinctly about his being an FBI agent and the Nuremberg trials. That made a great impression on me.

Then, when I came to the Senate and had the opportunity to serve with Senator CHRIS DODD, I thought: You know, you couldn't be more proud. Your father, looking down on all of this—he could not be more proud than to have his son in his seat in the Senate, somebody who also looks like a Senator—but much more than that, someone who, similar to his father, commands respect from other Senators because of the quality and the character of his work.

I yield the floor.

Mr. DODD. I thank the Senator very much.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I am glad I have had an opportunity to hear this and will only say, to make certain the same sentiment is expressed from this side of the aisle—I knew Senator DODD's father. I didn't know him well or personally, but I knew him because I was Senator Howard Baker's legislative assistant at a time when Senator Dodd served here. I admired him. I respected him. More importantly, I remember the respect Senator Baker and others had for him and for his long and distinguished career.

My own father would be 100 years old this year, so I understand the enormous pride this Senator DODD has for his father, Senator Dodd. Senator DURBIN and Senator CONRAD and others said this as well: The father would be proud of the son.

I had the privilege of serving as sometimes the chairman, sometimes the ranking member, of committees with Senator CHRIS DODD. It is a tremendous pleasure to see how he cares, especially for children and families in the workplace and contributions he has made here.

This is a day for a tribute to the father and a day that we are sure his father would have great pride in his own son.

Mr. DODD. I thank the Senator.

Mr. ALEXANDER. If there are no other comments regarding Senator Dodd, I would like to talk about immigration.

The PRESIDING OFFICER. The Senator from Tennessee is recognized.

Mr. ALEXANDER. I thank the Chair.

(The remarks of Mr. ALEXANDER pertaining to the introduction of S. 1393 are located in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Mr. ALEXANDER. I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

(The remarks of Mr. LEVIN pertaining to the introduction of S. 1395 are printed in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.''

Mr. LEVIN. I yield the floor.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate will stand in recess until the hour of 2:15 p.m.

Thereupon, the Senate, at 12:54 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. CARPER).

WATER RESOURCES DEVELOPMENT ACT OF 2007—Continued

The PRESIDING OFFICER. Under the previous order, the Senator from Maryland, Mr. CARDIN, is recognized.

AMENDMENT NO. 1071 TO AMENDMENT NO. 1065

Mr. CARDIN. Mr. President, I ask unanimous consent that the previous order be modified to provide that the amendment I intend to call up is amendment No. 1071.

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

Mr. CARDIN. I ask unanimous consent that the pending amendment be set aside, and I call up amendment No. 1071.

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

The clerk will report.

The bill clerk read as follows:

The Senator from Maryland [Mr. CARDIN], for himself, and Ms. MIKULSKI, proposes an amendment numbered 1071 to amendment No. 1065.

The amendment is as follows:

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

At the appropriate place in title V, insert the following:

SEC. 5_____. 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 heading and 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.—The Secretary shall not approve or disapprove an application for the siting, construction, expansion, or operation of a liquefied natural gas terminal pursuant to this section without the express concurrence of each State affected by the application.''.

Mr. CARDIN. I ask unanimous consent that Senators LIEBERMAN and DODD be added as cosponsors of amendment No. 1071.

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

The Senator is recognized for 5 minutes.

Mr. CARDIN. Mr. President, this amendment would restore the authority of State and local governments to protect the environment and public safety of the sitings of liquefied natural gas, LNG, terminals within their own State. The amendment is drafted to be an amendment to the Rivers and Harbors Act of 1899, which gives the Army Corps authority on section 10 permits. The current law on the siting of LNG plants basically allows the Federal Energy Regulatory Commission to site without the consultation or approval of State or local governments. This amendment is an effort to restore federalism to the process of siting LNG plants.

There are now dozens of proposals to site new LNG plants in the United States. Some are being suggested to be sited near population centers, which raises serious concern about public safety.

Let me point out that LNG plants and the tankers that bring in the natural gas are very much targets of terrorism. Richard Clarke, a former Bush administration counterterrorism official, said LNG plants and tankers are ''especially attractive targets'' to terrorists. The risks are great. We know LNG plants can spark pool fires, which are high-intensity fires, extremely difficult to extinguish. CRS has reported in the last six decades there have been 13 serious accidents involving LNG plants, including one in the State of Maryland in 1979 that had a fatality associated with it.

Maryland has one of the six LNG plants in our country, and there is a proposal to add another LNG plant in Maryland. AES Sparrows Point LNG and Mid-Atlantic Express intend to site a new LNG plant at Sparrows Point in the Baltimore metropolitan area. This is right in the middle of a population center. It is opposed by the congressional delegation. It is opposed by the Governor. It is opposed by the county executive in the jurisdiction in which the LNG plant is to be sited. It is unacceptable public safety, an economic and environmental risk. Yet there has been no consideration given by the individuals who want to site this plant to

the concerns of local government. It is totally up to FERC to make the decision, and that is wrong. State and local governments should have a meaningful opportunity to participate in decisions of siting LNG terminals. That is exactly what this amendment would do.

I see the distinguished chairman of the Environment and Public Works Committee on the Senate floor. I respect her judgment as to the importance of moving forward on this bill. This amendment, because it hasn't been cleared, could add some difficulty to that process. It is within the jurisdiction of the Environment and Public Works Committee on which I serve, and I hope our committee would hold hearings on this issue and consider another vehicle which may be more appropriate than the bill currently before us to deal with the appropriate input of State and local governments on the siting of LNG plants. We have a responsibility to do that. We have a responsibility to our communities. We have a responsibility for public safety. We have a responsibility to make sure it is done right. Allowing FERC to do that without the input of State and local government is wrong.

I hope there will be another opportunity that I will be able to either have a public hearing or an opportunity to discuss this amendment further.

I am pleased several of my colleagues have expressed interest in the amendment. This certainly will not be the last time I will have an opportunity to talk about it.

AMENDMENT NO. 1071 WITHDRAWN

With that, I ask unanimous consent to withdraw the amendment.

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

AMENDMENT NO. 1089 TO AMENDMENT NO. 1065

Under the previous order, there will now be 2 minutes of debate equally divided on amendment No. 1089 offered by the Senator from Oklahoma, Mr. COBURN.

Mr. COBURN. Mr. President, the amendment is very simple. There are three visitor centers now within 77 miles of the proposed site of this visitors center. Thousands of people, tens of thousands of people in Louisiana still live in trailers. We are going to add a fourth visitors center, and that duplicates exactly the same thing in the area.

It may be a good idea. I am not against it. But how dare we spend money and authorize a project when we haven't taken care of the folks of Louisiana. All this says is, we set priorities. We make sure the people of Louisiana are out of their temporary housing and into permanent housing before we go about spending millions of dollars on a visitor center. It has been stated that there would be no cost, as the center has already been built.

I ask unanimous consent to print in the RECORD an e-mail I received today from the Corps of Engineers saying this center has not been built and will, in fact, expend a great deal of Federal taxpayer money when it is.

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

From: Greer, Jennifer A HQ02
Sent: Monday, May 07, 2007 12:05 PM
To: Treat, Brian (Coburn)
Subject: Info

Brian, wanted to check in. I know people are working this, but I am out of town and have a bit of trouble coordinating. Just wanted to let you know we didn't forget. I will send an update on status asap. Jennifer

From: Treat, Brian
To: Greer, Jennifer A HQ02
Sent: Mon May 07 21:41:09 2007
Subject: RE: Info

Thanks Jennifer. Any word on when we'll receive the information?

I will be updating my boss in the morning and just wanted to make sure.

Thanks again for your help.

Brian

From: Greer, Jennifer A
To: Treat, Brian (Coburn)
Sent: Mon May 07 21:51:59 2007
Subject: Re: Info

I think tommorrow. will stay in touch.

From: Treat, Brian
To: Greer, Jennifer A HQ02
Sent: Mon May 0722:44:24 2007
Subject: Re: Info

One other question. In WRDA, the bill is authorizing an upgrade to the Morgan City, LA visitor center. Do you know if the original type B center was ever built or if this is merely changing the 86 authorization? Thanks.

From: Greer, Jennifer A
Sent: Tuesday, May 08, 2007 9:16 AM
To: Treat, Brian (Coburn)
Subject: Re: Info

Brian, the center was never built. Jennifer

The PRESIDING OFFICER. The time of the Senator has expired.

The Senator from California.

Mrs. BOXER. Mr. President, I hope we will do what we did on the last amendment, which is to say no to it because, as we learned from the Senators from Louisiana, this particular amendment is directed at the local people who are willing to pay 100 percent for this center. The fact is, Louisiana is never going to get on its feet if it does not revive tourism. Let's face it. It isn't that we can say: Let's just build the flood protection and worry about the visitor centers later. There is a certain amount of linear thinking going on behind this amendment and the one before.

This is the United States. We have to do everything; we can't just do one thing. We have to build the flood protection, and we have to revive Louisiana's economy. This is a rather mean-spirited amendment in the sense that not even a penny of Federal money is involved in the building of this particular center. I urge a ''no'' vote.

I yield back all time.

The PRESIDING OFFICER. All time has expired.

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to amendment No. 1089. The clerk will call the roll.

The bill clerk called the roll.

Mr. REID. I announce that the Senator from Ohio (Mr. BROWN), the Senator from Illinois (Mr. DURBIN), the Senator from South Dakota (Mr. JOHNSON), and the Senator from West Virginia (Mr. ROCKEFELLER) are necessarily absent.

Mr. LOTT. The following Senators are necessarily absent: the Senator from Kansas (Mr. BROWNBACK), the Senator from South Carolina (Mr. DEMINT), the Senator from New Mexico (Mr. DOMENICI), the Senator from South Carolina (Mr. GRAHAM), the Senator from Arizona (Mr. MCCAIN), and the Senator from North Carolina (Mrs. DOLE).

Further, if present and voting, the Senator from South Carolina (Mr. DEMINT) and the Senator from North Carolina (Mrs. DOLE) would have voted ''yea.''

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

The result was announced—yeas 11, nays 79, as follows:

[Rollcall Vote No. 164 Leg.]

YEAS—11

Bunning	Craig	Kyl
Burr	Crapo	Smith
Chambliss	Ensign	Sununu
Coburn	Hutchison	

NAYS—79

Akaka	Grassley	Nelson (FL)
Alexander	Gregg	Nelson (NE)
Allard	Hagel	Obama
Baucus	Harkin	Pryor
Bayh	Hatch	Reed
Bennett	Inhofe	Reid
Biden	Inouye	Roberts
Bingaman	Isakson	Salazar
Bond	Kennedy	Sanders
Boxer	Kerry	Schumer
Byrd	Klobuchar	Sessions
Cantwell	Kohl	Shelby
Cardin	Landrieu	Snowe
Carper	Lautenberg	Specter
Casey	Leahy	Stabenow
Clinton	Levin	Stevens
Cochran	Lieberman	Tester
Coleman	Lincoln	Thomas
Collins	Lott	Thune
Conrad	Lugar	Vitter
Corker	Martinez	Voinovich
Cornyn	McCaskill	Warner
Dodd	McConnell	Webb
Dorgan	Menendez	Whitehouse
Enzi	Mikulski	Wyden
Feingold	Murkowski	
Feinstein	Murray	

NOT VOTING—10

Brown	Domenici	McCain
Brownback	Durbin	Rockefeller
DeMint	Graham	
Dole	Johnson	

The amendment (No. 1089) was rejected.

The PRESIDING OFFICER. Under the previous order, there will now be 5 minutes of debate equally divided on amendment No. 1086 offered by the Senator from Wisconsin, Mr. FEINGOLD.

The Senator from Wisconsin is recognized.

Mr. FEINGOLD. Mr. President, last week I spoke at length on my prioritization amendment. I urge all my colleagues to support the Feingold-McCain-Coburn-Carper-Gregg-Sununu-DeMint amendment.

This important amendment would help jump-start a process for ensuring

that limited taxpayer dollars go to the most worthy water resources projects.

Right now, Congress does not have any information about the relative priority of the nearly $60 billion authorized but unbuilt corps projects. What we do have is individual Members arguing for projects in their States or districts, but no information about which projects are most important to the country's economic development or transportation systems, or our ability to protect citizens and property from natural disasters.

This amendment would create a temporary group of water resources experts to do two things: (1) make recommendations on a process for prioritizing corps projects; and (2) analyze projects authorized in the last 10 years or that are under construction, and put similar types of projects into tiers that reflect their importance. This would be done with clear direction to seek balance between the needs of all States.

This information will be provided to Congress and the public in a nobinding report. That is—Congress and the public get information to help them make decisions involving millions, even billions, of dollars. We need to get ideas on the table, and I think my colleagues will agree that a report with recommendations to Congress is a good, commonsense first step.

The New Orleans Times Picayune certainly does. Just yesterday, the paper editorialized in favor of my amendment and stated:

> Using objective criteria rather than political clout to decide what should be done is a smart, reform-minded step.

This amendment also has the support of a number of taxpayer and conservation groups.

I thank the chairman and ranking member for their efforts to retain key reforms in the underlying bill; however, this is a critical reform component and I urge my colleagues to support this amendment.

I yield the floor.

• Mr. McCAIN. Mr. President, I am pleased to join Senator FEINGOLD, along with Senators COBURN, CARPER, GREGG, SUNUNU, and DEMINT, in offering this important amendment. It is designed to help Congress make informed decisions on which Army Corps projects should be funded based on our national priorities.

In August 2005, our Nation witnessed a devastating natural disaster. When Hurricane Katrina hit the shores of the gulf coast, it brought destruction and tragedy beyond compare; more so than we have seen in decades. Almost 2 years later, the gulf coast is still trying to rebuild and our Nation continues to dedicate significant resources to the reconstruction effort. One of the many lessons we learned from Katrina is that we must ensure that our Army Corps resources are being used in the most productive and efficient manner possible. It is time that this Congress took a hard look at how we are spending our scarce Army Corps dollars and whether or not they are actually reaching our most critical projects.

Our current system for funding Corps projects is not working. Under today's practice, Members of Congress commonly submit requests for pet projects important to their constituency, and those requests are essentially horse-traded by committee and party leaders. Too often a Member's seniority and party position dictates which projects will be funded. Instead of relying on political muscle, we should fund projects based on national priority. But under the current regime, requests are made and filled without having a clear picture of how a project affects the overall infrastructure of our Nation's waterways or where it fits within our national waterway priorities. That shouldn't be acceptable to anyone in this Chamber, and it isn't acceptable to the American public.

Now, many of my colleagues are thinking, ''there he goes again, railing against earmarks.'' But earmarks aren't the full story here. There is a $58 billion backlog of Corp projects today, and the bill before us proposes to add another $15 billion, according to the Office of Management and Budget. Unfortunately, the Corps receives $2 billion annually on average, so there is no way to fund most of these projects. What is more troubling is that there is no way to know which projects warrant these limited resources because the Corps refuses to tell Congress what it views as national priorities. In fact, every time Congress specifically requests a list of the Corps' top priorities, the Corps claims it's unable to provide an answer. This is clearly unacceptable and cannot result in the best interests of public safety.

The sponsors of this amendment are not the only ones who are concerned. Let me quote Representative HOBSON, former chairman of the House Energy and Water Appropriations Committee, from his statement on the floor on May 24, 2006:

> Last fall, we asked the Corps to provide Congress with a ''top 10'' list of the flood control and navigation infrastructure needs in the country. The Corps was surprisingly unable or not allowed to respond to this simple request, and that tells me the Corps has lost sight of its national mission and has no clear vision for projects it ought to be doing in the future . . . frankly, what is still lacking is a long-term vision of what the Nation's water resources infrastructure should look like in the future. ''More of the same'' is not a thoughtful answer, nor is it a responsible answer in times of constrained budgets.

In February of this year, the National Academy of Public Administration, NAPA, issued its report, ''Prioritizing America's Water Resources Investments, Budget Reform for Civil Works Construction Projects at the U.S. Army Corps of Engineers.'' The Report included the following findings:

> The present project-by-project approach, with lagging project completions, on-again-off-again construction schedules, and disappointed cost-share sponsors that do not know what they can count on, is not the best path to continued national prosperity.
>
> The prioritization process is not transparent. At several points, within both the executive and legislative branches, the decision process is not sufficiently open or documented so that the public can readily understand the reasons for funding or not funding projects.
>
> Larger questions emerged that bear on the future sustainability of the nation's water resources . . . The answer to these questions should begin with a fundamental reassessment of national water resources needs, goals, and strategies. It should end with a substantially reshaped planning and budgeting process . . .

Our amendment is designed to address these problems and shed light on the funding process. It would allow both Congress and the American people to have a clearer understanding of where our funding should be directed to meet the most pressing water infrastructure needs of the country.

Last year, we proposed a related amendment during debate on the Water Resources Development Act. While that amendment was intended to help Congress make clear and educated decisions on which Army Corps projects should be funded based on our nation's priorities, concerns were raised about specific provisions of the amendment and it eventually was rejected. Therefore, we have revised our amendment to address the concerns we heard on the floor last July.

For example, there was concern that our previous amendment gave too much power to the administration by placing the power of prioritization in the hands of a multi-agency committee. The amendment before us responds to those concerns by establishing an independent commission that would review Corps projects that are currently under construction or have been authorized during the last 10 years. These projects would be evaluated by several commonsense, transparent criteria. They would also be divided and judged within their own project category such as navigation, flood and storm damage reduction, and environmental restoration. Each project category would be broken into broad, roughly equal-sized tiers with the highest tiers including the highest priority projects and on down the line. The commission would prepare an advisory report detailing its findings that would be sent to Congress and be made available to the public. Similar to our prior proposal, the prioritization report required under our amendment is an effort to inform Congress, but it does not dictate spending decisions.

To more fully understand the need for a prioritization system, let's consider funding for Louisiana in the fiscal year 2006 budget. The administration's budget request included 41 line items or projects solely for Louisiana that totaled $268 million. That works out to $6.5 million per project on average. The House Energy and Water Appropriations bill included for Louisiana 39 line items or projects totaling $254 million—again in the neighborhood of $6.5

million per project. The Senate bill included 71 line items or projects to the tune of $375 million—averaging out to $5.3 million per project. So, while even more money was proposed for Louisiana under the Senate version, individual projects would receive less money and, inevitably, this would result in delays in completing larger projects. This all comes down to the real-world consequences of earmarking. Communities actually lose under the earmarking practice.

Can we really afford long, drawn out delays on flood control projects that people's lives depend on simply because too many members are fighting to earmark projects important to them, but without the benefit of how such projects fit into the country's most pressing needs? We lack the information we need to offer us guidance in funding Corps projects. Without such guidance, we will only further the risks to public safety and continue to delay the timely completion of critical projects. Now, some may believe that under our amendment smaller projects will lose out. However, the size of the project has no impact on the prioritization system. In fact, this objective system will help find the hidden gems in the Corps project list and highlight their importance.

It is time that we end this process of blind spending, throwing money at projects that may or may not benefit the larger good. It is time for us to take a post-Katrina look at how we fund our water resources projects. Shouldn't we be doing all that we can to reform the Corps and ensure that most urgent projects are being funded and constructed? Or, are we going to be content with business as usual? As stated in a letter signed by the heads of Tax Payers for Common Sense Action, the National Taxpayers Union, and the Council for Citizens Against Government Waste in support of our amendment:

> Enough is enough . . . we need a systematic method for ensuring the most vital projects move to the front of the line so limited taxpayer funds are spent more prudently.

I commend Senator FEINGOLD for his efforts to build on and improve upon the Corps reforms that we've worked to advance during the reauthorization debate. Corps modernization has been a priority that Senator FEINGOLD and I have shared for years, but never before has there been such an appropriate atmosphere and urgent need to move forward on these overdue reforms.

This important prioritization amendment has been endorsed by many outside groups, including Taxpayers for Common Sense Action, National Taxpayers Union, Citizens Against Government Waste, American Rivers, National Wildlife Federation, Earthjustice, Environmental Defense, Republicans for Environmental Protection, Sierra Club, and Friends of the Earth.

The Corps procedures for planning and approving projects, as well as the Congressional system for funding projects, are broken, but they can be fixed. This amendment is a step toward a more informed public and a more informed Congress. We owe the American public accountability in how their tax dollars are spent. Literally, lives depend on it.

I urge my colleagues to support this amendment.●

Mrs. BOXER. Mr. President, I yield myself 1 minute 20 seconds, and I will yield the rest of the time to Senator INHOFE.

I thank Senator FEINGOLD for being a leader on Corps reform. I don't view this amendment as reform. My colleague says we have to take the politics out of the decisionmaking process. Well, the fact is, his commission is a political commission appointed by the President, appointed by the Speaker, the minority leader, and so on. So he is taking the decisions, in many ways, away from us. Therefore, I call this the ''we have met the enemy, and it is we'' amendment—taking the power away from us to decide what is important in priorities and adding another layer of bureaucracy in political appointees, who are now going to slow things down.

We do have problems. It has taken 7 years to get to this point with WRDA. There are checks and balances every step of the way. We have very tough criteria in this bill. I know the occupant of the chair knows that because he is on the committee.

Senator INHOFE and I have said the locals have to pay their share. The cost/benefit ratio has to be in place. Everything has to be thought through. The Corps has to make their report. They come to the committees, and they go through authorization and appropriation.

I hope we will vote no on this amendment.

I yield to my friend.

Mr. INHOFE. Mr. President, first of all, I agree with what the Senator just said. We have plowed this field before. The votes were 88 votes against last time. Nothing has changed. I know the intentions of the Senator proposing this are right, but the amendment assumes there is one, and only one, correct rank list of projects, and we need to have somebody else write it down. We already have the Corps of Engineers going through and determining, as Senator BOXER said, what the criteria is and why these things should be considered, and normally it would then come to us. I think that is what we are supposed to be doing; it is why we are elected. So now we would have, if we pass this amendment, one more bureaucracy between the Corps and us. If there is anybody on the conservative side who thinks it inures to anyone's benefit to have one more layer of bureaucracy, then this is your chance to vote for it.

I ask that you oppose this amendment.

I yield back my time.

The PRESIDING OFFICER. All time has expired.

Mrs. BOXER. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The question is on agreeing to the amendment.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. REID. I announce that the Senator from Ohio (Mr. BROWN), the Senator from Illinois (Mr. DURBIN), the Senator from South Dakota (Mr. JOHNSON), and the Senator from West Virginia (Mr. ROCKEFELLER) are necessarily absent.

Mr. LOTT. The following Senators are necessarily absent: the Senator from Kansas (Mr. BROWNBACK), the Senator from South Carolina (Mr. DEMINT), the Senator from North Carolina (Mrs. DOLE), the Senator New Mexico (Mr. DOMENICI), and the Senator from Arizona (Mr. MCCAIN).

Further, if present and voting, the Senator from South Carolina (Mr. DEMINT) would have voted ''yea.''

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

The result was announced—yeas 22, nays 69, as follows:

[Rollcall Vote No. 165 Leg.]

YEAS—22

Allard	Corker	McCaskill
Bingaman	Dodd	Nelson (FL)
Burr	Ensign	Sanders
Carper	Feingold	Sununu
Casey	Gregg	Voinovich
Clinton	Kohl	Webb
Coburn	Landrieu	
Collins	Lieberman	

NAYS—69

Akaka	Grassley	Murray
Alexander	Hagel	Nelson (NE)
Baucus	Harkin	Obama
Bayh	Hatch	Pryor
Bennett	Hutchison	Reed
Biden	Inhofe	Reid
Bond	Inouye	Roberts
Boxer	Isakson	Salazar
Bunning	Kennedy	Schumer
Byrd	Kerry	Sessions
Cantwell	Klobuchar	Shelby
Cardin	Kyl	Smith
Chambliss	Lautenberg	Snowe
Cochran	Leahy	Specter
Coleman	Levin	Stabenow
Conrad	Lincoln	Stevens
Cornyn	Lott	Tester
Craig	Lugar	Thomas
Crapo	Martinez	Thune
Dorgan	McConnell	Vitter
Enzi	Menendez	Warner
Feinstein	Mikulski	Whitehouse
Graham	Murkowski	Wyden

NOT VOTING—9

Brown	Dole	Johnson
Brownback	Domenici	McCain
DeMint	Durbin	Rockefeller

The amendment (No. 1086) was rejected.

Mr. INHOFE. Madam President, I ask unanimous consent that there be 20 minutes equally divided between the Senator from Connecticut and the Senator from Nebraska prior to the time of taking up consideration of the Kerry amendment.

The PRESIDING OFFICER. Is there objection?

Mrs. BOXER. Madam President, I would say it would be Senator HAGEL first, followed by Senator DODD.

Mr. INHOFE. No objection.

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

The Senator from Nebraska is recognized.

IRAQ

Mr. HAGEL. Madam President, I rise today to address the issue of Iraq. The debate on Iraq over the last few weeks in our country and the Congress has been centered on conditions for America's continued involvement in Iraq. Unfortunately, it has been defined by many in the context of political winners and losers. Either President Bush wins or Congress wins. That is not responsible legislation. That is not a responsible approach to a serious issue such as a war, when today we have crossed over to 3,400 Americans killed in Iraq.

The troops will get their money. They need to get their money. We will find a center of gravity that will accommodate the President and the Congress with the appropriate language or conditions for America's continued involvement in Iraq. The question we need to focus on now is: Where is Iraq headed? The answer will require an honest and clear analysis of the facts, as the facts are on the ground in Iraq today.

I returned 3 weeks ago from my fifth trip to Iraq, and there is not much good news in Iraq. There is no point unraveling the last 4 or 5 years of mistakes and bad decisions or assigning blame. We are where we are. We are where we are, and we must get beyond the immediacy of today and the debate over the conditions of our continued involvement. We need to ask the question: What happens next? What happens in September and October? What comes after, hopefully, a reduction in violence? Where are we going in Iraq? How do we get there? Do we need a new strategy in Iraq, new thinking?

As Secretary of Defense Gates has said, America's continued support is not open-ended, and the American people have registered that fact very clearly. Iraq is caught in a vicious complicated cycle of violence, despair, and no solutions. This cycle must be broken. American military power alone will not be the solution in Iraq. General Petraeus and all of our military leaders have stated this.

Iraq's political system and leaders seem incapable of finding a political accommodation to move Iraq toward a political reconciliation. Our civilian and military leaders all agree there is no military resolution. That is only a temporary holding pattern for the Iraqis to find that new consensus of governance, and only a political resolution in Iraq will sustain that new center of gravity and that new consensus.

Some strategic new thinking must be found in Iraq for our policies, not unlike what Ambassador Carlos Pasqual, Larry Diamond, and many others, have been thinking and writing about and putting forward over the last few weeks. First we must take the American face off of Iraq. Get America out of the middle of the Iraqi political process. We are exacerbating, we are complicating the problem; not because we are not well-intentioned and have not made tremendous sacrifices but because the people of Iraq and the people of the Middle East believe we are still an occupying power after 4 years in Iraq.

We must engage, as the Baker-Hamilton report recommended, Iran and Syria. The Bush administration deserves credit in beginning the engagement; however, it needs to be done in a regional framework, not a series of bilateral talks with unclear or disjointed purposes and objectives. The time has come to consider an international mediator for Iraq—probably under the auspices of the United Nations—to begin a new process for achieving some form of political accommodation in Iraq. The Iraqis are obviously incapable of bringing that consensus, that accommodation together. Only a credible and trusted outside influence can bring this political reconciliation about in Iraq. If it can be done, it will be up to the Iraqis to support it and to sustain it. America cannot do that for them.

There are significant political, cultural, historical, religious, and regional differences between Iraq and other countries that have had UN mediators, such as Afghanistan, Kosovo, East Timor, and Northern Ireland. But they have been tailored to work, and they have worked.

We have to understand we have no options in Iraq today. There is chaos today in Iraq. We must change direction, strategy, and policy. America can continue to support this process and help ensure the success of this mediation, but we can't, and we won't, continue to be the occupying power in Iraq.

America has an important strategic, geopolitical, energy, and economic interest in the Middle East. It would be irresponsible to abandon Iraq and other interests in the region. But if we don't find a new direction soon, and a responsible and workable policy to help the Iraqis find some core stability, bringing some political consensus, America will leave and the Middle East could then erupt into a very dangerous regional conflagration. Reality and clear new strategic thinking being incorporated in a new direction and policy in Iraq is now required. These are the essential dynamics the Congress must now engage in—the Congress, with the President—and we must put aside the partisan dynamics, the partisan difficulties and differences. War should never be held captive to partisanship. It should never be a wedge issue for either political party. This is too serious. It is very serious.

As we enter our fifth year, with the kind of money and casualties we have invested in Iraq, we must ask ourselves: Where do we go next? How do we get there? I think that will depend on some bold new strategic thinking, incorporating a new UN mediator we can support and frame and be a part of, and taking the American face off of the political process in Iraq. These are the issues we must debate and find consensus on.

I would hope as we work our way through the differences on the $100 billion in additional spending for Iraq and Afghanistan that we will move to that next series of significant consequences and seriously find a new strategy and policy for Iraq and America's interests in Iraq and the Middle East.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. DODD. Madam President, before he leaves the floor, let me commend my colleague from Nebraska. He and I have worked on a number of issues over the years. In fact, in my remarks—and I had no knowledge when I prepared these remarks that I would be following my colleague from Nebraska—I quote some of the statements he has made about the situation in Iraq.

I commend him for his candor and his directness. He brings a lot of experience and knowledge to these issues, and is as deeply committed as anyone here to the well-being of our men and women in uniform, regardless of where they serve. He has clearly pointed out what is necessary here, not only the resolution of our military presence in Iraq but, just as importantly, what comes afterward: How do we then move beyond the military question to the political, diplomatic, and economic issues that offer some hope to the Iraqi people and ourselves for reemerging in peace and stability in that part of the world. I commend him for his comments.

I rise today to urge my colleagues to support the Feingold-Reid-Dodd amendment, which will come up at some point on this water bill under arrangements that the leader has provided, along with others. I would have preferred a freestanding proposal by my colleague from Wisconsin, whom I am pleased to join today, but under the circumstances, I recognize this may be the best opportunity we will have to actually debate his amendment, and I urge my colleagues to be supportive of his proposal. I realize it is a proposal that has some critics, but I believe it is the most honest, straightforward answer to the present situation in Iraq, one that is deteriorating by the hour, I would point out.

We need to reverse 4 years of a failed policy by safely redeploying our troops out of harm's way, out of the middle of Iraq's civil war. Despite our best wishes, and our military's best efforts, we are unable to solve Iraq's problems and their civil war. That has become clear. We cannot do that with military force. That was the conclusion of our military leaders 4 years ago, and they have never wavered in that conclusion. There is not a military solution to Iraq's civil war.

After invading over 4 years ago, we still lack a coherent strategy, and our

military presence has not improved the security situation in Iraq. The valor, the determination, the courage of our service men and women has been remarkable, and all of us in this Chamber, I believe, share that view. Yet the situation in Iraq grows worse, literally by the hour. This is simply unacceptable.

The President of our country contends now, as he contended for the last 4 years, and I quote him:

> Absolutely we're winning. Things are getting better. We do have a strategy, but it just needs more time.

Those statements are false, unfortunately. We have no strategy in Iraq, in my view, just a surge tactic in search of a strategy. We had a surge in late 2005, and the result was the worst year of violence in Iraq since the war began. We also had two additional surges in Operation Together Forward I and II, and both of those surges failed as well.

My colleague, Senator HAGEL from Nebraska, recently argued, and I quote him here:

> The President's strategy is taking America deeper and deeper into quagmire, with no exit strategy. The strategy to deepen America's military involvement in Iraq will not bring about a resolution in Iraq.

I wholeheartedly agree with that conclusion. As the Baker-Hamilton report rightly concluded, there will be no military victory in Iraq. Iraq's civil war cannot be solved with military force alone. Only Iraqis can solve the quagmire now facing their country. Only Iraqis can chose to reconcile, to reach power-sharing agreements, to govern and police collectively, and to share the country's oil wealth.

But despite our best hopes that is not happening, and our military is unable to make that happen. This is why the surge tactic is fundamentally flawed. We cannot implement a military solution to what is fundamentally a political conflict in that country.

I believe we have a moral obligation to protect Iraqis and to help them reach these compromises, but we are not succeeding in doing that. In fact, for 4 years now we have not succeeded in doing that as well. An objective look at key indicators since our invasion will demonstrate that the situation has steadily deteriorated each year under the Bush administration. Whether you examine the number of civilian deaths, the number of internally displaced refugees, the number of Iraqis who fled their country, now in excess of 2 million, or in the amount of power and water flowing into Iraqi homes, all of these indicators demonstrate the overall situation in Iraq has not improved. In fact, it has deteriorated during the last 4 years. That is why I believe we must begin redeploying our forces out of Iraq within the next 120 days and complete the redeployment within the next year.

That is why I also believe that simultaneous to redeployment, and after the redeployment has been completed, we must conduct targeted counterterrorism activities to protect the Iraqi population from terrorists, to expunge al-Qaida from Iraq, and help ensure Iraq does not become a terrorist safe haven. I note that while I agree with Senator LEVIN that military readiness is currently lacking, I am concerned by the waiver provisions included in the amendment of my colleague from Michigan. It is true that due to the administration's defense policies many U.S. combat forces are not mission ready, are not adequately trained, and have not been given appropriate resting periods between deployments.

I recently visited some soldiers at Walter Reed Hospital who had been injured in Iraq. I asked them how much cooperation they were getting from the Iraqi people and what their observations were.

Without quoting them directly, let me paraphrase their comments. They said while the Iraqi people seem to be pleasant people and many seem to be interested in doing what they could to be helpful, in too many instances they pointed out that the civilian population knew where these IEDs were, these roadside devices. They knew where the ''ammo dumps,'' or the ammunition stockpiles were. Yet they never ever shared this information with our military in the communities where we were trying to provide security.

One soldier pointed out that we would spend a month and a half cleaning out an area with problems, and an hour and a half after they had left, things were right back where they were a month and a half before. Those are their words, not mine.

We know hear that these missions, despite the Herculean efforts of our military, are not getting this job done because of the raging civil war in that country. But providing a waiver to the President under the Levin amendment is tantamount, in my view, to re-authorizing the war. It doesn't hold the administration or the Iraqi Government accountable. It doesn't force a change in mission, and it doesn't begin to redeploy our forces. Instead it allows the administration to stay the course, full speed ahead, to use the words of Vice President RICHARD CHENEY. The Feingold-Reid-Dodd amendment provides the best means, in my view, for changing our mission in Iraq.

As much as I wish we were able to secure Iraq ourselves, that the surge would work, or that our military presence in Iraq would bring about the compromises necessary, I think the evidence is clear it is not happening, and it will not happen. The American people know this, our troops who have served and sacrificed in Iraq know it, and I believe the Iraqi people know it as well. Only when Iraqis themselves decide they will no longer tolerate violence and destruction, only when their leaders come together will this violence be reduced. That is what needs to happen across that plagued country. The United States should help where it can, by training and equipping reliable and accountable Iraqi security forces that will serve the greater Iraqi nation, not their own tribe or their own sect.

According to a recent CBS poll, 70 percent of Shiites and nearly all of the Sunnis think the presence of U.S. forces in Iraq is making security worse. The vast majority of Iraqis, regardless of their sect, believe American troop presence in Iraq is making Iraq less safe.

Madam President, 78 percent of Iraqis oppose the presence of U.S. forces on their soil, and 51 percent of Iraqis support attacks on coalition forces. Slightly more than half of the population we are trying to protect approve of the attacks on U.S. soldiers. That is just not acceptable.

But it is not just the Iraqi public who want American forces out of their nation. The Iraqi Government does as well. A majority of the Iraqi Parliament recently signed a petition for a timetable governing a withdrawal of American forces, and in a recent high-level meeting, Iraq and its neighbors signed what they called the Marmara Declaration, reaffirming this sentiment. They declared in this declaration that ''a timetable should be established for the Government of Iraq to take full authority and responsibility, including for security throughout the country.''

The declaration went on to say:

> The United States should commit to a comprehensive strategy for responsible withdrawal, consistent with Iraq's security and stability based on milestones and a general time horizon.

It also says:

> Iraq's Armed Forces need to be nationally representative, Iraq's police should be credible to its citizens, and representative to the communities they serve.

The Feingold-Reid-Dodd amendment does just that. It does what the Iraqi people and the American people want, and it does it in a responsible way. This legislation mandates that the redeployment of U.S. forces should begin, as I mentioned, within a 120-day period and be completed within a year. Simultaneous to this redeployment, the legislation calls for continued counterterrorism operations, and the training and equipping of reliable and accountable Iraqi security forces to take over the responsibility of safeguarding the Iraqi population.

It is up to us to change the President's failed course in Iraq and to hold our President and the Iraqi Government accountable. It is up to us to mandate a change in direction, to begin to responsibly bring our troops home, to continue to help the Iraqis battle terrorists, and to train and equip reliable Iraqi security forces ,so Iraqis can police their own country and decide their own future.

We cannot afford another day of escalation, $2 billion a week, $8 billion a month, lives lost, lives completely ruined in many cases. But also what is happening in Iraq itself, with the dislocation of the Iraqi people, the 60,000

who have lost their lives—the situation is not improving. A true change in direction is needed. The price our Nation is paying, the price our men and women in uniform are paying, is too high for a failed policy, a policy that has not succeeded because it cannot succeed.

I urge my colleagues at an appropriate time when Senator FEINGOLD will offer his amendment to support this amendment. None of us can guarantee it is going to produce the desired result of convincing the Iraqi people what they should have been doing all along, instead of proposing a 2-month vacation, but rather sitting down and trying to come up with the political reconciliation for their country.

Our hope is by beginning a clear redeployment and setting a termination date—this must or this may convince the Iraqi people and their leaders that they should come to terms with their own political future. For those reasons I urge the adoption of the Feingold amendment.

I urge, as well, consideration of what Senator HAGEL has suggested: talking about moving beyond the military issue, to utilize the tools available to us, the political, economic, diplomatic tools that are the means by which we should try to achieve reconciliation. But a continuation of our military presence under its present structure is not working. It should come to an end. This is the best effort to achieve that goal.

Again, I urge the adoption of the Feingold amendment.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. I think the Senator from Massachusetts has a unanimous consent request. I ask he be recognized for that.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KERRY. Madam President, I ask unanimous consent that there be 2 hours of debate. I don't think this is correct, the way I have been given it. I think we had a unanimous request that we have 2 hours of debate, initially equally divided, with 10 minutes to begin—the Senator from Oklahoma will speak in response to the Senator from Connecticut on Iraq. That will count against the time for the debate on my amendment. Then after those first 2 hours, we would again equally divide——

Mr. INHOFE. Reserving the right to object, it is my understanding we started out at 45 and 45. We are down now to 2 hours where you are increased from 45 minutes to an hour. That would be equally divided. I probably will yield back some of my time.

Mr. KERRY. Madam President, I may also. But this is an important subject, and I do not want to get squeezed on the time.

I had originally requested 1 hour, initially, and then 15 minutes at the back end, a half hour equally divided. I would like to stay with that.

What we are really talking about is the difference of 15 minutes, which I may or may not use. But I say to my friend from Oklahoma, I think it is not asking too much of the Senate to have that protection of the extra 15 minutes. If we don't use it, we can both——

Mr. INHOFE. Let me ask for clarification. What you are saying is, instead of 2 hours equally divided, it would be 2½ hours equally divided? I have no objection, with the understanding that I can count against my time and talk for up to 10 minutes on the subject of Iraq.

Mr. KERRY. I have no objection to that. I propound that request: 2 hours of debate initially equally divided and a subsequent half hour equally divided, and with the first 10 minutes to be taken by the Senator counted against him to speak on Iraq. Then I add, if I may, that no second-degree amendment be in order prior to the vote and, upon the use or yielding back of time but not before 5:35 p.m, the Senate would then proceed to vote in relation to the amendment; that the amendment by agreement must receive 60 affirmative votes to be agreed to; if it does not it would be withdrawn without further intervening action or debate.

The PRESIDING OFFICER. Is there objection? No objection.

Mr. KERRY. I thank the Chair.

Mr. INHOFE. Madam President, first, I thank the Senator from Massachusetts for working out this unanimous consent agreement. These things are sometimes complicated. I know he has just as strong beliefs about his amendment as I do in opposition. I think this will accommodate it. Let me go ahead, if I might, and take a few minutes.

It would be disrespectful for me to walk in here and ask the last two Senators who were talking what they have been smoking recently. I do not understand how someone can say they came back a few weeks ago from Iraq and then have a report like this. It is just incredible.

I have to say, I know I have been in the Iraqi AOR more than any other Member of the House, any other Member of the Senate, anybody else. I take this very seriously. I am on the Senate Armed Services Committee. I spend time studying this issue, the most critical issue facing Americans today, and that is this war on terrorism. It is one that we are winning and we can win.

I have to tell you, I spent this last weekend with—it was my 14th trip there. I was there. I was walking around, rolling around in the sand in Anbar Province. I was shocked at what I saw. Maybe someone, giving them the benefit of the doubt, if they have been there and it has been a few weeks—maybe this really hasn't worked. But lets keep in mind the surge policy came in in February. So we need to look and see what it is that has happened since February that is working.

I have to say this also: General Petraeus is the guy in charge. Here we are sitting down talking about micromanaging a war with 435 Members of the House and 100 Members of the Senate, when we have a President who is doing the job that the Constitution tells him to do. Yet we are trying to interfere with that process.

Going back to some of the previous trips, I watched as time went by over the last 5 years, each time I go back, a greater level of cooperation that we are finding from the Iraqis. This last time—I think I have to give credit to some of the people who are talking about—the-cut-and-run crowd. The surrender crowd, has got the Iraqi's attention. I see that they are, in fact, becoming a lot more aggressive in what they are doing right now. But I am going to share with you—this is new stuff, this just happened 2 days ago. This isn't something that might have happened 5 years ago or longer than that.

I remember a couple of weeks ago when General Petraeus came to Congress. He gave a report. It was a classified briefing on the fourth floor and then he had some news conferences. He gave some positive comments. I carry those around with me.

He said:

> Anbar has gone from being assessed as being lost to a situation that is now quite heartening.

He said:

> We have, in Ramadi, reclaimed that city.

He said:

> We are ahead with respect to reduction of sectarian violence and murders in Baghdad by about a third, about 33 percent.

These are the things that were happening at that time. I thought, you know, a lot of the people who really just do not think we need a military to start with and aren't concerned about what is happening to us over there might say General Petraeus was overly optimistic; he was not being conservative; and he is telling us things that flat aren't true. So I thought I would go over and find out.

I went over. I was there this weekend. I spent most of my time, not in Baghdad, not in places where people go, but in Anbar Province. I spent my time in Taqaddum—an area nobody else goes to, to my knowledge, nobody has been to—and Ramadi and Fallujah. That is what we are talking about when we talk about Anbar Province.

The reason that is important is that is where most of the violence has taken place. That is where we have watched, as time went by—where we lost the most lives. We remember so well hearing the stories about our marines in Fallujah going door to door, very similar to what was happening in World War II. And that is a fact, they were.

And that is a fact. They were. But then along came the surge and along came General Petraeus. I have to tell you, General Petraeus was being very conservative when he was here 10 days ago or 2 weeks ago, whatever it was.

I am going to tell you exactly what is happening there now. And these people

who are the prophets of doom, I hope they are listening.

First of all, let's just take Ramadi. That is the area which was supposed to be the toughest area. You might remember a year ago al-Qaida controlled that city. They held a parade a year ago, and they declared—after that parade, they said now Ramadi is their capital, the capital of terrorism, the capital of al-Qaida.

Well, that is what happened a year ago. A year ago, we had a total of 2,000 Iraqi security forces. You know the whole idea here is to get Iraqi security forces trained, equipped, and let them take care of their own problems and their own terrorism that is coming in. Keep in mind that these terrorists are not after Americans; they are after Iraqis. They do not want freedom in that country. Back then, at that time, when they bragged, when al-Qaida bragged that Ramadi was their capital, we only had 2,000 Iraqi security forces. That is all. Do you know how many we have now? We have 12,200 trained and equipped Iraqi security forces in Ramadi.

Things are happening there. They had 1,200 people volunteer from Ramadi for the Iraqi security forces, more than they could train and handle—in 1 day, 1 day. Well, they have things that are going on, showing them support for the Iraqi people.

We all know that in our own hometowns, we have this thing called Neighborhood Watch Programs where we are going to try to stop crime. They have one there too; it is called the neighborhood security watch. This is where civilians—not military, not armed—these people put on little orange jackets and go out, and they try to find where IEDs are hidden, where explosive devices are hidden. They have spray paint, orange spray paint, and they will put a circle around where they are. Then our troops will go in there and detonate them, and then everyone is fine. Before that, we were losing American lives by walking into these situations. That is not happening now. This is because of the neighborhoods. These are the Iraqi people.

The troops have reclaimed Ramadi, very clearly. If you just look at Ramadi—one city—since February, overall attacks are down 74 percent. That is since February. That is when the surge was announced. The IED attacks are down 81 percent—not 10 percent, not 15 percent, 81 percent. It is a huge success story.

In Fallujah, you know, I can remember going to Fallujah years ago—Madam President, I ask unanimous consent that if I go over my 10 minutes, I have a few extra minutes and it will be deducted from my time.

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

Mr. INHOFE. Madam President, in Fallujah right now, one Iraqi brigade owns the battlespace. This is the term which we use in the Armed Services Committee, ''owns the battlespace.'' It means they are providing their own security. Now, this was not true a few years ago when I first went there. No one could get anywhere near anything in town. You would not take the risk of going in.

I was there during both of the elections, and I saw the Iraqi security forces go to vote the day before the public would vote. When they did this, they found themselves in a situation that was very dangerous. They voted the day before so they could provide the security for the populous of Fallujah. Well, several of them were killed, as you recall. But I talked to them each night after they went to vote, and they were overjoyed in doing it. They said: The day is coming when we are going to be able to take care of the security in Fallujah.

All right, that was 4 years ago and 3 years ago and 5 years ago on different trips I made there. This weekend, just 2 days ago, we have now officially turned over the security of Fallujah to the Iraqis. They are providing the security.

If you look in the whole province of Anbar, you see another thing that is happening. A lot of people think—we hear a lot from the Prime Minister, Maliki; we hear about the Minister of Defense, Jasim; we heard about Dr. Rubaie—all of these people who were appointed or elected to be the leadership of Iraq. They are not the ones who are really making the decisions as far as the people are concerned. It is a different culture. It is the clerics and the imams in the mosques.

Now, we measure what goes on in the mosques. It is just like we would hear a sermon in the United States in a church—we go there and find out what they are talking about. Prior to February, 80 percent of the mosques had messages that were delivered by the clerics there or the imams there that were anti-American, getting everyone stirred up every Saturday or whenever they get together. In April, it was zero. There wasn't one mosque, of the hundreds of mosques, that had an anti-American message. For that reason, you have all of the populous coming in and saying: We want in on this thing. We are going to actually get something done here. We are tired.

They are the ones who have been the targets for the terrorists. They know that. Certainly the clerics know that. That is why we are getting this surge of cooperation.

In March of 2006, there were only 4,000 what they call Iraqi security forces. Today, there are 27,500 trained and equipped Iraqi security forces. The Sunni tribal coalition is fighting al-Qaida. That is something new. That wasn't happening 3 weeks ago. It certainly was not happening in February.

I did stop in Baghdad. I spent most of the time in Anbar Province. But in Baghdad, I was heartened to see something new—and I did not know how it worked—is being put in place. It is called a joint security station. Now, in Baghdad, there are 27 of them. So the night before last, late at night, I went out there and I saw how they worked. Instead of our troops going out on raids during the day and then coming back to the Green Zone where they will be safe, our troops are now staying out there in those areas in these joint security stations. They are there with the Iraqis. They are sleeping there with them, they are eating with them, and they are developing close relationships. That is the key to this thing. This all came from General Petraeus, that we have relationships in these areas. If you talk to our troops—you don't talk to the guys on the Senate floor here; talk to the troops, find people who are coming back. You ask them what their relationship is now with the Iraqi security forces.

I have to say this also—even though we heard this before, we did verify it is actually more than this—the sectarian murders in Baghdad are down by 30 percent. Now, that is not quite as good as it is in Anbar Province. One of the reasons is Anbar Province is where all of the problems were, and we are concentrating more and the Iraqis are concentrating more there. I went to the marketplace there. I did not have any helicopters over the top. I went through, I took an interpreter, I stopped and talked to people on the street, and they are so appreciative of what we are doing there, and it is no wonder that they are.

I just have to say that these relationships have formed. The term they are using is the ''brotherhood of the close fight.'' I give General Petraeus credit for engineering a lot of these things.

Lastly, I would say—you may not believe me because you know I have a strong feeling about defending America, and you might say I am prejudiced. Yes, I was on the House Armed Services Committee for years and then on the Senate Armed Services Committee for the last 12 years, and so I watch and see what is happening. I recognize we need to rebuild America's military now to be able to meet future challenges like this.

I would only say this: Everything that I have now said, if you don't believe it—and I thought I would never recommend to my conservative friends that they ever watch CNN, but I am going ask them to go ahead and watch CNN this time, and there is someone named Nick Robertson who asked to go along to some of these stations I went to two nights ago, the joint security stations. They are giving a report, and you will be shocked to find out that even CNN, which has been no friend of our President and no friend of our efforts in Iraq, is now coming out with reports that are saying exactly what I am saying right here.

So have your good time. Stand up and take your bows and criticize the President and criticize the effort in Iraq and criticize our soldiers. Let me tell you, they are doing a good job, we are winning there, and this information I share with you is just 1 day old.

With that, I yield the floor.

Let me ask how much time I used off of my amendment time.

The PRESIDING OFFICER. The Senator has used 13½ minutes.

The Senator from Massachusetts is recognized.

AMENDMENT NO. 1094 TO AMENDMENT NO. 1065

Mr. KERRY. Madam President, I thank the Republican manager, the Senator from Oklahoma.

I call up amendment No. 1094.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Massachusetts [Mr. KERRY], Mr. FEINGOLD, Ms. COLLINS, Mr. SANDERS, Mr. CARPER, Mr. REED, Mr. BIDEN, Mr. WHITEHOUSE, and Ms. CANTWELL proposes an amendment numbered 1094 to amendment No. 1065.

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

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

The amendment is as follows:

(Purpose: To require the consideration of certain factors relating to global climate change)

At the appropriate place in title II, insert the following:

SEC. 2_____. GLOBAL CLIMATE CHANGE.

(a) PLANNING CONSIDERATIONS.—To account for the potential long- and short-term effects of global climate change, the Secretary shall ensure that each feasibility study or general reevaluation report prepared by the Corps of Engineers—

(1) takes into consideration, and accounts for, the impacts of global climate change on flood, storm, and drought risks in the United States;

(2) takes into consideration, and accounts for, potential future impacts of global climate change-related weather events, such as increased hurricane activity, intensity, storm surge, sea level rise, and associated flooding;

(3) uses the best-available climate science in assessing flood and storm risks;

(4) employs, to the maximum extent practicable, nonstructural approaches and design modifications to avoid or prevent impacts to streams, wetlands, and floodplains that provide natural flood and storm buffers, improve water quality, serve as recharge areas for aquifers, reduce floods and erosion, and provide valuable plant, fish, and wildlife habitat;

(5) in projecting the benefits and costs of any water resources project that requires a benefit-cost analysis, quantifies and, to the maximum extent practicable, accounts for—

(A) the costs associated with damage or loss to wetlands, floodplains, and other natural systems (including the habitat, water quality, flood protection, and recreational values associated with the systems); and

(B) the benefits associated with protection of those systems; and

(6) takes into consideration, as applicable, the impacts of global climate change on emergency preparedness projects for ports.

(b) ADDITIONAL CONSIDERATIONS FOR FLOOD DAMAGE REDUCTION PROJECTS.—For purposes of planning and implementing flood damage reduction projects in accordance with this section and section 73 of the Water Resources Development Act of 1974 (33 U.S.C. 701b–11), the term ''nonstructural approaches and design modifications'' includes measures to manage flooding through—

(1) wetland, stream, and river restoration;

(2) avoiding development or increased development in frequently-flooded areas;

(3) adopting flood-tolerant land uses in frequently-flooded areas; or

(4) acquiring from willing sellers floodplain land for use for—

(A) flood protection uses;

(B) recreational uses;

(C) fish and wildlife uses; or

(D) other public benefits.

Mr. KERRY. Madam President, I ask unanimous consent that this be considered as an amendment to the Boxer substitute.

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

Mr. KERRY. Madam President, this amendment is a bipartisan amendment introduced with Senator COLLINS, Senator FEINGOLD, Senator CARPER, Senator REED of Rhode Island, Senator BIDEN, Senator WHITEHOUSE, and Senator CANTWELL.

This is an amendment regarding the impact of global climate change and the need for the Congress, as we consider spending money and requiring the Corps of Engineers to undertake certain projects across the country—it just seems logical as a matter of protecting the taxpayers' dollars as well as thinking about the future that we ask the Corps to include in their analysis of these projects judgments about the potential impact or the real impact of global climate change on that particular project.

Now, I am going to speak more about the common sense of doing that, why it is important, but I will just say very quickly, if you look at New Orleans where we had a breach of the levees as a consequence of the hurricanes and the rise of the seas, it is clear that much of the infrastructure of America is designed without reference at all to what is now happening to climates, to water bodies, to the various challenges we face with respect to global climate change. So you need to sort of lay out the parameters within which we ought to be making a judgment about this particular issue. That begins by sort of setting forth the facts. We ought to deal with facts with respect to the situation on global climate change.

This will be the first time Senators in the 110th Congress have been asked to vote on the floor in some way with respect to this issue of climate change. But it is an important opportunity for Senators to stand up and be counted with respect to this issue.

All this amendment seeks to do, as a matter of common sense, is to ask the Army Corps of Engineers to factor climate change into their future plans. By doing that, we are taking a small corrective measure to a process that is currently flawed because it does not do that. Secondly, we are making a statement here in the Senate about the need to finally, once and for all, recognize the reality of what is happening with respect to climate change.

The guiding principle behind this amendment is obvious: It is that climate change is real and it must be factored into our public policy in almost everything we do. If we are going to build buildings, those buildings have to be designed to a whole new set of specifications in terms of carbon emissions, in terms of energy use, because all downstream energy use will have an impact on how much coal and how much oil, alternative fuels, and other resources we need to consume.

The fact is that other countries are moving much more rapidly than we are as a Federal Government. In fact, the States in the United States and cities in the United States are already moving with greater authority and determination than the Federal Government. So this is a chance finally for Senators to put themselves on record.

Now, you can disagree on what—for instance, former Speaker Newt Gingrich and I held a debate a couple of weeks ago in which the former Speaker changed his position and agreed that climate change is taking place and that human beings are having an impact on that climate change. He agreed that we need to act, and urgently. Where we differed is in what actions to take, how those actions might be implemented, but there was no disagreement about the need to factor this into the policies in our country.

As we contemplate these steps we need to take, we really need to understand that everything we do here is to inform our decisions as we go down the road. That is really the message this amendment ought to send, that when it comes to public policy, we understand the warnings of our scientists, the warnings of the Intergovernmental Panel on Climate Change, and we are going to respond effectively at the national level.

The fact is, for too long this has been the subject of paid-for studies by industries that wanted to resist, but we know that in America, many of those industries have changed.

USCAP is a partnership of some of the major corporations in America that have come together responsibly to take action with respect to climate change. Companies such as General Electric and Florida Power & Light, American Electric Power, DuPont, Wal-Mart, many others are now responding to the needs of this issue. It would be stunning indeed if the Senate somehow stood apart from what the private sector and these States and local communities are now engaged in.

Let me summarize quickly some of the findings of the IPCC, the Intergovernmental Panel on Climate Change. The most recent report was written by about 600 scientists. It was reviewed by 600 experts. It was edited by officials from 154 governments. So you have Prime Ministers, Foreign Ministers, Economic Ministers, Trade Ministers, Environment Ministers, Presidents of countries all across the globe, who are engaged in moving forward. Only the United States has remained significantly on the sidelines.

The basic facts are these: At both poles and in nearly all points in between, the temperature of the Earth's surface is heating up. It is heating up at a frightening and potentially catastrophic rate. The temperature we know has already increased about .8 degrees centigrade, 1.4 or so degrees Fahrenheit, and the warnings of the scientists I alluded to are that because of the carbon dioxide already in the atmosphere, about which we have the ability to do nothing, there will be an additional warming as a consequence of the damage that that does. So we are locked in, whether we like it, to a warming of somewhere between 1.4 and 1.6 degrees centigrade. These same scientists have reported to us through some 928 or so peer-reviewed studies. A lot of people are not sure what a peer-reviewed study is. After scientists have done their study and they have put it out to the public, that study is reviewed anonymously by another group of scientists with similar backgrounds and discipline. They then anonymously make an analysis of the methodology of those studies and of the conclusions that were drawn. What is interesting is that all 928 studies have determined that human beings, through our greenhouse gas emissions, are causing some of the increase of this temperature, and they have concluded similarly that there is a tipping point—nobody can predict precisely where it is—at which we get a catastrophic series of consequences which will then be too late to change.

Scientists are inherently conservative people. They are people who make judgments based on facts, as they discern them, through their analysis, research, and experiments. They don't make wild pronouncements that can't be substantiated. Where there is doubt, they have expressed doubt every step of the way. Where something is not conclusive, they have said it is not conclusive.

But now in this most recent report, they have reported to the world that there is a 90-percent likelihood that emissions of heat-trapping gases from human activities have caused ''most of the observed increase in global average temperature since the mid 20th century. Evidence that human activities are the major cause of recent climate change is even stronger than in prior assessments.''

In addition, they have said that the warming is unequivocal. The report concludes that it is ''unequivocal that earth's climate is warming as it is now evident from the observations of increases in global averages of air and ocean temperatures, widespread melting of snows and ice, and rising global mean sea level.''

The report also confirms that the current atmospheric concentration of carbon dioxide and methane, two important heat-trapping gases, ''exceeds by far the natural range over the last 650,000 years.'' Since the dawn of the industrial era, concentrations of both gases have increased at a rate that is ''very likely to have been unprecedented in more than 10,000 years.''

These are some of the facts. I will relate more, if necessary, later. The bottom-line point to be made is, the opponents, those who say that it isn't happening, those who say that somehow we can't be certain that this is a contributing activity, have yet to produce one peer review study—not one—that conclusively shows why what is happening is happening and what is causing it, if it isn't the human activity that has been alluded to by these 154 countries and thousands of scientists. They certainly have an obligation to do that.

Here is what is most alarming. I have been listening to and working with these same scientists since then-Senator Al Gore and I and a few others held the first hearings on global climate change in the Senate in 1987. In 1990, we went to Rio to take part in the Earth summit which George Herbert Walker Bush participated in as then President of the United States and signed a voluntary agreement to deal with the framework for global climate change. In the 17 years since we attended that conference, I have attended other conferences in Buenos Aires, in The Hague, and in Kyoto. I have watched while we have learned more and more with greater certainty about the impact of this science. Throughout that journey of 17 years, I have never heard the scientists as alarmed as they are today. The reason they are alarmed today is that what they have predicted for those 17 years is happening at a faster rate and in a greater quantity than they had predicted.

What is our responsibility as public people? If the scientists, 928 studies strong, are saying to us, Senators, Presidents, Congressmen, here is what is happening, and they say it with conclusive evidence of exactly what is contributing to it, I believe we, as public people, have a responsibility to listen on behalf of the citizens. It is prudent to think about those things that we can do and ought to do in order to respond to this evidence.

Here is what those scientists tell us. Jim Hansen is the leading climatologist of our country at NASA. He started warning about this in 1988. Since 1988, those warnings have become more urgent. He now says we have a 10-year window within which to get this right. If we want to avoid the potential of a tipping point, we have 10 years to act. We also know the scientists have revised their own estimates of what the tolerable range is with respect to global warming. A year and a half, 2 years ago, they were telling us we could tolerate 550 parts per million of greenhouse gases in the atmosphere and that translated to a 3 degrees centigrade warming that could be allowed before you reached this catastrophic potential tipping point. They have changed that now. Those same scientists have now revised their estimate based on the evidence they are getting as a consequence of what is already happening all over the planet. All over the planet you can see the sea drying up. You can see the southern portion of the Sahara Desert getting dryer. You can see ocean currents shifting, species migrating. In South Carolina, they wouldn't have any duck hunting today if they didn't have farmed ducks because the patterns have changed. The same thing in Arkansas, where it has significantly altered. Hunters across the Nation are noticing changes in the migratory patterns of the prey they used to hunt. We are seeing 20 percent of the ice sheet in the Arctic has already melted and predictions are the entire ice sheet will disappear within the next 30 years. The Greenland ice sheet, go up there and visit, see the torrents of water rushing through the ice itself. The danger of that is, this is on rock. This is not floating on sea ice, where the displacement is already recognized in the ocean because it is floating in the ocean. This is ice on rock. As it melts, if it melts rapidly, it does spill into the ocean and it alters the levels.

In addition, the warming of the ocean itself alters the levels. The warming expands the water, and as the water expands, the sea level rises and we are already seeing a measured level of increase of sea level according to all of our scientists. They don't doubt that. That is a stated fact. Sea level is rising.

Are we going to have the Corps of Engineers go out and build a project that has to do with rising sea level and not take into account how much it may rise, over what period of time it may rise? What the consequences might be of a storm that is more intense, coupled with an increase of sea level? It is common sense that we ought to be taking those kinds of things into account.

The scientists now tell us we can tolerate not 550 parts per million but 450 parts per million, and we can tolerate not 3 degrees centigrade increase but a 2 degrees centigrade increase. Why is that important? That is important because we can trace from before the industrial revolution the levels of carbon dioxide and temperatures of the Earth. Preindustrial revolution, the levels of greenhouse gases were at about 270 parts per million. It was about 500 or so billion tons of carbon dioxide in the atmosphere. It is measured by taking ice cores which we drill. You bore into the ice. You can go back tens of thousands of years, bore the ice and measure the levels of carbon dioxide, which also gives you an indicator of the temperature of the Earth. We see a complete parallel between the rise of the Earth's temperature, the rise of carbon dioxide and the industrial revolution itself over those 100 years.

We have now changed the level of greenhouse gases from 270 parts per million to 380 parts per million. That is what we are living with today. So if we are living with 380 parts per million

today and over 100 years plus we saw it go from 270 to 380, we only have a cushion of up to 450. If we have already increased the Earth's temperature .8 degrees and it is going to go up automatically another .8 degrees, that is 1.6, we only have a cushion of .4 to .5 degrees before we get to a tipping point.

I can't tell you with 100 percent certainty that is what is going to happen. But the scientists, the best we have in this country, have told us it is a 90-percent likelihood this is happening as a consequence of the things we are doing.

If you went to the airport today and got on an airplane and the pilot got on and said: Folks, we are about to leave and there is a 10-percent chance we are going to get where we are going, are you going to stay on the plane? This is a 90-percent certainty what scientists are telling us.

We went to war in Iraq on a 1-percent doctrine. As Vice President CHENEY said, if there is a 1-percent chance that harm could be done to our Nation, then we have to be willing to go to war and take the steps. Well, here you have a 90-percent chance that harm could be done to our Nation, and we are doing next to nothing at the Federal level. That is the cushion.

So when the scientists say to us we need to have a response, when the CEO of DuPont, the CEO of Wal-Mart, the CEO of 3M, the CEO of General Electric, and a host of other companies across our country are already taking steps because they recognize this has to happen, and we have to respond, we ought to be listening and responding ourselves.

Let me comment that, obviously, in California we already see a State taking action. California passed a landmark bill that establishes a first-in-the-world comprehensive program of regulatory and market mechanisms to achieve a reduction in greenhouse gases.

The mayor of New York is working on a congestion pricing scheme to lower emissions and pollution. Today, as we stand in the Senate, he is hosting a meeting of the mayors of the world's largest cities, from Copenhagen to Calcutta, on how to achieve the same ends.

Recently, my home State of Massachusetts, under the leadership of Governor Deval Patrick, has rejoined the Regional Greenhouse Gas Initiative. Now you have eight States that have come together specifically to try to reduce global warming pollution from powerplants. Across the Nation, 500 mayors from 50 States have signed on to the U.S. Mayors Climate Protection Agreement, which is an initiative to advance the goals of the Kyoto Protocol. Even President Bush finally saw fit to mention in his State of the Union Address ''the serious challenge of global climate change.''

We know specifically that climate change will challenge the way we manage water resources in the United States. It threatens our coastal communities and habitats with rising sea levels, more intense storms, storm surges, and flooding, especially along the gulf and Atlantic coasts. In many places, climate change is going to put added pressure on our water resources, increasing competition among agricultural, municipal, industrial, and ecological uses.

That is why this bill is an appropriate place for us to have an amendment that merely asks for the Corps of Engineers—which is federally chartered, and we spend Federal dollars on—to make certain what they choose to do is thoughtful about what the impacts may be that are predictable or ascertainable.

We know, obviously, what it looks like when we do not prepare for emergencies. We had it seared into our memories with the horrifying images of Hurricane Katrina. We saw the anguish of everybody who lived there and people across America.

The fact is, we are especially vulnerable to changes of weather and climate extremes because of severe storms, hurricanes, floods, and droughts. Now we need to begin planning for those emergencies that global climate change is likely to produce.

Over the last 100 years, we have seen an increase in heavy precipitation that has strained the infrastructure we have in place to deal with flooding. All across America, combined sewer overflows wind up putting raw sewage out into our rivers and lakes, which wind up poisoning and polluting those water bodies.

Thirty-nine percent of the rivers in the United States of America are contaminated. Forty-five percent of the lakes in the United States are contaminated. Forty-nine percent of the estuaries in America are contaminated.

In 19 States in our country parents and children are warned: Don't eat the fish because of the levels of toxins, chemicals that are in the water—19 States. In 44 States there are warnings about specific locations where you are not allowed to eat the fish.

So these are the kinds of consequences we see up and down the line. The number of days each year now with more than 2 inches of precipitation has risen by 20 percent. If we know the precipitation levels have risen by 20 percent in the last 100 years, doesn't it make sense, as we conjure up levees or other projects to prevent flooding, to understand what the likelihood is of the size of that flooding, the extent of it, and the intensity, as it grows?

The Southwestern United States is in the midst of a drought that is projected to continue well into the 21st century and may cause the area to transition to a more arid climate.

The Corps of Engineers stands on the front lines of all of these threats to our water resources. They are our first responders in the fight against global warming. Hurricane and flood protection for New Orleans, levees along the Mississippi and Missouri Rivers, levees in Sacramento, CA, and port projects up and down our coasts, east and west—these are just a few of the sites that are in danger. All of these Corps projects and many hundreds more will feel the strain, impact, and consequences of global climate change.

We also recognized, in the wake of Hurricane Katrina, the inadequacy of some of the projects in New Orleans that simply did not stand up. Just the other day, in the New York Times—Madam President, I ask unanimous consent that the article of May 7, entitled ''Critic of Corps of Engineers Says Levee Repairs for New Orleans Show Signs of Flaws'' be printed in the RECORD.

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

[From the New York Times, May 7, 2007]

CRITIC OF CORPS OF ENGINEERS SAYS LEVEE REPAIRS FOR NEW ORLEANS SHOW SIGNS OF FLAWS

(By John Schwartz)

Some of the most celebrated levee repairs by the Army Corps of Engineers after Hurricane Katrina are already showing signs of serious flaws, a leading critic of the corps says.

The critic, Robert G. Bea, a professor of engineering at the University of California, Berkeley, said he encountered several areas of concern on a tour in March.

The most troubling, Dr. Bea said, was erosion on a levee by the Mississippi River Gulf Outlet, a navigation canal that helped channel water into New Orleans during the storm.

Breaches in that 13-mile levee devastated communities in St. Bernard Parish, just east of New Orleans, and the rapid reconstruction of the barrier was hailed as one of the corps' most significant rebuilding achievements in the months after the storm.

But Dr. Bea, an author of a blistering 2006 report on the levee failures paid for by the National Science Foundation, said erosion furrows, or rills, suggest that ''the risks are still high.'' Heavy storms, he said, may cause ''tear-on-the-dotted-line levees.''

Dr. Bea examined the hurricane protection system at the request of National Geographic magazine, which is publishing photographs of the levee and an article on his concerns about the levee and other spots on its Web site at ngm.com/levees.

Corps officials argue that Dr. Bea is overstating the risk and say that they will reinspect elements of the levee system he has identified and fix problems they find. The disagreement underscores the difficulty of evaluating risk in hurricane protection here, where even dirt is a contentious issue. And discussing safety in a region still struggling with a 2005 disaster requires delicacy.

Hurricane season begins again next month.

The most revealing of the photographs, taken from a helicopter, looks out from the levee across the navigation canal and a skinny strip of land to the expanses of Lake Borgne. From the grassy crown of the levee, small, wormy patterns of rills carved by rain make their way down the landward side, widening at the base into broad fissures that extend beyond the border of the grass.

Dr. Bea, who was recently appointed to an expert committee for plaintiffs' lawyers in federal suits against the government and private contractors over Hurricane Katrina losses, said that he could not be certain the situation was dangerous without further inspection and that he wanted to avoid what he called ''cry wolf syndrome.'' But, he

added, he does not want to ignore ''potentially important early warning signs.''

He praised the corps for much of the work it had done since the storm, but he added that the levee should be armored with rock or concrete against overtopping, a move the corps has rejected in the short term.

Another expert who has viewed the photographs, J. David Rogers, called the images ''troubling.'' Dr. Rogers, who holds the Karl F. Hasselmann chair in geological engineering at the University of Missouri-Rolla, said it would take more work, including an analysis of the levee soils, to determine whether there was a possibility of catastrophic failure.

But he said his first thought upon viewing the images was, ''That won't survive another Katrina.'' Dr. Rogers worked on the 2006 report on levee failures with Dr. Bea.

John M. Barry, a member of the Southeast Louisiana Flood Protection Authority-East who has also seen the photographs, also expressed worry. ''If Bea and Rogers are concerned, then I'm concerned,'' he said.

Mr. Barry, the author of ''Rising Tide: The Great Mississippi Flood of 1927 and How It Changed America,'' said it was important to seek balance when discussing the levees in the passionately charged environment of New Orleans since the storm.

''I don't want anybody to have any false confidence'' in the system, he said. ''On the other hand, if things are improving, people need to know that, too. And things have been improving.''

After being informed of the safety questions, Senator Mary L. Landrieu, Democrat of Louisiana, prepared a letter to send today to the corps commander, Lt. Gen. Carl A. Strock, asking whether the work by the corps was sufficient to protect the levee system.

At the corps, Richard J. Varuso, the assistant chief of the geotechnical branch of the district's engineering division, said that some erosion could be expected after a levee was constructed. ''If it rains, we get some rutting,'' Mr. Varuso said, adding that as vegetation grows in, the levee ''heals itself.''

Walter O. Baumy Jr., the chief of the engineering division for the New Orleans district of the corps, said the new levees were made with dense, clay-rich soil that would resist erosion. Although the stretches of the St. Bernard levee that were still standing after the storm are composed of more porous soils dredged from the nearby canal, Mr. Baumy said a reinforcing clay layer on top some 10 feet thick would keep the fissures from reaching the weaker soils.

Still, he said that ''we will take a look at this'' and that the corps would make repairs where necessary.

Dr. Bea, who wrangled with the corps last year about construction standards on the same levee, countered that recent work in the Netherlands suggested that clay-capped levees with a porous core, which are common, were prone to failure in high water.

Another official who viewed the photographs, Robert A. Turner Jr., the executive director of the Lake Borgne basin levee district, east of New Orleans, said he was concerned, but not necessarily alarmed, about the rills toward the crown of the St. Bernard levee, calling them a common sight on new levees in the area.

Mr. Turner said he was more concerned by the images of larger ruts toward the base of the levee, and said of the corps, ''We're just going to keep on them.''

Mr. KERRY. There is evidence in some of those levees they are not going to be able to withstand the intensity of the storms we now project. The current guidelines for Corps project planning were written in 1983, long before scientists were focusing on the existence as well as the threat and impacts of climate change. So I believe it is critical for the Corps to begin to account for that.

This amendment directs them to simply take climate change into account when conducting project feasibility studies or general evaluation reports. It ensures that Corps projects, particularly those that provide the first line of defense against climate impacts, are designed with global warming in mind.

This amendment is supported by dozens of groups that represent coastal communities and resources, from the National Wildlife Federation and American Rivers, to the Association of State Floodplain Managers, regional groups that represent coastal interests, including the Coalition to Restore Coastal Louisiana, and the Great Lakes States Coalition. They all strongly support this amendment. They support it because it protects our wetlands. They support it because it advances our policy response on a subject where the politics has often struggled to keep pace with the science.

On a weekly basis, we see mounting evidence and mounting alarm bells going off highlighting our need to act. This is our opportunity to do so for the first time.

I reserve the remainder of my time.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Madam President, for clarification on the time, it is my understanding that we each started off with 30 minutes, and then we each get 15 minutes after that time has expired, and that I used 13 minutes of my time on my Iraq discussion.

Mr. KERRY. Madam President, it is my understanding we asked for 2½ hours equally divided.

Mr. INHOFE. OK. So it would be an hour and 15 minutes for each side.

Mr. KERRY. An hour and 15 minutes, but we may well wind up yielding much of that back.

Mr. INHOFE. OK. So in this period now, I would have an hour, less 13 minutes.

The PRESIDING OFFICER. Correct. The Senator would have 1 hour minus the approximately 13, 14 minutes the Senator has already used.

Mr. INHOFE. All right. That is fine. I do not think I will use all of this time right now. But in the event I get close to it, if the Chair would let me know when I have 3 minutes left, I would appreciate that.

I don't know where to start. I really don't. I don't have all my stuff I normally would have in talking about this subject right now because I did not know this was going to come up.

Certainly, everyone has a right to bring up amendments. This amendment is totally out of place for this bill. There is no justification for having it.

Let me make one comment about it. If the idea is—and apparently it is—this amendment is going to instruct the Corps of Engineers to come out with a report as to how anthropogenic gases would be affected by each project that is constructed around the country, let me suggest we have a $14 billion bill we are going to be voting on at about 5:30, 6 o'clock tonight. It is one that we desperately need. We have been debating this issue.

But I can assure you, if for some reason the Kerry amendment was adopted, it would kill the bill. There is no question about it. But it is not going to be adopted. It is a good forum to stand out here and talk about how everyone should be hysterical and should be worried.

It is interesting to me that the same people today who are saying the world is coming to an end, we are all going to die, just back in the middle 1970s were saying another ice age is coming and we are all going to die. Which way do you want it?

On this one, he is asserting, I guess, that somehow the climate is changing. Let me suggest, in 2006 the World Meteorological Organization issued statements refuting claims about a consensus that global warming is and will cause more frequent and intense storms, saying no such consensus exists. Even Al Gore has now backed away from claiming that global warming will cause more frequent storms.

I have a chart in the Chamber, a plot of the hurricanes going back to 1851. As you can see, this is constant. This has been going on for a long period of time. Now, if a surge of anthropogenic gases—this CO_2, methane, or whatever it is—were causing a warming period, then you would think right during the period around 1945 we would have a warming period because in the middle 1940s, after the Second World War, we had the greatest increase in greenhouse gases, with an increase of about 85 percent during that time.

But what happened? It did not precipitate a warming period. It precipitated a cooling period so bad that by the middle 1970s everyone thought we were going to die from another ice age coming.

Now, as far as this bill is concerned—I will probably repeat this in a little more detail in the final remarks, but I have to say this: We have $14 billion of projects. These are Corps of Engineers projects that are desperately needed. We have not had a Water Resources Development Act reauthorization bill for 7 years. We finally have the opportunity to have it.

Now, if this amendment should be adopted, it would delay all these projects by at least a year because the Corps would have to go back and restudy all these projects. So I think we should keep that in mind in terms of how it affects the bill we have.

Now, the junior Senator from Massachusetts talked about this great coalition called the U.S. Climate Action Group. Well, I can tell you about this great coalition. I do not know how many there are. There are about maybe

seven or eight companies, corporations that have joined this saying: Yes, we want to have some kind of a cap and trade on CO_2. We want to do something, maybe have a tax on them because we are good citizens. We are concerned about the environment.

Well, we had a hearing about that, only to find out every last one of them that we could research would end up making not just millions but in some cases billions of dollars if something like Kyoto would go through. I will be specific. DuPont would make $500 million a year in credits. DuPont, no wonder they are for it. If I were a member of the board of directors of DuPont, I would also do the same thing they are doing.

These are being paid for reductions in greenhouse gases as a result of things they have already done, so they do not have to do anything more. I am saying the $500 million a year—this came from an internal study, so this is not someone making an accusation—is based on $10 a ton. If it goes up to $20 a ton, then it is going to be $1 billion a year. So DuPont is for that. GE and BP, they are doing the solar panels and the wind tunnels. Well, sure, they would make a lot of money.

We can quantify all this. There is not time to go through all of that.

The other assertion that was made by the distinguished junior Senator from Massachusetts was that the sea level is going to come up. There are so many people who have watched the Gore movie, and a lot of the teachers have gotten into this, and it makes teaching real easy. There is one school in Maryland, and a parent came by to see me after we had our confrontation with Senator Gore about 3 weeks ago and said: Do you realize in my child's elementary class, his teacher makes them watch this movie once a month? They said the scary part is—for little kids who do not know any better, they think it is true, when it is not true. They said the scary part is the sea level rise.

This is what the Senator is saying: The sea level rises. I would suggest the IPCC, that is behind all of this—that is where it all started, like a lot of things in this country; it started with the United Nations—they came out in 2007, this year, and they have downgraded the sea level rise from 39 inches to 23 inches. They have cut it in half. They said further, in a report this year, the release of anthropogenic gases by livestock is greater than our entire transportation segment.

So we watch these things. Jim Hansen—I am going to talk a little about the scientists. I hear this thing, and the reason we are seeing so many people now in a panic is they realize the science has been changing on a regular basis for the last 3 years.

In fact, I have to tell you, when I became chairman of the Environment and Public Works Committee in January, 4 years ago, I assumed that manmade gases were causing climate change. That is all you read in the media and all you heard about on radio and TV. I assumed it was right, until they showed us how much this would cost to the average American taxpayer. Then we said: Let's look at the science, only to find out that the science has been reversed.

Scientists always talk about Jim Hansen. I have been on several shows, and there is Jim Hansen. He has been more exposed on this than any other scientist.

I remind you that Jim Hansen was given a grant from the Heinz Foundation of $250,000. I cannot say there is no relationship between that and his opinion. I think there is and I will tell you why. I am going to talk about scientists.

Let's start off in Canada, which was one of the early signers of the Kyoto Treaty. Canada was taking the advice of a famous group called the 60 scientists in Canada. These are the 60 scientists who, at that time, recommended to the then-Prime Minister of Canada that they sign onto and ratify the Kyoto Treaty. Well, since that time, the scientists—that same group of people—have reevaluated the science. I will read some of these things they come up with. The one I know by heart is the most revealing. It says:

> Observational evidence does not support today's computer climate models, so there is little reason to trust model predictions of the future.

Significant scientific advances have been made since the Kyoto Protocol was created, many of which are taking us away from the concern about increasing greenhouse gases. Listen to this. These are the 60 scientists in Canada who were the ones responsible for advising the Prime Minister 15 years ago to sign the Kyoto Treaty. They say:

> If back in the 1990s we knew what we know today about climate, Kyoto most certainly would not exist, because we would have concluded it wasn't necessary.

They are now petitioning Prime Minister Harper to change their position on climate change. We have scientist after scientist. This is a good one. I used this the other day. Of the three strongest supporters of the alarmists—I am talking about the environmental alarmists who want to scare people—representing countries in a formidable fashion, one was Claude Allegre, a French Socialist, a geophysicist, a member of both the French and American Academies of Science. He was one who marched in the aisles with Al Gore 10 or 15 years ago, saying global warming is happening and it is caused by human discharges. Now he is saying that it was wrong. He has completely gone over to the other side. He says that the cause of climate change is unknown. He has accused the proponents of manmade catastrophic global warming of being motivated by money. I will talk about that in a minute.

Let's go from France to Israel. Astrophysicist Nir Shaviv was one of those real believers, an alarmist. He thought the world was coming to an end and that we are going to be warming up and that we have to do something about it. But he now points to growing peer-reviewed evidence that—the Senator from Massachusetts said there is no peer review evidence. Yes, there is. Shaviv refers to it here:

> Peer reviewed evidence shows that the sun has actually been driving the temperature change.

That is a shocker. You don't have to be a scientist to know that the Sun can have something to do with climate change. He has now come to the other side and is a skeptic. That was Nir Shaviv from Israel, who was on the other side. They are all shifting.

David Bellamy from the United Kingdom was another environmental campaigner at one time. He recently converted into a skeptic after reviewing the new science. Keep in mind that he is a Brit. He now calls global warming theories ''poppycock.''

These are actually, I would say, a few months old. Let me tell you what is happening recently. This is all in the last few days and weeks, and this is why all these people who want to scare people with global warming are in such a panic. They see that the science is slipping away. Think about this fact: Many people think their ticket to the White House is to scare people with global warming. Talk to anybody running for President. Watch it on the debates tonight. If they can scare you good enough, you may vote for them because they say they are going to do something about this.

Here is a brandnew one. Dr. Chris de Freitas of the University of Auckland, New Zealand, said:

> At first, I accepted that increases in human-caused additions of carbon dioxide and methane in the atmosphere would trigger changes in water vapor, et cetera, and lead to dangerous ''global warming''. But with time, and with the results of research, I have formed the view that although it makes for a good story, it is unlikely that manmade changes are drivers of significant climate variation.

He wrote that in August of 2006. He was one who was on the other side of this issue.

Here is another one. Dr. Jan Veizer, professor emeritus of the University of Ottawa, converted from being a believer to a skeptic after conducting scientific studies of climate history. He said:

> I simply accepted the global warming theory as given.

He said that in April 2007. He said:

> The final conversion [to a skeptic] came when I realized that the solar/cosmic ray connection gave far more consistent picture of climate, over many time scales, than it did the CO_2 scenario.

Here is another recent one. This is a paleo climatologist, Ian D. Clark, professor of the Department of Earth Sciences at the University of Ottawa, who said:

> I used to agree with these dramatic warnings of climate disaster. However, a few

years ago, I decided to look more closely at the science and it astonished me. In fact, there is no evidence of humans being the cause. There is, however, overwhelming evidence of natural causes, such as changes in the output of the sun.

Here is another new one, Bruno Wiskel, from the University of Alberta. He once was a believer in manmade global warming. He set out to build a ''Kyoto house'' in his own yard in honor of the U.N.-sanctioned Kyoto Protocol. That is how much of a believer he was. This was said about him:

After further examining the science behind Kyoto, Wiskel reversed his scientific views completely and became such a strong skeptic that he wrote a book entitled ''The Emperors New Clay Markets,'' debunking the myth of global warming.

I could go on. I could spend 3 hours talking about scientists who were on the other side of the issue. I don't know where these guys came up with this idea. This is one that gets personal with Senator Gore. Keep in mind the source of this. This is MIT, Massachusetts Institute of Technology, and the Senator from Massachusetts is making these statements. MIT climatologist Richard Lindzen, in June of 2006, said:

A general characteristic of Mr. Gore's approach is to assiduously ignore the fact that the earth and its climate are dynamic. They are always changing, even without any external forces. To treat all change as something to fear is bad enough. To do so in order to exploit that fear is much worse.

We can go on and on and on. I have found one thing to be probably easier to discuss with people than the science. I think at least people know that the science is not established, and there is no question that the trend now is that those scientists who were alarmists are now skeptics.

While you could debate the idea of how accurate the science is on this thing, there are things that you cannot debate. This is from the Wharton School of Economics. When I was chairman of the committee and I was a believer that this was true, this caused me to start looking into it. This is the Wharton Econometrics Forecasting Associates:

Implementing Kyoto would reduce the average annual household income nearly $2,700, at a time when the cost of all goods, particularly food and basic necessities, would rise sharply.

That is bad enough, that it would be $2,700. I don't know, in this particular amendment, what it would be. This amendment is clearly aimed at causing us in this country to somehow get into this mode of having either a tax on carbon or a cap on the trade program. Keep in mind, this is old stuff here, which has been around a while. More recently, we have had studies that were done by others.

Here is the MIT study that was released last month. This study analyzed the economic impact of some of the carbon cap on trade proposals. We have looked at this. The study found that the Boxer-Sanders bill, which is the one to be taken up by Senator BOXER and Senator SANDERS, would impose a tax equivalent of $4,560 on every American family of four. The Lieberman-McCain proposal, which is more modest, would cost the same American family more than $3,500 in 2015 and almost $5,000 a year by the year 2050. This is huge.

I can remember, in 1993, the largest tax increase in modern history was proposed and passed by the Clinton-Gore administration. It increased the marginal rates on all Americans by huge amounts. I could describe it, but it was a huge tax increase. It would cost $32 billion a year. Now, while that would cost $32 billion a year, the Kyoto elements that came out of the survey would cost over $300 billion a year. In other words, what I am saying is that the cost of cap on trade systems, or these reductions they are talking about, is far greater than 10 times the largest tax increase of 1993 in modern history. You can argue the science. One thing you cannot argue is the money. It will cost that amount of money.

I am going to go and cover a couple of things that I think are of interest. We will put up the EU chart. When Kyoto was passed, and prior to being ratified by a number of different countries, of the 15 Western European countries, only 13—all signed on, I say to the Chair, and ratified the Kyoto Treaty—all 15 countries of Western Europe. Out of those 15 countries, only 2 actually have met their emission requirements. Everybody can pat themselves on the back and say I am going to pass this thing, but only 2 out of 15 met the requirements. These are the countries, and the United Kingdom and Sweden were the only two out of all those countries that reduced the amount of emissions and tried to reach a target. The rest of them had increases in emissions. There it is right there on the chart.

So let me suggest to you something else that is significant. During the Clinton-Gore administration, when they had the various meetings with people trying to sign onto the Kyoto Treaty, we talked about how much money this was going to cost. Thomas Wigley was the scientist chosen by Al Gore during the Clinton-Gore administration. He was charged with the responsibility. He said if all developed nations—not some but all—signed on to the Kyoto treaty and lived by its emissions requirements ratified by the treaty, how much would it reduce the temperature in 50 years. I finished saying of the 15 western European countries, only 2 have made the targets. It is not going to happen, but if it did happen in never-never land, let's assume all the developed nations, all of us sign on to it and live by the emissions requirements, how much would it reduce the temperature in 50 years? The result at the end of 50 years was seven one-hundredths of 1 degree Celsius. It is not even measurable. So we have had the largest tax increase for 50 years and yet nothing has come from it.

I am going to go over something we did a few weeks ago. A few weeks ago the distinguished chairman of the Environment and Public Works Committee—the committee I used to chair—decided she would have a hearing and have Al Gore come in and give his pitch, talk about his accomplishments, and so forth. I felt it wasn't going to go too well, so all I could do was use the opening statement I had. I had 10 minutes for an opening statement. This is what I did.

I said: I am going to state seven positions and, Mr. Gore, I would like to have you, since you are going to have all the time in the world to respond and I won't have nearly as much time, I want you to refute, if you can, any one or two or seven of these seven. He could not do it and did not do it. So we accept as fact those issues which I stated and he didn't refute. Let me go over them quickly.

No. 1, this is somewhere between a $300 billion and $380 billion tax increase on the American people annually. That is there. No one is going to deny that. That has already been verified. He did not refute that point.

No. 2, if all these things happen, it would be like the chart we saw: It would only reduce the temperature by seven one-hundredths of 1 degree Celsius in a period of 50 years, and everybody understands that is true. He didn't refute that.

No. 3, there is no link between hurricane intensity and global warming. I don't think anybody wants to get into that debate. I can and I will, perhaps—I won't get around to it until the second go round—very carefully and succinctly talk about the fact that scientists are now saying the linkage doesn't exist, and even Senator Gore is not talking about that anymore. That is No. 3.

No. 4, the sea level rise scenario is bogus. That movie a lot of kids are required to watch—kids are impressionable. They don't understand. They don't know it is science fiction. They think this is something that is going to happen, and those kids have nightmares. I have parents tell me—similar to the lady from Maryland whose daughter had to watch that movie once a month—we are all going to drown. It is a horrible thing, but they believe that.

Now we know the sea level rise scenario is bogus, and we have the documentation that says it is. He didn't refute that.

No. 5, it is all about money. You could put this in a lot of different categories. Yes, there are huge amounts of money involved. We already talked about the corporations supposedly joining in this coalition to reduce greenhouse gases because they are good citizens, only to find out they are making millions and, in some cases, billions of dollars by doing it. Every time I say this, I say I don't criticize them because if I were chairman of a board of any of those companies, I would do the same thing.

I already said how much money we are talking about. There are huge amounts of money to be made. Al Gore—and this is a small thing—after his little award the other day, his speaker's fee went up to $200,000 a speech. That is money. Obviously, there are a lot of people who would like to get in on that deal.

There is also George Soros, the Michael Moores, and these various foundations such as the Heinz Foundation that put in thousands and thousands and thousands of dollars, contribute to campaigns, buy off scientists. That group is very busy. That is No. 5. That wasn't refuted.

No. 6, the believers are converting. That is what I started off this presentation with, that the believers who are out there, who were strong believers 12 years ago, are now saying the science isn't there. I have given the documentation, I have given the quotes, I have given their names and titles. They are all distinguished scientists from all over, and they are coming the other way. That is why I say panic is setting in because all of a sudden people realize people are catching on.

Then the last point, No. 7. If you look at the movie—I confess, I have not seen it—the last frame of the movie says—I believe this is going to be accurate because I have it pretty well memorized: Are you ready to change the way you live?

The whole idea of the movie was to get people to start not using toilet paper and all this stuff the elitists in Hollywood want everybody else to do except for them. Then we find out Senator Gore's house in Tennessee emits 20 times the greenhouse gases of the average home in America—20 times. I said: You are asking everyone else are you ready to change the way you live. So I asked him to take a pledge, giving him a full year to comply, saying at the end of a year I will have my house emissions down so it will be the same as average America. This is day 51, by the way, and he hasn't signed that pledge.

I say these not in a light vein, because this isn't light. This is serious stuff. The science is there. The money is there. The taxes are there, the cost to the American people. Fortunately, the American people are catching on.

A lot of people have said: All right, INHOFE, so you got into this thing after you were once a believer in the fact that manmade gases were causing climate change, and you changed when you found out what it was going to cost. If the science isn't there and it is going to cost the American people 10 times the largest tax increase in history, then why would people be for it?

I suggest there are a lot of people outside who are very vocal. One statement is from France, from Jacques Chirac. Jacques Chirac said Kyoto is not about climate change. He says:

> Kyoto represents the first component of an authentic global governance.

That is not INHOFE, that is Jacques Chirac.

Another is Margot Wallstrom. She was the environmental minister for the European Union. Margot Wallstrom said:

> We are not talking about climate change, we are talking about—

Listen to this, Margot Wallstrom—

> Kyoto is about the economy, about leveling the playing field for big business worldwide.

There you have it, Madam President. My wife and I have been married for 48 years. We have 20 kids and grandkids. I am doing this today for them. I don't want them to have to pay huge tax increases the rest of their lives for something where most of the science has already been refuted.

I reserve the remainder of my time.

The PRESIDING OFFICER. Who yields time?

The Senator from Massachusetts.

Mr. KERRY. I ask the Chair if she will share with me what the time is now at this point.

The PRESIDING OFFICER. The Senator from Massachusetts has 47 minutes remaining, and the Senator from Oklahoma has 31 minutes remaining.

Mr. KERRY. I thank the Chair.

Madam President, let me try to find a place to begin. That is a pretty extraordinary set of statements that has been set forth here. I suppose the first place to begin is by setting the record clear that the amendment has been completely and totally mischaracterized. This amendment does not affect the projects that are in the WRDA bill. The Senator has said this would kill the WRDA bill and every project in the bill would have to go back and be redone. That is specifically not true because this is targeted toward future projects, and it specifically leaves out those projects currently approved and in the process. So it doesn't touch anything in this bill. That is No. 1. That is the first mischaracterization.

Secondly, the Senator from Oklahoma spent a lot of time talking about Kyoto and how Kyoto would be terrible, Kyoto would require people to do this. We are not doing Kyoto. Kyoto is sort of out of the picture, in a sense, for us because we are well beyond the ability to ever meet Kyoto.

More importantly, when he cites the European community not living up to Kyoto, Kyoto doesn't go into effect until next year. They don't have to meet it until next year and they have until 2012 to meet it. To be throwing around comparisons to Kyoto today and saying, well, they haven't met it; of 15, 2 actually made the target—that is pretty good, that 2 have made the target before it even goes into effect.

Moreover, over the years, since 1990 when we began this process in Rio—and I might add, President George Herbert Walker Bush and Republican EPA Administrator Reilly and Republican Chief of Staff and former Gov. JOHN SUNUNU all signed on and agreed we needed to take this seriously and respond. That is not George Soros, that is not some Hollywood crew. That is a Republican President of the United States who signed us on to a voluntary framework over the years. And since then, Europe has reduced their emissions by .8 percent. Guess what. The United States has increased its emissions by 15.8 percent. So Europe is reducing; the United States is not.

The Senator mentioned a certain number of ''scientists,'' et cetera. First, we have done some research on a number of those folks previously. Some don't even qualify as legitimate scientists, No. 1. But No. 2, not one of them has ever produced a legitimate, scientific, peer-reviewed study that has met with scientifically peer-reviewed analysis that signs off on their conclusions. Not one of them, not one, compared to 928 peer-reviewed studies that have been put forward all over the globe by scientists from all kinds of countries.

He says scientists are changing their minds and moving in a different direction. I don't know what scientists the Senator listens to or who he is talking about because the most recent analysis of scientists is several thousand scientists who make up the intergovernmental panel on global climate change.

I know I heard the Senator talk about how this represents some kind of global conspiracy and global government and all of this, but it is something called the United Nations which Republican Presidents have used, conservative Republican Presidents, such as Ronald Reagan, often went to and found the ability to work cooperatively to achieve things. Whether it was President Jerry Ford, President Richard Nixon, or others, they respected the United Nations and have tried to enhance its ability to do some things on an international basis.

These several thousand scientists have put out four reports. Each report has been stronger than the next, and those scientists who are part of that process have not been leaving, departing, changing their minds, recanting, or asking to rescind their opinions. In fact, they have strengthened those opinions.

The most recent statement is pretty clear. It is unequivocal that the Earth's climate is warming. Evidence from observations of increased global air and ocean temperatures—and I quoted earlier the 90-percent likelihood they quote that it is human beings who are causing that.

You can choose to ignore evidence or not. All through history there were people who argued man could never fly, and we did. There were people who argued we couldn't have a vaccine for a disease. There were people who argued putting fluoride in the water was going to kill you. There were people who argued all kinds of things. There were people who argued the Earth is flat. But the fact is there were always bodies of evidence based on real science that found a consensus, and that consensus has never been more powerful

than it is today that what is happening is happening. Eleven of the last 12 years rank among the 12 hottest years on record since 1850, when sufficient worldwide temperature measurements began. Quoting from the IPCC:

Over the last 50 years, cold days, cold nights, and frost have become less frequent, while hot days, hot nights and heat waves have become more frequent.

The Senator said people are saying there is doubt about the increased intensity of storms, so let me quote what 2,000 scientists from over 154 nations, I think is the number, have concluded.

The intensity of tropical cyclones, hurricanes in the North Atlantic, has increased over the past 30 years, which correlates with the increase in tropical sea surface temperatures. Storms with heavy precipitation have increased in frequency over most land areas. Between 1900 and 2005, long-term trends show significantly increased precipitation in eastern parts of north and South America, northern Europe, and north and Central Asia. Between 1900 and 2000, the Sahell—that is the boundary between the Sahara Desert and some of the fertile regions of Africa to the south—the Mediterranean, Southern Africa and parts of southern Asia have become dryer, adding stress to water resources in those regions. Droughts have become longer and more intense and have affected larger areas since the 1970s, especially in the tropics and subtropics.

The Senator mentioned the scientists had revamped or revised their conclusion about ice melting from 39 inches to 23 inches. What they did was take out of that assessment the ice melting and looked simply at temperature—at the sea level rise that was occurring as a consequence of expansion and the other phenomena we are witnessing, and they found that is between 7 and 23 inches. Maybe people think 7 and 23 inches doesn't make a difference, but if you are in southern Florida, if you are on the islands, if you are in a port city, there are 100 million people who live within 3 feet of sea level. So you are looking at a potential threat of great significance. Those scientists have not walked away from that prediction. If you include the melting of the ice, which our best scientists are now telling us may well happen, it is even worse. It has the potential of 16 to 23 feet.

When a doctor tells you that you have indications you have a cancer, you usually go and try to find treatment. Well, the doctors are telling us something is going on and we ought to be concerned about it, and they are pointing to what it is.

I want to speak about the greenhouse gas concept for a minute, because it allows us to use our minds, the minds God gave us. It allows us to think about consequences. Why do we call it greenhouse gas? Where does the word greenhouse gas come from? It came long before we talked about climate change. The word greenhouse gas has been applied to these gases because they have the impact of creating a greenhouse effect on the earth, and the science is absolutely unequivocal. I defy any scientist to come in here, who is legitimate and bona fide, and tell us there is no greenhouse effect. Scientists agree there is a greenhouse effect.

In fact, life on Earth would not exist without the greenhouse effect. It is this thin layer of gases in our atmosphere that in fact preserves the ability for all of us to live on Earth, and those greenhouse gases contain heat within the Earth that keeps the average temperature of the Earth at 57 degrees Fahrenheit. If you didn't have a greenhouse effect, the Earth would be 60 degrees cooler. The greenhouse effect got its name because it behaves like a greenhouse at a nursery or in a garden, where the light can come in through the glass, and it comes through transparently, the light hits the pots of earth and things that are in there, reflects, and creates its own energy.

That energy then goes back out, reverberates the light, and comes back in a shortwave emission from the sun—and it is transparent—and it goes back in a longwave emission, which is less powerful. It is opaque. The veneer of the atmosphere, the greenhouse gas veneer is opaque to that energy trying to be released, which means it can't break through. It blocks it. A certain amount of that gas is trapped, and that is what creates the greenhouse effect, and it warms over a period of time.

That warming is now absolutely conclusive. It is incontrovertible. As Professor John Holden, who is a professor of government and earth science at Harvard, and also affiliated with Woods Hole Marine, states very clearly, the folks on the other side of this argument have two major obligations, neither of which they have ever met. Obligation No. 1: They have to show the warming that is taking place is caused by other than the greenhouse gases. In other words, they have to show what is causing it if the greenhouse gases aren't. And No. 2, they have to prove the greenhouse gases that are going up and behaving in the way I just described are not what is creating the warming. And they have never, ever, ever, ever met that standard. They have never provided a study that meets either of those tests. They can't show you what is doing it and they can't show you why the gases we create aren't doing it. We do have, however, a group of scientists who are warning us about what we ought to do.

The Senator dismisses very quickly the companies that are involved in this. Well, I have never met a company that goes off to do something and creates a storm about science based on complete fraud with respect to what they are doing. None of them came to the table willingly, may I add. They have come to the table because they understand the science. They have come to the table because they understand companies all over the world are exerting responsibility.

The former Treasury Secretary, Paul O'Neill, was president and CEO of Alcoa, and for some 15 years now he has been taking steps as a CEO with a sense of civic responsibility to try to respond to this science.

The fact is all of these scientists, and I might add the presidents of these other countries, are speaking, obviously, out of concern for their own countries, out of concern for their own constituencies, and for the threats they face in those nations. Prime Minister Blair, who is leaving office shortly, has made this one of his major issues, one of his major crusades, and obviously has done so at some risk. But the fact is he and many other leaders of countries accept the science and understand their responsibility to try to meet it and to do so in a responsible way.

I have spoken to the sea level rise and to the United Nations, but there is one thing I might clarify very quickly. Mr. Hansen did not get a grant from the Heinz Foundation. Mr. Hansen was presented a Heinz award in honor of former Republican Senator John Heinz, who was a great leader on this issue. Senator Heinz knew global climate change was happening, he knew we needed to respond to these things, and Mr. Hansen received an award, with no strings attached, no communication whatsoever, as a recognition of his work. He has received awards from many other organizations and entities over the course of his lifetime, and I would put his credentials and his experience up against any of the other so-called scientists we sometimes hear referred to.

I might also add we have heard a lot about the implementation of Kyoto. I led the floor effort on Kyoto when the so-called Byrd-Hagel amendment was brought to the floor, so I know something about that particular process. The fact is those who have always opposed doing something about global climate change have tried to use that vote and Kyoto itself as an excuse to sow fear in their own party, saying how much it is going to cost Americans and how terrible it is going to be, how it will ruin our economy and take us backwards. These are exactly the same arguments we heard in 1990 when we did the Clean Air Act.

I sat in the room right back here, which is now the majority leader's room. It was then Senator Mitchell's office. We sat with EPA Administrator Reilly, with JOHN SUNUNU, and with others. Republicans and Democrats alike sat at that table and we negotiated out the Clean Air Act. I remember all the ''Chicken Little'' cries we heard as people came and said, well, you know, if you make us do this, it is going to cost $8 billion to the industry and it is going to destroy the industry, and it will reduce American jobs, and we are going to be noncompetitive. The environmental community came in and said, no, no, no, those guys are wrong, it is not going to cost $8 billion, it is going to cost $4 billion. And it won't take 8 years, we can do it in 4 years. Guess what. It cost about $2 billion and

took half the time. They were wrong, too.

All the statements about how it was going to ruin America's economy? We wound up growing our economy by 123, or whatever, percent over those years. More jobs were created and Americans did better. We did it and we breathed cleaner air at the same time.

The fact is, nobody has the ability to predict what is going to happen when you start down this road. Once you begin to kick these technologies into gear, then the entire basis of the judgments you are making begins to change, because the technology moves far more rapidly than anybody can surmise, and some things are going to appear that we don't even know about today.

Let us assume the Senator from Oklahoma is correct and I am wrong, and the scientists are all wrong, and Al Gore is wrong, and everybody who has spoken out on this all through the years is wrong, and that we went down this road in order to deal with some of these issues. What is the worst that could happen?

Given past experience with the Clean Air Act, and given experiences with where the world is moving on this issue, we are going to create a whole bunch of new technologies, create a bunch of new jobs, where we will have cleaner air to breathe, a population that is less impacted by asthma and emphysema and by other airborne particulate diseases, there will be less cancer, and we will wind up more energy independent, with cleaner fuels, and the United States will have greater security. We will lead the world in these technologies, because these other countries are committed to buying them.

If they are wrong, what is the worst? Global catastrophe, according to every prediction. That is the ledger here. You can take your choice. You can be prudent and take the steps we need to take, or you can continue to keep your head in the sand and ignore the work of these thousands of scientists and these leaders around the world and these corporate citizens and others who have come to the table.

All we are asking for here is that our Corps of Engineers makes a judgment. I mean, are we saying they shouldn't make a judgment; that they shouldn't make an analysis? Maybe the judgment they will make is they will agree the science is wrong. But shouldn't they be asked to make that judgment? Shouldn't they be asked to measure what in fact is possible, as a consequence of the evidence on the table? Wouldn't it be helpful to all of us to have them making those kinds of judgments?

I think when we look behind the curtain of the sort of red herrings that get thrown out here, there isn't one that stands up; not one peer-reviewed scientific analysis, not one legitimate, cogent statement to the contrary to explain why what is happening is happening and what the impact is.

Let's say it wasn't just the greenhouse gases, because we are not doing anything in this amendment to deal with greenhouse gases. Let's say it isn't the greenhouse gases but that the Earth is warming. Isn't it smart to have the Corps of Engineers at least make a judgment about what the effect of the warming may be with respect to water, since they are going to be dealing with water resources? This is, after all, the bill that deals with water resources for our country. It would be smart for the Corps of Engineers to be able to make some judgment with respect to that.

The Chair of the committee has come to the floor and has some information with respect to the Corps of Engineers' willingness to do that, so I yield such time as the Chair might use, and I reserve the remainder of the time after that.

Mrs. BOXER. Mr. President, how much time remains for Senator KERRY?

The PRESIDING OFFICER (Mr. WEBB). The Senator has 26 minutes.

Mrs. BOXER. If the President could just tell me when I have used 4 minutes, I will yield the rest of the time back to Senator KERRY.

I think, again, this gives us the sense of some of the debate that has been going on inside the environment committee and across the various committees. I certainly believe these kinds of debates are helpful because we get the charges, if you will, out in the open. People on one side or the other can have this free debate.

I thank the Senator from Massachusetts. When I learned he was going to offer this amendment, I wrote to the Corps and I asked them whether they are considering the impact of global warming already as they do their work. I will ask consent to have printed in the RECORD their answer to me. It is dated May 10. I will just read a little bit of it.

The Corps planning process has been considering the physical impacts of global climate change for over 20 years, initially through the consideration of sea level rise in project planning. As part of the evolution in our approach to incorporating the impacts of global climate change, we are including more risk and uncertainty analyses in our planning process. We continue to collaborate with Federal agencies to ensure that we are up to date on the current interpretations of climate change scenarios and to refine our processes as more aspects of global climate change are understood. This is imperative because the water resources public works projects being planned and designed today must protect against and be resilient to future extreme events, which could be exacerbated by global climate change.

They are basically saying:

We believe the [Corps] is a leader in developing an innovative, yet practical, cost-effective approach to addressing climate change impacts in our planning and management of our key water-based infrastructure. We are well positioned to respond to the Nation's needs now and in the future.

I want to have this letter printed in the RECORD because I want to say to my friend from Massachusetts that as a result of his offering this amendment, we were able to get the Corps to focus on everything they have been doing to address climate change. I think the Senator will be pleased to see some of the steps they are already taking. I think his amendment is really consistent with what the Corps has already begun to do.

I thank Senator KERRY. I thank Senator INHOFE for engaging in this debate with him. It is a little more pleasant for me to see the debate between Senator KERRY and Senator INHOFE rather than Senator BOXER and Senator INHOFE. It is a little bit of a rest for me. I thank both of them for their intelligent approach to this debate.

I send this letter to the desk and ask unanimous consent that it be printed in the RECORD.

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

DEPARTMENT OF THE ARMY,
U.S. ARMY CORPS OF ENGINEERS,
Washington, DC, May 10, 2007.

Hon. BARBARA BOXER,
Chairman, Committee on Environment and Public Works, U.S. Senate, Washington, DC.

DEAR SENATOR BOXER: This is in response to your letter of May 8, 2007, to Lieutenant General Strock requesting information on how the Corps addresses the potential impacts of global warming in our planning process.

There are many avenues through which the U.S. Army Corps of Engineers (USACE) Civil Works program addresses the difficult scientific, technical and operational issues raised by the uncertainty associated with climate change and its potential impacts on planning and management of water resources infrastructure. Attached please find a discussion of some actions we are taking to address climate change in all of our activities.

The Corps planning process has been considering the physical impacts of global climate change for over twenty years, initially through the consideration of sea level rise in project planning. As part of the evolution in our approach to incorporating the impacts of global climate change, we are including more risk and uncertainty analyses in our planning process. We continue to collaborate with Federal agencies to ensure that we are up to date on the current interpretations of climate change scenarios and to refine our processes as more aspects of global climate change are understood. This is imperative because the water resources public works projects being planned and designed today must protect against and be resilient to future extreme events, which could be exacerbated by global climate change.

In conclusion, we believe the USACE is a leader in developing an innovative, yet practical, cost-effective approach to addressing climate change impacts in our planning and management of our key water-based infrastructure. We are well positioned to respond to the Nation's needs now and in the future.

Sincerely,

STEVEN L. STOCKTON, P.E.,
Deputy Director of Civil Works.

Mrs. BOXER. I yield the remainder of the time to Senator KERRY.

Mr. KERRY. Mr. President, I reserve the remainder of the time.

The PRESIDING OFFICER. Who yields time? The Senator from Oklahoma.

Mr. INHOFE. Mr. President, since we are having so much fun here, let me go

back and respond to the Senator's response. After this, I have a very significant meeting I am going to have to attend. I am going to have to reserve the remainder of my time, go attend that, and come right back here. I have to leave temporarily. Let me go ahead and cover these last 12 things the Senator from Massachusetts has said.

First of all, I think he is right on this—I found out he was right. I had said the cost of this and the effect of this would be to delay projects. I found out, after he said it and I found out it is true, that his bill starts from this point forward. The reason I didn't know that is because his amendment was not filed until last night, and I was on my way back from Iraq last night, so I was not aware of this. It doesn't change my argument, though. The argument is this is another step which has to be taken any time we have to go through any kind of a process.

I am sure, when we have the next Transportation reauthorization bill, he will have an amendment saying we have to know for each project how this could affect climate change. It really doesn't make that much difference.

The second thing, he said Kyoto is not really on the table. I am glad to know that because whether you call it Kyoto or something else is not important. It is still going to have to be some kind of restriction, some kind of carbon tax, some kind of cap-and-trade policy. When you do, it is going to cost money. So, yes, I used the Wharton Econometric Survey to demonstrate clearly that this is a tax increase of $2,700 on each family of four. However, the more recent bills—I grant to the Senator from Massachusetts, we are talking about this. We are talking about the ones that are more recent than this. The more recent ones, done by MIT, the Massachusetts—I stress that—Institute of Technology, show that the Sanders-Boxer bill's cost is about $4,500 for each family of four. McCain-Lieberman would be $3,500. So if you would rather not use Kyoto, that is fine. We will use some of the more recent ones. Nonetheless, it will be something equal to 10 times the largest tax increase in contemporary history.

He said also that there is not one peer-reviewed scientist—or study that substantiates what we are talking about. So let me just read them again here to make sure we understand what this is.

Two weeks ago, the top hurricane scientist in the U.S. Government—indeed, one of the top hurricane scientists in the world—published a peer-reviewed study in the scientific Journal EOS that concluded from the evidence that ''hurricanes in the Atlantic have not increased for more than a century.'' Peer reviewed. There it is.

Another one is a peer-reviewed study published in the April 18, 2007, issue of the science journal Geophysical Research Letters which found:

If the world continues to warm, vertical wind sheer, which literally tears apart storms, would also rise. These winds would decrease the number and severity of storms we would otherwise have.

In other words, it would actually have a decreasing effect. Again, it is peer reviewed.

We had a third one, too. We have several of those which are peer reviewed. So that statement is not correct.

Let's see, the fourth point is INHOFE said this is some kind of a global conspiracy. No, INHOFE didn't say that; Jacques Chirac said that, and I quoted him. I have quoted him, so there would be no reason to repeat it; it would be redundant, although it might be worth redundancy here. Jacques Chirac said—and he wasn't talking about Kyoto having anything to do with climate change.

Kyoto represents the first component of an authentic global governance.

That is not Senator JIM INHOFE saying that; that is Jacques Chirac.

I quoted other people—Margot Wallstrom, who is the Environmental Minister from the EU, or was at that time. She said it is about leveling the playing field worldwide. Again, the Senator from Massachusetts is wrong. It wasn't Senator INHOFE; it was Jacques Chirac.

No. 5—I always enjoy this one—they use the consensus that the world—you know, the Flat Earth Society. They have it backward. In fact, this is what we are faced with, the same thing science was faced with back when they thought the world was flat. They thought the Earth was flat, and that was the consensus. All the experts agreed on that at that time. Then we found out with new science that it was not. That is exactly, precisely what is happening in this case.

They all thought at that time that manmade gases were causing climate change. Now they readily admit and say—and I will be glad to read them again. I plan on yielding back a bunch of time because we do want to get to voting before too long. But I read all the scientists who are very strong in their consensus, and these were the scientists who were the strongest pro-global-warming extremists around 10 years ago, but they have changed their minds. It is in the record. I already read it about an hour ago.

Then, No. 6, the statement the Senator from Massachusetts said, the IPCC survey—that is the United Nations—was talking about 2,000 scientists agree to it. It is not 2,000 scientists. What he is quoting from is the summary for policymakers. Every time they have an IPCC meeting—they have had five now, I believe—they start out with a policy summary for policymakers. These are the politicians, not the scientists. They are the ones who believe it. Yet, even though they are strongly on the other side, they have to defend their position. It was the United Nations that started this whole thing. The IPCC was the group that did it.

It is going to be very difficult for them to change their position, so gradually they are coming over to our side.

The next thing the Senator from Massachusetts was criticizing me for was talking about minimizing the sea level rise. I am not. That is the IPCC. That is the United Nations. They said prior to this year's report that it was going to rise 39 inches over the next 100 years—until this year. They came out and they said: We will reduce that. Instead of 39 inches, it will be somewhere between 7 and 23 inches. Every time they come out with a new report, they reduce that sea level rise. Again, it is not INHOFE saying it; it is the IPCC talking about it.

No. 8, the greenhouse gas effect. I agree with this. The greenhouse gas effect gives life. We need to have that. The question is, What are the manmade gases? We call them anthropogenic gases, CO_2, methane, some others. These are primarily what they are talking about. Do these have a result of increasing temperatures? Is it increasing from natural causes or is it increasing from manmade causes?

Keep in mind, we have charts that show throughout the beginning of recorded history it has been like this. You know, people don't understand. God is still up there. We have natural things that are taking place. It gets warmer, gets cooler, gets warmer, gets cooler. Every time it does, I have an interesting presentation where we talk about the hysteria we see in the press, only to find out this was something in the New York Times in 1895, the same thing as they are talking about today.

This happens, natural causes are out there, and, yes, you need to have the greenhouse effect. It gives life. The question is, What do manmade gases—how do they increase it?

Put that Wiggly chart up one more time, the Tom Wiggly chart. This is the scientist who was commissioned by Al Gore during the Clinton-Gore administration. He said that if all developed nations signed the Kyoto treaty and lived by its emission requirements, it would reduce the temperature only by seven one-hundredths of 1 degree in 50 years. It is not even measurable. This is not me talking. Again, these are the scientists. They are scientists I didn't commission. That was done by Al Gore.

I am glad for the correction on Jim Hanson. He said Jim Hanson was not given a grant by the Heinz Foundation. Instead of that, he was just given a check. I recant what I said. He was not given a grant for $250,000; he was given a check for $250,000.

The Senator from Massachusetts talked about the Byrd-Hagel amendment. Let's remember what that amendment was. The amendment said—and this passed by 95 to nothing in this Senate. I was standing here. I voted. I don't know whether the Senator from Massachusetts was here. I assume he was.

Anyway, what it was, after they signed this protocol, they wanted to

submit it to the Senate for ratification. That is the process you have to go through. The President and administration can sign it, but it has to be ratified. Thank God it has to be ratified, and all these other treaties do, so we at least read them. So the Byrd-Hagel amendment was passed by 95 to 0—that is unanimous from everyone who was here—that said we will not ratify the Kyoto treaty if either of the two following is true: No. 1, that we are not requiring the developing nations to do the same thing the developed nations do, and No. 2, that it would be economically devastating for our country.

We know what it is going to cost in terms of how it relates to the largest tax increase in history, and we know also that China and the developing nations have no interest. China will become the largest emitter of CO_2 this year, way ahead of schedule. They are going to be the largest emitter, and they are sitting back laughing at us. I think we have only put on line one coal-fired generating plant to give this country the energy to run this country in the last 15 years—let me correct that. In the 15 years between 1990 and 2005, we didn't put on line any new coal-fired generating plants. At the same time we are not doing anything, China is cranking out one every 3 days.

Now, of the people standing on the floor of the Senate, I know Senator DORGAN is concerned about jobs, life in this country and other countries as well when we run out of electricity. Right now we are dependent upon coal for 53 percent of the energy it takes to run this great machine we call America.

Now, if you pull 53 percent out, this is where the corporations make money, those who are competing with coal. They make a fortune. Who pays? The poor pay. There was a very interesting study done not too long ago. It is not just a matter of the tax increase, CBO, 2 weeks ago, came out with a report that said, yes, it is going to cost this amount of money. But the worst part of it is it is going to cost the poor, people on fixed incomes. Those are the people who have to spend a larger percentage of their income on energy, on heating their homes and those things that are a necessity.

So, anyway, the Senator from Massachusetts talked about the Byrd-Hagel amendment. It is still out there. It still has 95 Senators who said: We don't want to ratify any program that is not going to apply equally to Mexico and India and China and other developing nations.

Then, I guess, No. 11, the point he made when he was talking about the economy, saying, oh, this is not true, well, I have a great deal of respect for the junior Senator from Massachusetts, but would you rather believe him or would you rather believe the Wharton Econometric Survey in conjunction with the Massachusetts Institute of Technology?

Look, I know I am not as smart as most of you guys around here. So I go to the areas where they are smart. I know where the scientists are. I would rather quote scientists who do know rather than stand here and tell you how smart I am because I am not. But I know how to read these papers. I do know for a fact the scientists have come over to our side.

I would suggest anyone who wants to really get into this thing, I have got a Web site, which is www.epw.senate.gov. Now, go to that. We have literally thousands, not hundreds but thousands of scientists who are now saying the science is not there. You cannot say there is a consensus.

Lastly, Senator BOXER, we are getting along real fine on this bill. She does not want to kill it; I do not want to kill it. This amendment is not going to pass. So I think the bill will pass.

But they say the Corps of Engineers is already doing this. If the Corps of Engineers is already making this evaluation on projects as to what effect they are going to have, then why do we need this amendment? I would suggest we do not need this amendment.

I reserve the remainder of my time. How much time do I have remaining?

The PRESIDING OFFICER. The Senator has 16 minutes 45 seconds. The Senator from Massachusetts has 22 minutes 41 seconds.

Mr. INHOFE. Madam President, I reserve the remainder of my time. I am going to go to an appointment that I have right now and try to return in a few minutes.

The PRESIDING OFFICER (Mr. WEBB). The Senator from Massachusetts.

Mr. KERRY. Mr. President, let me respond, if I can, to the Senator from Oklahoma. I regret that he has to leave.

Almost every single one of the statements he just made does not apply to the question of global warming itself.

Let me give you an example. The Senator just cited two peer-reviewed studies. One of the peer-reviewed studies he talked about talks about hurricanes and the scientists who found that hurricanes have not increased.

We never asserted they have increased. I didn't come here and say they have increased. Maybe some people have talked about the increase in the number of hurricanes, but he has a peer-reviewed study, supposedly, that talks about hurricanes have not increased. He does not have a peer-reviewed study that says global climate change is not happening because of human-induced greenhouse gases. Not one.

The second study he cited as a peer-reviewed study was vertical wind shear, decreasing the effect of wind. Well, I am not here to debate vertical wind shear. Yes, there are certain indicators within the framework of models that cannot predict accurately exactly what is going to happen as a consequence of climate change. We have admitted that for 17 years.

The Senator, obviously, missed the fact that I said—I led the effort on our side on the Kyoto agreement with respect to Byrd-Hagel. I advised my colleagues to vote for it. I voted for it. And we voted for it because there was a simple principle at stake, which is whether we were going to treat this on a global basis, whether we were going to, all of us, join in. If the United States was going to be part of the solution, we could not be a solution by ourselves. We needed to have the less developed countries and others join in.

That has been a fight we have been involved in now for a number of years. But, please, I ask the Senator, do not misinterpret what we were doing in that. We were not suggesting that it was the cost factor or because we did not need to do it. It is because we needed to do it in the most sensible way, and we needed to do it within a global framework. We still need to do that.

Now, each of the statements the Senator just made is flat incorrect—most of them, 90 percent. I will be very specific. He talked about how it was politicians who wrote this, not scientists. Well, in fact, that is not true. This report was created by scientists. And the EPW Committee itself had a briefing in which those scientists, including the cochair, Susan Solomon of NOAA, presented the results.

The first page of the summary for policymakers lists the lead authors, every single one of whom are scientists. So let's get our facts straight. Moreover, the Bush administration made the following statement in support of the IPCC. They said that they continue to support and embrace the work of the IPCC and the science behind their most recent report.

So the Senator is at odds even with an administration that has been reluctant to deal with this issue. Let me also point out that—he pointed out this question of the discrepancy of the 7 and 23 inches in the change in sea level. Incidentally, these little sort of twists of fact are not so little in the summary because they are being used in the conglomerate, one after the other, to try to confuse people and pretend that somehow this issue is not real.

Each one of them gets blown away by the real facts, but they still keep coming back, something I learned a lot about a few years ago, where the facts don't matter. You just repeat something enough even if it is not true. Well, the fact is, with respect to the sea level rise, they try to make a big deal and say: Well, they have reversed the science; the scientists are going backwards. No, they are not. The sea level rise is still predicted to go up between 7 and 23 inches by 2100. That is what the IPCC report still says. The upper limit is lower than the previous report because they took out the contributions from Greenland and the Antarctic ice sheet. The reason they took them out is because the scientists believed, in keeping with their notion of accuracy and of trying to not be alarmists, that there was a lack of a reliable

model to accurately estimate the melting rate.

Now, you do not have a reliable model to accurately reflect the melting rate. But, guess what. To your eye, you can go up and see the melting. You can look at a satellite photo of 1979 and a satellite photo today, and your eye will tell you 20 percent of the ice is gone. It is not getting colder, it is getting warmer. The ocean is getting warmer.

So what is the logical conclusion? The logical conclusion is more ice is going to melt. And what happens when more ice melts? What was a reflectent to the rays of the sun—the ice—no longer is there to reflect. The sunlight goes into the water. Guess what it does in the water. It is absorbed, it warms up the water, and then guess what happens. The ice melts faster. You do not need to be a scientist to do this. Any kid in school can figure that out, which is why young people get this.

The Senator should not distort these facts. One after another he lays out something that suggests something that is happening that is not.

Take Jacques Chirac's comment. First of all, he is the only person I know of who ever suggested that Jacques Chirac speaks for America. But having said what he said about Jack Chirac and global governance, global governance is something that Presidents have dealt with in the context of the U.N. without ever considering giving up the sovereignty of the United States.

You can have global governance. Anytime you have a treaty, it is global governance. When you had the World War II treaty on the battleship Missouri, with Japan, that was governance.

When the United States went over and Douglas MacArthur helped to create a constitution and create a democracy, that was global governance. It turned out it was a pretty darn good result as we rebuilt Europe and a lot of other places.

Global governance does not have to be this bugaboo word that is used to scare people that somehow we are giving up the sovereignty of the United States. Every one of these arguments just kind of melts away like the ice itself. I think we ought to have a real debate about what is happening.

Let's go to the economy. That is the big one that they love to pick on and say to Americans: Oh, this is going to cost you so much money if you do this, and it is going to wind up being terrible. Well, that is not what the best economists in the world say. That is not what the best business leaders in the world say.

In fact, they have concluded if you do not do something, it is going to cost a lot of money. You want to pay a lot more money for insurance? You want to pay a lot more money for dams that are bigger, pay a lot more money for hospitalizations, more cancer, for more asthma, for more problems of the particulates in the air? Then you can go ahead and burn dirty coal and not be smart about the future.

The fact is, Sir Nicholas Stearn, who is one of the leading economists in Britain, former head of the Bank of England and one of the people whom Prime Minister Blair tapped to give them an analysis, wrote this in a report last fall:

> The scientific evidence is now overwhelming.

This an economist.

> Climate change is a serious global threat, and it demands an urgent global response. The review has assessed the wide range of evidence on the impacts of climate change and on the economic costs, and has used a number of different techniques to assess cost and risks. From all of those perspectives, the evidence gathered by the review leads to a simple conclusion. The benefits of strong and early action far outweigh the economic costs of not acting. Climate change will affect the basic elements of life for people around the world, access to water, food production, health, and the environment. Hundreds of millions of people could suffer hunger, water shortages, coastal flooding as the world warms. Using the results from formal economic models, the review estimates that if we don't act, the overall costs and risks of climate change will be equivalent to losing at least 5 percent of global GDP each year now and forever.

Losing 5 percent of GDP now and forever, that is the economic prediction of not acting. And they say if a wider risk of impacts is taken into account, the estimates of damage could rise to 20 percent of GDP or more. In contrast, the cost of action, reducing greenhouse gas emissions to avoid the worst impacts of climate change can be limited to around 1 percent of global GDP each year.

That is an economic standard that, in fact, MIT economists have also confirmed, not quite the same figures but very similar. The bottom line is there is a consensus that the cost of not acting is far more expensive to the American people than the cost of acting.

I go back to the experience we had on the Clean Air Act in 1990. I don't remember Senator INHOFE being part of that discussion. But the fact is, in 1990, when we did that act, the same arguments were put forward about not proceeding forward, and every one of those arguments was blown away by the reality of what happened as well as by the judgments of Republicans and Democrats alike that it was important to act.

Back then, incidentally, DuPont, which has already been castigated by the Senator as somehow being in this for the money—DuPont was the principal producer of the chlorofluorocarbons that were part of the Montreal Protocol. DuPont was unwilling to move until they knew that the marketplace was going to be the same for everybody, which is what happened when the protocol went into effect. Once they knew what the marketplace was going to do, then they proceeded forward with an alternative to the CFCs.

So they proved that, No. 1, you can do it, but, No. 2, you have to do it where the marketplace is, in fact, working. That is why people believe—incidentally, this amendment has nothing to do with cap and trade. I happen to support it. We will have that debate down the road. But this amendment has nothing to do with it. This merely suggests if we are going to spend Federal dollars on water projects in America and levees and other kinds of projects, that we ought to know for certain every one of those projects is being judged specifically as to the impact of global climate change.

With respect to the cap and trade issue, the fact is, those companies don't want to proceed ahead until they have the same kind of certainty that the marketplace will give them when there is a uniform standard throughout the marketplace. That is far from a bottom-line, profit-seeking motive.

I reserve the remainder of my time.

The PRESIDING OFFICER. Who yields time?

If neither side yields time, time will be charged equally to both sides.

Mr. KERRY. Mr. President, I suggest the absence of a quorum and ask unanimous consent that time be charged equally.

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

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. INHOFE. I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. INHOFE. Mr. President, I am sorry I had to leave at a very contentious time. Notes were given to me of what the distinguished Senator from Massachusetts said, that 90 percent of everything that INHOFE said is wrong. I didn't say anything. I am quoting scientists. I am quoting groups that are making analyses, and three of the quotes I made were from the Massachusetts Institute of Technology. He can say what I said is wrong, but he is saying that the scientists were wrong, and they never asserted that hurricanes have increased. It is a little confusing to me because maybe in the last few days he hasn't asserted that, but look at the movie. It talks about hurricanes. Those statements are made with regularity. In fact, they made the prediction that this past year was going to have more and more severe hurricanes. As it turned out, we had less and less severe hurricanes. I agree the models aren't perfect.

I don't know what he said about the Byrd-Hagel amendment but, again, you can't find any of these studies on any of the plans——

Mr. KERRY. Will the Senator yield?

Mr. INHOFE. No, I will not. You can't find any of the studies that are out there that haven't somehow talked about the fact that it is going to do economic damage. We know it is. No one can possibly say that there is a way to approach this where it is not

going to cause the economy to be damaged. So that was in the Byrd-Hagel amendment. The Byrd-Hagel amendment also said we don't want to ratify anything. We are not going to ratify anything. Every Senator said: We are not going to ratify anything that does not require that the developing nations do the same thing that the developed nations do. Obviously, we have not seen one plan that has come along that addresses the cap and trade and greenhouse gas, anthropogenic gas emissions, that doesn't inflict damage that the developing nations are willing to do.

IPCC was not written by politicians. I never said the report was. I said the summary for policymakers was written by politicians.

Sea level rise is not going backward. All I can say is, if you are going to hang all your hopes on the IPCC, look at the report. This was this year, 2007. I have said this several times. I don't know why I have to keep repeating it. Yes, it has been cut in half, their estimate as to how much sea level rise was going to take place. This isn't the first time that has happened. This happens almost every time they have it in one of the reports. So the sea level rise, no sense repeating that.

INHOFE shouldn't distort. He is the only one I know of who says Chirac speaks for America. Chirac speaks for America—ye gods. Since he accused me of saying that this is some kind of a global conspiracy, I was quoting the person who said that, who I am sure is a much better friend of the Senator from Massachusetts than he is of mine, and that was Jacques Chirac. Jacques Chirac said:

> Kyoto represents the first component of an authentic global governance.

That is not me. That is Jack Chirac. It answers the question why are these countries over in Europe so interested that we do something in this country that is going to hurt our economy. The answer came from Margot Wallstrom, Minister of the Environment for the European Union. She said:

> Kyoto is about the economy, about leveling the playing field for big business worldwide.

Yes, there are other countries that would love to have America be overtaxed and have all these economic problems that we don't have right now. It could inure to their benefit; there is no question about that. No one would deny that.

Best economists don't say controlling carbon will be costly. How many economists and how many scientists do I have to quote? I could use the rest of my time and not repeat one of the scientists, read another whole list, but I have done it so many times. Here are some I haven't talked about. This is the cost.

Going back, if you want to catch 60 at one time, let's take the 60 scientists in Canada, the ones I said earlier were the ones who recommended to the Prime Minister, 15 years ago, that they sign onto, ratify the Kyoto treaty. Now they say:

> If back in the mid-1990s we knew what we know today about climate, Kyoto would almost certainly not exist because we would have to conclude that it was not necessary.

That is 60 scientists there. You can try to discredit all 60 of them at one time and maybe you can do it. I don't know. But there are others. You can't look at these guys with the qualifications they have. Read what they have said. The fact that they have reversed their positions and say the scientists are not, there is some consensus because there is no consensus.

Senator KERRY quoted the Stern report, which has been discredited by even the economists who are climate change believers. I guess he was saying that I said there is a group of industries and we had a hearing on this. I wish the Senator from Massachusetts had attended the hearing. Yes, it is true there are several large corporations in America that are now embracing any kind of reduction, cap and trade or a tax or anything else because it inures to their benefit. I was specific as to how many millions and how many billions of dollars each one of these corporations would have. How dare me say that.

Again, if I were on the board of directors of any of these, I would say: Let's do the same thing. The whole idea is to make money. The problem is, it is as if no one is paying for all this fun we are having. Yes, it would have to be more money. But if we did that, somebody has to pay for it. Again, even the CBO says that all this money it is going to cost, the tax increase on the American people, whichever of these schemes we decide on, is going to be disproportionately on the poor and those who are on fixed incomes.

By the way, one of the statements on here was that no one has said we were going to have a worse hurricane season. I will quote one person I think the junior Senator from Massachusetts would know. It is Teresa Heinz-Kerry. Teresa Heinz-Kerry, the chair of the Heinz Foundation, has helped financially bankroll the Environment2004 campaign coalition, which is placing billboards throughout Florida claiming ''President Bush's environmental policies could result in stronger and more frequent hurricanes.'' That is a quote.

I don't know how much time we have left. We are now repeating each other. Nothing new has come out. I will have maybe a short final statement. I am willing to yield back the balance of my time.

I ask unanimous consent at this point, while we are both resting, that Senator WARNER be recognized for up to 4 minutes to make a statement as in morning business and that those 4 minutes be equally charged to both sides.

Mr. KERRY. Reserving the right to object, I respect the Senator. I would like to give him the time to speak but outside of my time. I would be happy to yield at this point in the day if he wants to speak as in morning business but not to be charged against our time. If he wants to take it off the Senator's time, he can.

Mr. INHOFE. All right. I ask unanimous consent that the Senator from Virginia be recognized for up to 4 minutes to speak as in morning business and his 4 minutes not be charged against either Senator KERRY or myself.

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

The senior Senator from Virginia.

REVEREND JERRY FALWELL

Mr. WARNER. Mr. President, I rise to say a few brief words about the Reverend Jerry Falwell, who passed away earlier today at the age of 73.

I have personally known Reverend Falwell since I first ran for election to the U.S. Senate in 1978. And, since that time, I have come to befriend a man who in many ways became a pillar of strength and inspiration not only to his community of Lynchburg, VA, where he was born but indeed to people around the world.

Throughout the 28-plus years that I have had the good fortune of representing the citizens of the Commonwealth of Virginia in the U.S. Senate, Reverend Falwell was always a constituent of mine, and he would often offer his counsel to me about pressing matters of the day. He would always do so in a polite, yet firm manner.

While I might not have always agreed with him, I have always admired Reverend Falwell, particularly for his unwavering commitment to what he thought was right. Jerry Falwell never ran from controversy, and he always stuck to his beliefs.

Indeed, I believe it was the firmness of his convictions that, in part, allowed Jerry Falwell to achieve so much success in whatever he undertook in life. He was an intensely driven man.

At the age of 22 he started a Baptist church in Lynchburg, VA, with 35 members. Reportedly, on the first Sunday his congregation met in 1956, the first offering totaled $135. Today, that same church has upwards of 24,000 members and annual revenues of all of his ministries total over $200 million.

In 1971, Jerry Falwell founded Liberty University—a liberal arts, Christian institution of higher education. Today, Liberty University employs more than 1,000 Virginians and educates more than 20,000 students a year either on its campus or through distance learning programs.

In my view, the thousands and thousands of students who Liberty has educated these many years will undoubtedly be one part of Reverend Falwell's strong legacy that will last for generations.

My thoughts and prayers today go out to the Falwell family, including his beloved wife of nearly 50 years, and his three children.

While I am up, I wonder if I could indicate to the managers that I intend to