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## Senate

The Senate met at 10 a.m. and was called to order by the Honorable ROLAND BURRIS, a Senator from the State of Illinois.

### PRAYER

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

Let us pray.

Almighty God, You know all about us. You know when we sit down and rise up. You know when we sin and when we obey. Purge our lives of every wrong thing, that we may glorify You in all we say and do.

Lord, guide our lawmakers in their daily work. Enlighten their minds and strengthen their hearts. May they not neglect to see the beauty and wonder in our world as they find joy in the loveliness of nature, the satisfaction of friendship, and the conquest of difficulties. Teach them to listen for Your voice and to wait for Your guidance. Lift their lives from the battle zone of combative words to a caring community where leaders pray for and communicate esteem to each other.

We pray in Your great Name. Amen.

### PLEDGE OF ALLEGIANCE

The Honorable ROLAND BURRIS led the Pledge of Allegiance, as follows:

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

### APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

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

The legislative clerk read the following letter:

U.S. SENATE,

PRESIDENT PRO TEMPORE,

Washington, DC, September 15, 2009.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby

appoint the Honorable ROLAND BURRIS, a Senator from the State of Illinois, to perform the duties of the Chair.

ROBERT C. BYRD,

President pro tempore.

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

### RECOGNITION OF THE MAJORITY LEADER

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

### SCHEDULE

Mr. REID. Mr. President, following leader remarks, there will be a period for the transaction of morning business for an hour, with Senators permitted to speak for up to 10 minutes each. The majority will control the first 30 minutes and the Republicans will control the final 30 minutes.

Following morning business, the Senate will resume consideration of H.R. 3288, the Transportation-HUD appropriations bill. On this legislation, the chairman of the subcommittee, Senator MURRAY, was available Thursday afternoon, Friday, and Monday. There has been little, if any, interest in moving amendments to the floor. I would hope we could finish the bill today. We are not going to have any votes late this afternoon, but I would hope that if people determine they are not going to offer amendments, they at least let us finish the bill. This will be only our fifth appropriations bill we will have done. We have many more to do. I have trouble comprehending people not letting us finish these bills and then complaining that we have to do a continuing resolution to fund the government.

That is where we are. I hope we can have cooperation. I hope we do not have to file cloture on this bill. It would seem to be so unnecessary. Remember, I repeat, she was here Thurs-

day, Friday, and Monday. She will be here today in just a few minutes—"she" meaning PATTY MURRAY.

The Senate will recess from 12:30 p.m. to 2:15 p.m. today for the weekly caucus luncheons. There will be no rollcall votes after 3 p.m. today.

Mr. President, I had a meeting with Senator MCCONNELL. We try to get together personally every week. It is nice that we have a chance to visit privately. But also we talked about what the schedule is going to be. We have a lot to do. I went over that in some detail with the Republican leader. We have now scheduled a work period at home on Columbus Day week. We have many times in the past taken that recess because there is so much work to do at home. But we cannot do that unless we complete our work here. I have explained that to the Republican leader, and he knows that. We will see what progress we can make in the next few weeks as to whether we can do that.

I will not go into detail about all the work we have to do, but we are on a fiscal year basis. That fiscal year ends at the end of September. We are in September now. We have a lot of must-do legislation we have to move forward on as quickly as we can.

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

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

Mr. REID. Excuse me, Mr. President, I withdraw that request. I did not see my friend from North Dakota. I withdraw that request and ask the Chair to announce that we are in a period of morning business.

### RESERVATION OF LEADER TIME

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

### MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the

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



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Senate will proceed to a period for the transaction of morning business for 1 hour, with Senators permitted to speak therein for up to 10 minutes each, with the majority controlling the first half and the Republicans controlling the second half.

The Senator from North Dakota.

Mr. DORGAN. Mr. President, I ask unanimous consent to speak for as much time as I may consume in our allotted 30 minutes.

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

### ENERGY LEGISLATION

Mr. DORGAN. Mr. President, I wish to visit for just a few moments today the subject of energy policy.

Most of us spend all of our day having a better day because of energy and think very little about it. We get up in the morning, perhaps, and use an electric razor or an electric toothbrush. We go to the kitchen and have some coffee that was made by plugging the coffee maker in or turning on a stove. Then we get in a car, put a key in an ignition, start an engine, and off to work. We do all the while using all the energy available to us all day long, never thinking much about it.

We have a serious energy problem in this country in that a substantial amount of energy we use, particularly oil which comes from outside our country, including from some countries that do not like us very much. We are about 70 percent dependent on foreign countries for our oil, and, as I indicated, some of those countries are in some difficulty and turmoil. Yet we are unbelievably dependent on them to help supply our oil.

One of the propositions is, should we not produce more American energy? Should we not have more conservation in this country? Should we not have a plan that makes us less vulnerable and less dependent and improves our national security and our energy security? Of course, the answer to these questions is yes.

This is a big-old planet of ours, and we stick straws in the planet and suck oil out. Today, Tuesday, we will take out from the drilling rigs where we produced about 85 million barrels of oil from underground. One-fourth of it needs to be used in this country. The United States needs one-fourth of all the oil that is produced in the world today. As I said, 70 percent of that oil comes from outside of our country, and about 70 percent of the oil we use in this country is used in our transportation system.

We have a very serious dependency on oil. It makes us less secure nationally, and it creates all kinds of other issues. So the question is, What do we do about that problem? That is what I want to talk about for a few minutes, and I also want to talk about it in the context of some news reports that said recently that I and several others

somehow did not support climate change legislation. Let me make clear what my position is regarding acting on climate change legislation.

I have said on the floor of the Senate early this summer that I do not support cap and "trade." I do not have any interest in supporting legislation that will establish a trillion-dollar carbon trading securities market. This could benefit Wall Street, speculators and big investment banks who would be trading carbon on a Monday so we can determine how much energy prices are going to be on a Tuesday depending on how well that trading went on Monday. I have no interest in doing that type of activity. Not very long ago we saw what has happened to the price of gasoline and oil. For example, the price of oil went from about \$40 a barrel to \$147 a barrel in day trading in a little more than a year without any notion of supply or demand changes. How can you justify the runup on the price of oil from \$40 to \$147 a barrel over a number of months? I have already seen abuses of other markets. I have seen the markets with respect to derivatives and swaps and all of the exotic instruments that have been created in order to be traded on other markets. I have no interest in the carbon market "trade" portion of "cap and trade" and would not be intending to support that. There are other ways for us to have a lower carbon future.

I do believe there is something happening to our climate to which we should be very attentive to. I do believe a series of no-regret steps, at the very least, makes a lot of sense right now as we begin to address reducing greenhouse gas emissions.

Let me say that while I have said I do not intend to be supportive of the cap-and-trade approach, especially with quotes around "trade," I think there are some things we can, will, and must do to address the issue of climate change and bring about a low carbon future. Having said that, my hope is that the legislation already passed through the Senate Energy Committee will be brought to the floor for a debate because it makes significant steps toward addressing energy and climate change policy. It will also reduce our dependence on foreign oil and increase our national and energy security. This is achieved for our country by producing more American energy and by incentivizing the kinds of things that can serve, save, and create other forms of energy as well.

Let me talk just for a bit about the bill passed by the Senate Energy Committee. Some people have said that we have to bring an energy bill to the floor and combine it with a climate change bill. I do not believe that should be done at this time. In my judgment, it would be much smarter to bring an energy bill to the floor which has already passed out of the committee with a bipartisan vote. It is called the American Clean Energy Leadership Act. We should bring that

bill to the floor, debate it, pass it, and get it to the President for his signature. That would do something very significant for our country's energy future. After that, we should then turn to address climate change legislation and how we create a low carbon future.

Here is what is in that legislation that I hope we will bring to the floor of the Senate first.

Renewable electricity standard. There is an old saying: If you don't care where you are going, you are never going to be lost. That is certainly true for a country and a congress. If you do not establish standards and say: Here is what we aspire to achieve, then you will never know whether you have met it. We should strive for a renewable electricity standard of 20 percent. The current bill's standard has 15 percent. When we get an energy bill to the floor, my hope would be we would have a 20-percent combined renewable electricity standard that says that we aspire to achieve this level of renewable energy as part of our country's electricity mix by 2021.

This would be the first national standard in the history of this country. More than half the States have already taken action in this area, but we need a national standard that creates the goal of what we aspire to achieve. A strong, national renewable electricity standard is what I support. There is currently a national standard in this energy bill which we can bring to the floor. Having a standard drives additional production of renewable energy. It is one significant step towards addressing climate change. Wind energy, solar energy, biomass are the types of renewable energy that this country needs to increase. Through an RES, we can incentivize that additional production.

Turning to energy efficiency, the lowest hanging fruit by far in energy is about taking steps to make our buildings more efficient. The MacKenzie study shows many ways to reduce emissions. By far the least costly, most effective, way to address energy and greenhouse gas emissions is through efficiency improvements in our buildings, homes, equipment, appliances, and factories. All of these areas are dealt with in this energy legislation, promoting much greater movement toward achieving the conservation that comes from expanded energy efficiency programs.

Another thing that is in this bill is building an interstate highway system of transmission capability. We can produce a lot of new renewable energy, but if we do not move it from where it is produced to where it is needed. We need to move it to the load centers otherwise it will not have done much good.

My home State, North Dakota, is No. 1 in wind production. The folks at the Department of Energy call North Dakota the Saudi Arabia of wind. We are almost born leaning toward the northwest against that prevailing wind. We