spending. That is certainly an important start—and there is plenty to cut—but in order to truly get our fiscal house in order, we must look at the entire budget. We must repair our entitlement programs—Medicaid, Medicare, and Social Security.

Entitlement reform should be an issue that brings us all together—Republicans, Democrats, Independents—to ensure we keep our promises to those who are relying on those programs, while making sure future generations don’t pay for our failure to address the fiscal reality of these programs right now. This is certainly an issue that requires Presidential leadership, and I join others in my party in inviting the President to work across party lines to address this urgent priority. The American people deserve a substantive, responsible debate on how we can preserve these programs in a fiscally sustainable way. We simply cannot continue to put off making the difficult choices today and passing them on to the next generation.

With our trillion dollar-plus deficits and rapidly accelerating debt, we are again closing in on our debt ceiling. Having to repeatedly increase the debt limit represents a broad failure of leadership by politicians from both parties. As a new Member of the Senate, I refuse to perpetuate that cycle. We cannot let this moment pass us by, and I cannot in good conscience raise our debt ceiling without Congress passing real reform to control government spending. That plan should include a balanced budget amendment, statutory spending caps, spending cuts, and entitlement reform.

We can no longer afford the status quo or business as usual in Washington. The days of spending as though there is no tomorrow to bring home the bacon must end. The fiscal crisis that threatens our Union threatens all of us. We will have to make sacrifices. There is no other way when we have to put aside our parochial interests and appreciate that the only way we will be able to cut spending is for all of us to take shared responsibility and to make shared sacrifices for the great country we love.

Make no mistake, out-of-control spending jeopardizes our Nation’s economic strength and costs us jobs. One thing is for sure: We cannot spend our way to prosperity. We need look no further than the stimulus package to prove that stubborn fact.

The reality is that government doesn’t create jobs. Small businesses and entrepreneurs create jobs. What we can do in the Senate is to help create the right tax and regulatory conditions to allow our businesses to thrive and grow.

Despite the circumstances we face, we are blessed to live in the greatest country in the world. There has never been a challenge that we have not faced and met and overcome and been better for.

When I think of what it will take to address the challenges before us, I am reminded of my 95-year-old grandfather, John Sullivan, who is a World War II veteran and what his generation went through and what he did. My grandfather landed on the beaches of Normandy, and he is part of what is known as the "greatest generation" of our country.

Every generation is called upon anew to preserve our country. In my view, this generation's greatest challenge is having the courage and the will to take on and fix our fiscal crisis and get our fiscal house in order once and for all. This is our time to show we have the fortitude and the courage to do what is right to preserve the greatest Nation on Earth.

I know we can do this, and it is truly humbling to have the opportunity to serve in this body at a time when I know leadership and courage will make all the difference. On behalf of the people of New Hampshire, I stand ready to fight for our great country and to work with my colleagues on both sides of the aisle to address our fiscal crisis. I remain confident that America’s best days still lie ahead of us.

Thank you, Madam President. I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Kentucky.

Mr. MCCONNELL. Madam President, I wish to congratulate our new colleague on her initial speech related to the twin problems we have in this country of spending and debt, as well as to say to her that it is pretty clear to all of us that she is a worthy successor to our good friend Judd Gregg whose seat she now occupies and who was also a leader in this body—some would argue the leader in this body—on the questions of our Nation’s fiscal crisis and how to get it in order. So on behalf of all of our colleagues, I congratulate Senator AYOTTE.

The ACTING PRESIDENT pro tempore. The Senator from Oregon.

Mr. MERKLEY. Madam President, I also wish to congratulate my colleague from New Hampshire. It is an extraordinary privilege to serve in this Chamber and it is a long tradition of the Chamber to utilize one’s first speech or maiden speech as an opportunity to address something that is close to one’s heart. I extend a warm welcome to her and to her voice, her intellect, and her passion on issues that we must, on both sides of the aisle, work to resolve in order to build a better America and put America back on track.

I thank the Chair.

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

SBIR/STTR REAUTHORIZATION ACT OF 2011

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of S. 493, which the clerk will report.

The bill clerk read as follows:

A bill (S. 493) to reauthorize and improve the SBIR and STTR programs, and for other purposes.

Pending:

McConnell amendment No. 183, to prohibit the Administrator of the Environmental Protection Agency from issuing any regulation concerning, taking action relating to, or taking into consideration the emission of a greenhouse gas to address climate change.

Vitter amendment No. 178, to require the Federal Government to sell off unused Federal real property.

In order (for Johnnies) amendment No. 161, to amend the Internal Revenue Code of 1986 to repeal the expansion of information reporting requirements to payments made to corporations, payments for property and other gross proceeds, and rental property expense payments.

Cornyn amendment No. 186, to establish a bipartisan commission for the purpose of improving oversight and eliminating wasteful government spending.

Paul amendment No. 199, to cut $200,000,000,000 in spending in fiscal year 2011.

Sanders amendment No. 207, to establish a point of order against any efforts to reduce benefits paid to Social Security recipients, raise the retirement age, or create private retirement accounts under title II of the Social Security Act.

Terry amendment No. 197, to delay the implementation of the health reform law in the United States until there is final resolution in pending lawsuits.

Coburn amendment No. 181, to provide a list of programs administered by every Federal department and agency.

Pryor amendment No. 229, to establish the Patriot Express Loan Program under which the Small Business Administration may make loans to members of the military community wanting to start or expand small business concerns.

Landrieu amendment No. 244 (to amendment No. 183), to change the enactment date.

The ACTING PRESIDENT pro tempore. The Senator from Louisiana.

Ms. LANDRIEU. Madam President, I ask unanimous consent that Coburn amendment No. 281 replace amendment No. 223 in the agreement we reached last evening. This is an updated version of Senator Coburn’s amendment.

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

Ms. LANDRIEU. Madam President, under the previous agreement that was reached last evening—and I want to thank both leaders, Senators Reid and McConnell, for working so hard with Senator Snowe and me to try to bring our caucuses to conclusion points on this very important bill, the small business innovation bill, that we have been negotiating now for almost 2 weeks. It is a very important program that deserves to be reauthorized.

This bill will reauthorize this important program for 8 years. We have been operating the last 4 years with 3 months at a time and 6 months at a time. Madam President, representing New York, you know that many of your small businesses have accessed this program, many of your universities, to acquire or to reach cutting-edge technologies that not only our
Federal agencies need but taxpayers benefit from directly.

This program is a job creator. It is an innovative program, and it is a job creator. So I appreciate the work our two leaders have done with Senator Snowe and myself to get us to this agreement. We will be having seven votes this afternoon. Just to recap, they will be Baucus No. 236, Stabenow No. 277, Rockefeller No. 215, Coburn No. 217, Coburn No. 281, Coburn No. 273, which is a side-by-side, I think, and Inouye No. 286. We will have already been agreed to, but, Madam President, our challenge is that we have 124 additional amendments that have been filed, most of which have nothing to do with either the Small Business Administration or this program. We understand Senators are frustrated and want floor time for their issues, but taxpayers need this program that works.

We are eliminating some programs at the Federal level that don't work, but this one does. So we need to try to find a way to characterize and continue the good economic numbers we are hearing coming out of Treasury and other independent think tanks that are saying jobs are being created.

The recession looks as though it is potentially coming to an end. We are creating net new jobs every month. This is a program that supports that. It is a great foundation program based on cutting-edge research and innovation that helps small businesses in the country who are true job creators.

So I ask Members on both sides to work cooperatively throughout the day today. We are going to have a vote on these seven amendments this afternoon, as previously agreed to, and we will be considering and trying to work with Members on some of their other issues. If we could get a good, strong small business bill agreed to this week and sent over to the House as we resolve these very tough negotiations on the budget, we can be proud to, at some point, finish this bill with a few attached amendments, hopefully—not many but a few—to the President's desk for signature.

So, again, I thank the Members for their cooperation, and I suggest the absence of a quorum.

I am sorry, Madam President. Let me take back that request.

AMENDMENTS Nos. 236, 277, 215, 217, 281, 273, AND 286

Ms. LANDRIEU. Madam President, under the previous agreement we were able to proceed to the vote, and I call up the amendments I previously cited.

The ACTING PRESIDENT pro tem. The clerk will report.

The bill clerk read as follows:

The Senator from Louisiana [Ms. LANDRIEU] proposes amendments en bloc numbers 281, 273, and 286.

The amendments are as follows:

AMENDMENT No. 286

(Purpose: To prohibit the regulation of greenhouse gases from certain sources)

At the end, the add the following:

SEC. 322. GREENHOUSE GAS-RELATED EXEMPTIONS FROM PERMITTING REQUIREMENTS.

(a) PURPOSE.—The purposes of this section are—

(1) to ensure that the greenhouse gas emissions from certain sources will not require a permit under the Clean Air Act (42 U.S.C. 7401 et seq.); and

(2) to exempt greenhouse gas emissions from certain agricultural sources, from permitting requirements under that Act.

(b) AMENDMENT.—Title III of the Clean Air Act (42 U.S.C. 7401 et seq.) is amended by adding at the end thereof the following:

"SEC. 329. GREENHOUSE GAS-RELATED EXEMPTIONS FROM PERMITTING REQUIREMENTS.

"(a) DEFINITION OF GREENHOUSE GAS.—In this section, the term ‘greenhouse gas’ means any of the following:

"(1) Carbon dioxide.

"(2) Methane.

"(3) Nitrous oxide.

"(4) Sulfur hexafluoride.

"(5) Hydrofluorocarbons.

"(6) Perfluorocarbons.

"(7) Nitrogen trifluoride.

"(8) Any other anthropogenic gas, if the Administrator determines that 1 ton of that gas has the same or greater effect on global climate change as does 1 ton of carbon dioxide.

"(b) NEW SOURCE REVIEW.—

"(1) MODIFICATION OF DEFINITION OF AIR POLLUTANT.—For purposes of determining whether a new or modified stationary source or facility under section 169(1) or has undertaken construction pursuant to section 169(a), the term ‘air pollutant’ shall not include any greenhouse gas unless the gas is subject to regulation under this Act for reasons independent of the effects of the gas on global climate change.

"(2) FURTHER EXCEPTIONS FOR EXCLUSIONS FROM PERMIT PROVISIONS.—No requirement of part C of title I shall apply with respect to any greenhouse gas unless the gas is subject to regulation under this Act for reasons independent of the effects of the gas on global climate change.

"(c) TREATMENT.—Notwithstanding any provision of title III or the rule entitled ‘Light-Duty Vehicle Greenhouse Gas Emission Standards and Corporate Average Fuel Economy Standards’ (75 Fed. Reg. 55324 (May 7, 2010) and without further revision); (2) the finalization, implementation, enforcement, and revision of the proposed rule entitled ‘Greenhouse Gas Emissions Standards and Fuel Efficiency Standards for Medium- and Heavy-Duty Engines and Vehicles’ published at 75 Fed. Reg. 74152 (November 30, 2010); (3) any action relating to the preparation of a report or the enforcement of a reporting requirement; or (4) any action relating to the provision of technical support at the request of a State.
SEC. 505. GREENHOUSE GAS EMISSIONS FROM AGRICULTURAL SOURCES.

In calculating the emissions or potential emissions from or facility, emissions of greenhouse gases that are subject to regulation under title III of the Clean Air Act (42 U.S.C. 7601 et seq.), solely on the basis of the effect of global climate change shall be excluded if the emissions are from—

(1) changes in land use;
(2) the growing of commodities, biomass, fruits, vegetables, or other crops;
(3) the raising of stock, dairy, poultry, or fur-bearing animals; or
(4) farms, forests, plantations, ranches, nurseries, vineyards, greenhouses, or other similar structures used primarily for the raising of agricultural or horticultural commodities.

SEC. 506. EXTENSION OF THE ADVANCED ENERGY PROJECT CREDIT.

(a) In general.—Subsection (d) of section 48C of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

"(3) the Secretary determines necessary to make allocations to qualified investments with respect to which qualifying applications were submitted before the date of the enactment of this Act shall be rescheduled and returned to the Treasury.

(Sec. 506.)

SEC. 506. SHORT TITLE. This title may be cited as the "EPA Stationary Source Regulations Suspension Act."

SEC. 507. SUSPENSION OF CERTAIN EPA ACTION. (a) In general.—Except as provided in subsection (b), notwithstanding any provision of law, the Administrator of the Environmental Protection Agency shall not, after the date of the enactment of this Act, take any action under the Clean Air Act (42 U.S.C. 7401 et seq.) with respect to carbon dioxide or methane pursuant to certain proceedings, other than with respect to motor vehicle emission standards.

(b) Exceptions.—Subsections (a) and (c) shall not apply to—

(1) any action under part A of title II of the Clean Air Act (42 U.S.C. 7621 et seq.) relating to the vehicle emissions standards;
(2) any action relating to the preparation of a report or the enforcement of a reporting requirement; or
(3) any action relating to the provision of technical support at the request of a State.

(c) Implementation. —Notwithstanding any other provision of law, no action taken by the Administrator of the Environmental Protection Agency before the date of the 2-year period beginning on the date of enactment of this Act shall be considered to make carbon dioxide or methane a pollutant under the Clean Air Act (42 U.S.C. 7401 et seq.) for any source other than a new motor vehicle or new motor vehicle engine, as described in section 202(a) of that Act (42 U.S.C. 7522(a)).

AMENDMENT NO. 217 (Purpose: To save at least $5 billion by consolidating some duplicative and overlapping government programs and agencies with duplicative and overlapping missions identified in the March 2011 Government Accountability Office report to Congress entitled “Opportunities to Reduce Potential Duplication in Government Programs, Save Tax Dollars, and Enhance Revenue” (GAO-11-316SP) and apply the savings towards deficit reduction; (2) identify and report to Congress any legislative changes required to further eliminate, consolidate, or streamline Government programs and agencies with duplicative and overlapping missions identified in the March 2011 Government Accountability Office report to Congress entitled “Opportunities to Reduce Potential Duplication in Government Programs, Save Tax Dollars, and Enhance Revenue” (GAO-11-316SP); (3) determine the total cost savings that shall result to each agency, office, and department from the actions described in subsection (1); and (4) rescind from the appropriate accounts the amount greater of (A) $5,000,000,000; or (B) the total amount of cost savings estimated by paragraph (3).

At the end of title V, add the following:

SEC. 508. CONSOLIDATING UNNECESSARY DUPLICATIVE AND OVERLAPPING GOVERNMENT PROGRAMS.

Notwithstanding any other provision of law, no later than 150 days after the date of enactment of this Act, the Director of the Office of Management and Budget shall coordinate with the heads of the relevant departments and agencies to—

(1) use available administrative authority to eliminate, consolidate, or streamline Government programs and agencies with duplicative and overlapping missions identified in the March 2011 Government Accountability Office report to Congress entitled “Opportunities to Reduce Potential Duplication in Government Programs, Save Tax Dollars, and Enhance Revenue” (GAO-11-316SP); and

(2) identify and report to Congress any legislative changes required to further eliminate, consolidate, or streamline Government programs and agencies with duplicative and overlapping missions identified in the March 2011 Government Accountability Office report to Congress entitled “Opportunities to Reduce Potential Duplication in Government Programs, Save Tax Dollars, and Enhance Revenue” (GAO-11-316SP);
(Purpose: To provide for the Director of the Office of Management and Budget to submit recommended rescissions in accordance with the Congressional Budget and Impoundment Control Act of 1974 for Government programs and agencies with duplicative and overlapping missions.)

Notwithstanding any other provision of law, not later than 150 days after the date of enactment of this Act, the Director of the Office of Management and Budget shall—

(1) compile a list of Government programs and agencies selected from the Government programs and agencies with duplicative and overlapping missions identified in the March 2011 Government Accountability Office report to Congress entitled “Opportunities to Reduce Potential Duplicity in Government Programs, Save Tax Dollars, and Enhance Revenue” (GAO-11-318SP); and

(2) in accordance with the Congressional Budget and Impoundment Control Act of 1974, submit to Congress recommended amounts of proposed budgetary rescissions for Government programs and agencies on that list.

AMENDMENT NO. 207, AS MODIFIED

Ms. LANDRIEU. Madam President, I ask unanimous consent that Senator SANDERS' amendment No. 207 now be modified with the changes at the desk.

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

The amendment, as modified, is as follows:

At the appropriate place, insert the following:

(2) in accordance with the Congressional Budget and Impoundment Control Act of 1974, submit to Congress recommended amounts of proposed budgetary rescissions for Government programs and agencies selected from the Government programs and agencies with duplicative and overlapping missions (overlapping missions identified in the March 2011 Government Accountability Office report to Congress entitled “Opportunities to Reduce Potential Duplicity in Government Programs, Save Tax Dollars, and Enhance Revenue” (GAO-11-318SP); and

(2) in accordance with the Congressional Budget and Impoundment Control Act of 1974, submit to Congress recommended amounts of proposed budgetary rescissions for Government programs and agencies selected from the Government programs and agencies with duplicative and overlapping missions identified in the March 2011 Government Accountability Office report to Congress entitled “Opportunities to Reduce Potential Duplicity in Government Programs, Save Tax Dollars, and Enhance Revenue” (GAO-11-318SP); and

(2) in accordance with the Congressional Budget and Impoundment Control Act of 1974, submit to Congress recommended amounts of proposed budgetary rescissions for Government programs and agencies selected from the Government programs and agencies with duplicative and overlapping missions identified in the March 2011 Government Accountability Office report to Congress entitled “Opportunities to Reduce Potential Duplicity in Government Programs, Save Tax Dollars, and Enhance Revenue” (GAO-11-318SP); and

...
important that we discuss it. Fifty million Americans have no health insurance today. The Republican solution is slash $1.3 billion for community health care centers that provide primary health care to 11 million patients.

What happens when you are sick, you have no insurance, you don’t have any money, you can’t go to a doctor—what happens? Perhaps you die, perhaps you suffer, perhaps you are lucky enough to get treated. We spend huge sums of money treating you when you could have been treated a lot more cost effectively through a community health center.

Today, in my office and I suspect in your office, people will tell you that it takes too long for them to get their claims from the Social Security Administration, the disability claims—the waiting line is too long. The Republican solution is slash $1.7 billion from the Social Security Administration, making seniors and the disabled wait even longer. Everybody in America knows how hard it is for a middle-class family to send their kids to college. The Republican answer: slash significant Pell grants, such as the Pell grant program, make it easier for low and moderate-income families to afford college. The Republican solution is slash $5.7 billion from Pell grants which means that over 9 million American students will lose some or all of their Pell grants. Many of them will not be able to go to college.

Everyday, every working family in America, knows how hard it is today to find quality, affordable childcare. In most American middle-class families the husband works, the wife works—they want to know their kids are in a safe, good-quality childcare center. For decades now, Head Start has done an excellent job in providing quality early childhood education for low-income kids. In the midst of that childcare crisis, the Republican solution is slash Head Start by 20 percent, throw 218,000 children off of Head Start, lay off 5,000 Head Start teachers.

On and on it goes. In my State it gets cold in the winter, 20 below zero. Many seniors living on Social Security cannot afford the escalating costs of home heating oil. The Republican solution: slash $400 million in funding for LIHEAP, making it harder for seniors and other low-income people to stay warm in the wintertime.

What we should be very clear about as well is that the budget is the Republican proposals for the continuing resolution for the remainder of fiscal year 2011 are only the first step in their long-term plan for America. Yesterday what we saw is the real vision of the Republican Party, for where they want to take this country into the future. While I applaud them for being straightforward about that vision, I think the more the American people take a hard look at where they want this country to go, the more outrageous will be millions and millions of citizens as they understand the Republican proposal for the future.

Right now, if you are a senior citizen and you get sick and you need to go to the hospital, you have a health insurance program called Medicare, which has been lifesaving for millions of seniors. The Republican budget as outlined by Congressman Ryan yesterday is essentially as he knows it and converts it into a voucher-type program that will leave seniors paying out of pocket for many lifesaving health care costs.

In other words, if you end up, at the age of 75, with cancer or another illness, what the Republican proposal does is give a voucher to a private insurance company—$6,000, $8,000, we are not exactly sure—and after that, good luck, you are on your own. You have an income of $15,000, you have cancer, how are you going to pay for that? The Republicans say there will be a voucher, ending Medicare as we know it right now.

The Republican proposal would force seniors to pay $3,500 more for prescription drugs. The proposal would reopen the prescription drug doughnut hole, requiring that seniors pay full price for prescription drugs. At a time when so many of our people have no health insurance, the budget contains $1.4 trillion in Medicaid cuts over 10 years by turning it into a block grant program. We are now reading in various States that have budget problems that their solution to the budget problem is simply to throw people off of Medicaid, including children. What happens if you have no health insurance and you get sick?

We are beginning to talk about death panels. That is what we are talking about. If you are sick, you have no health insurance, what do you do? My guess—we have options—you die, you get sicker, you suffer in ways that you did not have to suffer.

The Republican proposal, as outlined by Congressman Ryan yesterday, also includes over $1.6 trillion in cuts over the next decade for education. Pell grants, infrastructure, affordable housing, food stamps, food safety, and other vital programs for the middle class, the elderly, the sick, and the children.

What is also interesting—it is literally beyond belief to me—is while Republicans are slashing programs for low- and middle-income people, what they are also doing—I think people will think about this and understand what is happening right now—is that at the same time as the rich are getting richer and they are slashing programs for low- and moderate-income people, the Republican budget plan would significantly lower taxes for millionaires and billionaires.

So, at Head Start, we cut Pell grants, we cut community health centers, but at the same time we give huge tax breaks for millionaires and billionaires. Furthermore, the Republican proposal would also lower taxes for the largest corporations in this country. My point is, we all do understand that this country has a serious deficit problem and a $14 trillion national debt.

I think every Member of the Senate is concerned about the issue and wants to address it.

The question is, Do we move toward a balanced budget on the backs of the weakest, most vulnerable people in our country? Do we put the babies, the children, the elderly, the disabled? That is one way we can do it or do we ask for shared sacrifice? Do we say to the wealthiest people in the country, do we say to the largest corporations in this country: You are part of America too, and you need to help us get out of this deficit crisis.

Last week, I issued a list of 10 major corporations—10 major corporations that paid nothing in taxes in recent years, and, in some cases, actually got a rebate from the Federal Government after making huge profits. To my mind, instead of cutting back on Head Start and Pell grants and community health centers—which will have a devastating impact on low- and moderate-income Americans—maybe we ought to ask General Electric, which made $26 billion in profits over the last 5 years and received a $4.1 billion refund from the IRS, maybe we ought to ask them to pay something in taxes.

I think it is a bit absurd that the average middle-class person pays more in Federal income taxes than does General Electric. Maybe we want to change that. Maybe we want to ask Chevron, which made $10 billion in profits in 2009, which got a $19 million dollar refund from the IRS, maybe we might want to ask them to pay something in taxes so we can move toward deficit reduction in a way that is fair.

Here is the bottom line: corporate profits are at an all-time high. The richest people in this country are doing phenomenally well. The middle class is in decline. Poverty is increasing. Republican answer: More tax breaks for the very rich, lower corporate taxes, but stick it to working families in a horrendous way, which will cause massive pain.

We are at a fork in the road in terms of public policy. Do we develop public policy which protects all our people, which expands the middle class, or are we at a moment in history which moves this country aggressively toward oligarchy, in which we have a small number of people at the top with incredible wealth and incredible power, while the middle class continues to disappear?

Now is the time, in my view, for working families all over this country to stand and say: Enough is enough. We need shared sacrifice as we go forward. We do not need to see the middle class in this country further disappear.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Montana.
The science is clear: greenhouse gas pollution is causing climate change. Climate change is here, it is real, it is human caused, and it will hurt our economy and the health of our kids and grandkids.

In Montana we are already seeing the effects. According to Dr. Steve Running at the University of Montana, the duration of the wildlife season in the western United States has increased by 78 days since the 1970s. This trend is driven by earlier snowpack melt and less snowfall, which translates into increased air pollution due to increased demand for electricity and increased use of wood stoves. To stay warm, people burn more wood.

Climate change also endangers our national security. According to a report recently authored by retired Navy ADM Frank Bowman, “Even the most moderate predicted trends in climate change will present new national security challenges.” That is why the Pentagon included climate change among the 12 most important threats identified in its Quadrennial Defense Review.

I believe that we all have a moral responsibility to leave this world to our kids and grandkids in better shape than we found it. That means we ought to deal with climate change by using market incentives to reduce our emissions of greenhouse gas pollution. But we must do so in a manner that does not hurt the economic recovery.

Small businesses and agriculture are the drivers of our economic recovery and job creation. Of the 200,000 jobs added in March, over half were created by businesses with 50 or fewer employees. And over 90 percent of the 200,000 jobs created last month were created by businesses with 500 or fewer employees. My amendment ensures that these businesses can continue to add jobs.

My amendment is very simple. It exempts farmers, ranchers, and small businesses from EPA’s greenhouse gas pollution regulations.

Under my amendment only about 15,000 of the more than 6 million stationary sources that emit greenhouse gases in the country would be regulated by EPA. These 15,000 sources are large plants run by big corporations. And over 96 percent of these 15,000 sources already have to get permits under the Clean Air Act for emissions of criteria pollutants. Moreover, these 15,000 polluters account for 70 percent of greenhouse gas emissions from stationary sources in the country. So under the Baucus amendment, small businesses would be protected, while the biggest polluters that account for the vast majority of emissions would have to comply with the law.

EPA is going forward with regulations to reduce greenhouse gas pollution. We ought to ensure these regulations preserve our outdoor heritage, protect our children’s health, promote our national security, and protect small businesses, farmers, and ranchers. My amendment does just that, and I urge my colleagues to support it.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. FRANKEN). The clerk will call the roll.

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

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

Mr. PRYOR. I ask unanimous consent to speak as in morning business for 10 minutes.

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

FISCAL CHALLENGES

Mr. PRYOR. Mr. President, we find ourselves in dangerous territory. While Republicans and Democrats continue to point fingers and hold fiery press conferences, a government shutdown is quickly approaching. The blame game is like quicksand: it has the ability to drag down not only the Senate and the House but the entire economy and our country. No matter how one looks at it, a shutdown would be reckless and irresponsible.

We can get this short-term budget problem resolved if all parties would turn off the rhetoric and stop the campaigning. A few extreme partisans stand in the way of the rest of us.

The real battle, the more meaningful discussion and debate and fight, even, that we need to have is over long-term fiscal policies. The next 6 months—I don’t want to say that is not important because it is, but the real question is do we decide to demonstrate to the American people, to the markets, and to the world that we can come up with political solutions to the very challenging problems we face.

I am also concerned in this fragile economy that if we do shut down the government, that might be something that would shake this economy and actually, possibly, stop it in its tracks. I hope it will not reverse, but I do worry about an abrupt cutoff of government spending, what that might do to the economy.

Our fiscal challenges that the debt commission focused on and many of us have focused on are beyond politics. They are bigger than politics. They are more important than the next election. In fact, they are more important than our own personal political fortunes. This fiscal situation we are in is not about the next election; it is about the next generation.

If we look back at the time that we call the Battle of Britain, one of the things Winston Churchill said that always stuck with me is, “Never in the field of human conflict was so much owed by so many to so few.” He was talking about those brave men who flew the airplanes over Great Britain to protect the skies and the British people and to win the war, to stop Nazi Germany from invading and defeating the British Empire.

The few we have today are Tom Coburn, Dick Durbin, Mark Warner, Saxby Chambliss, Mike Crafo, and Kent Conrad. Those few have been...
meeting for weeks, even months, to try to come up with a comprehensive budget agreement based on the blueprint of the debt commission. These six Senators are not politicians; they are statesmen. They are trying to do what is right for the country. They are trying to do what is in the country’s best interest, not their own. I guarantee my colleagues, each one of the six will face tremendous criticism from their own parties and from other quarters about what they are doing. I urge every one of us who are serving either in the Senate or in the House to stand behind them. To me, that is courage, leadership; that is what being a Senator is all about.

I know right now there are six of them meeting. I know that at some point, once they come out and once they are ready to announce what they want to do, many others will join that effort. But we need to cheer them on and encourage them to finish the hard task they have begun.

I am reminded, when I think about those six times in the Capitol and in various rooms around the Capitol, of that phrase in the Declaration of Independence right before our Founding Fathers signed that great document where they mutually pledge to each other our lives, our fortunes, and our sacred honor.” This is our time to put it all on the line. We need to put our political lives on the line, our political fortunes on the line, and our honor. We need to honor the commitment we have made to this country when all 100 of us stood up—in fact, when all 535 of us stood up—and took the oath of office that we were going to do what was right for the country.

I remember with great pride a few moments ago. I am reminded that many times in the Old Testament, whether in the prophets or Proverbs, we are always encouraged to do right, to do justice, to show mercy. We want to rely on experience and truth. That is what they call us to do and what they want us to do.

I am also reminded that in the New Testament, when Jesus is talking to the political and religious leadership of his day, he says: Are you so blind?

Are we so blind that we cannot see the forest for the trees, that we can’t understand how important it is for this country to get our debt and deficit where it needs to be? Are we so blind that we are not able to see that we need to put everything on the table, that this is a time for great leadership and shared sacrifice, and we all have to give up something to get this done?

It is our time to lead. This may be the greatest challenge of our generation, of any of us who are serving either in the House or Senate right now. This may be our one moment in history for greatness. I sincerely hope we rise to that challenge because I believe the future of the Republic depends on it.

I yield the floor and suggest the absence of a quorum.

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

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

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

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

PESTICIDE REGULATION

Mr. JOHANNS. Mr. President, I rise today to talk about another example of an EPA that is out of step with American agriculture. EPA continues to pursue regulations that would require farmers to file for an additional permit if they want to apply pesticides, while just last month EPA Administrator Jackson mentioned “the critical work that farmers are doing to protect our soil, air, and water resources.” Yet the EPA continues, I believe, to handcuff our farmers and our ranchers with very stringent new regulations and force them to do all they can to feed a hungry world.

Time and time again, farmers have consistently proven to be excellent stewards of the environment. They make their living from the land, and they are very mindful of maintaining and protecting and improving it. I speak from experience. I grew up on a farm.

Unfortunately, we have watched organizations use the courts to twist laws against agricultural production. A Democratic Congressman from California recently noted that EPA “often pursues a course of agency activism.” He points out that EPA is using the settlement of lawsuits to give them jurisdiction over issues that may not be allowed under existing law.

More and more we are seeing important policy decisions that impact agriculture arise not from the legislative process, but from the litigation process where a lawsuit settlement results in policy decisions being made.

In January 2009 a court overturned the normal practice of allowing farmers to apply pesticides as long as they comply with labeling requirements under the Federal Insecticide, Fungicide, and Rodenticide Act, which is known as FIFRA.

The Sixth Circuit Court ruled that EPA violated the pesticide application regulations under FIFRA and the Clean Water Act. Well, at least 25 Senate and House Members, including myself, supported an amicus brief urging review of the court’s very ill-advised decision. But, instead, the Obama administration chose to wave the white flag, ignoring the science and caving to activists. They urged the Supreme Court not to hear the case and to let the ruling stand.

For years EPA managed pesticide permitting within established environmental and safety requirements. Yet the administration refused to defend what was a very established, long-standing approach. The EPA asked for a 2-year delay to write the permit and set up a compliance regime. They moved forward with onerous permitting requirements for our producers that will provide no environmental benefit. This would subject the pesticide applicators to new and duplicative requirements—a distinct shift in how the EPA regulates pesticides. It created a whole new world. This additional permitting is now inefficient, it is unnecessary, and I would argue it is inappropriate for agriculture.

EPA’s permitting requirements also present a challenge to local public health officials who work to control mosquitoes and prevent the spread of disease. The American Mosquito Control Association estimates that complying with the additional regulation could cost each pesticide user at least $200,000 and potentially $600,000 in California alone. The dual permit requirement may reduce the availability of pesticides proven to control mosquito populations. Thus, the ability of public health officials to control mosquitoes and the spread of disease will be hindered.

We all know bugs and weeds won’t wait on another additional permit from EPA, and I surely don’t think farmers and public officials should have to go through this additional process. Last week, the House of Representatives passed the Reducing Regulatory Burdens Act—H.R. 872. It passed with overwhelming support. I am very pleased to report it was a bipartisan vote of 292 to 130. Democratic Congressman COLLIN PETERSON, with whom I worked when I was Secretary of Agriculture and whom I have a lot of respect for, said this:

It was never the intent of Congress to burden our farmers with additional regulations that would have little to no environmental benefit.

I could not agree more with the former chair of the House Agriculture Committee. But he is not alone. Fifty-seven of his Democratic colleagues supported this bipartisan legislation to set the record straight and send a clear message to the EPA.

Here in the Senate, I am a cosponsor of a similar bill Senator ROBERTS introduced this week. I am pleased to stand here today and support his bill. Both of these bills are designed to eliminate this burdensome, costly, redundant permit requirement for pesticide applications and to support efforts here. He is trying to do something to solve this problem while protecting farmers and ranchers from additional regulation, but also very mindful of the environment.

I urge the majority leader to act quickly on the legislation to address the EPA’s redundant and costly double-permitting requirements. We can address this in the Senate. If we don’t find a solution, our producers will continue being told how to operate in a very difficult environment. Our producers already deal with the uncertainty of Mother Nature. We should
not infuse even more uncertainty into their lives in the form of these regulations that duplicate with no discernible benefit.

President Obama recently promised to eliminate programs that duplicate each other. The Senate will follow the example of the House which voted resoundingly in a very bipartisan way to correct this situation. We cannot afford to delay, with the compliance date right around the corner. It is a deadline we simply cannot ignore.

Mr. President, thank you. I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

AMENDMENT NO. 183

Mrs. MURRAY. Mr. President, I come to the floor today to express my strong opposition to any attempt to prevent the Environmental Protection Agency from doing its job and protecting our families and our environment. The amendments being considered here in the Senate would hurt our environment and harm our national security by increasing our dependence on foreign oil. They would devastate our public health efforts, and take us in the wrong direction as we fight to compete and win and create jobs in the 21st century clean energy economy.

The positions of leading scientists and doctors and public health experts are clear. Global climate change is real, it is harmful, and it has to be addressed. Rolling back EPA’s standards would be devastating to the health of our families, and especially our children. These are settled issues in the scientific world. We shouldn’t be spending time debating them over and over on the floor.

By the way, with the price of oil spiking and families paying more and more at the pump, we ought to be focused on ways to move our country away from our dependence on foreign oil. These amendments would do exactly the opposite. They will disrupt efficiency standards that sacrifice billions of gallons of fuel savings and increasing our foreign imports. They will derail the cooperative efforts of automakers and autoworkers and EPA and States by revisiting environmental standards that provide certainty for businesses to invest in new technologies. Frankly, they would be harmful to our national security. Every dollar we spend overseas to pay for oil is more money in the pockets of countries that are too often far from friendly to our national security interests, and that doesn’t make any sense to me.

Mr. President, the McConnell amendment is another example of overreach. I hope the Senate will follow the example of the House which voted resoundingly in a very bipartisan way to correct this situation. We cannot afford to delay, with the compliance date right around the corner. It is a deadline we simply cannot ignore.

Second of all, we all know America needs to move quickly into the 21st century clean energy economy. Other countries such as China and India are pouring resources into investments that are creating jobs and building infrastructure. We need to make sure we position ourselves to compete and win in this critical sector.

That is why instead of harmful legislation and amendments that would take us in the wrong direction—instead of doing that—we should be talking about policies that reduce our dependence on foreign oil, support our national security objectives, and unshackle our economy, so we can tap the creative energy of our nation’s workers and support good family wage jobs, and make sure our workers continue leading the way in this 21st century economy. That is the direction our country needs to be moving toward a healthy and clean environment and toward the clean energy jobs of the future.

The longer we put off dealing with these issues, the more it is going to cost us in the future, and that is exactly what the amendments on the floor today will do. They are bad for the environment, they are bad for the economy, and they are dangerous to our families’ drinking jobs and building infrastructure.

The Department of Energy has made it very clear and it is something the people in my home State of Washington take very seriously. Because when families across America go outside for some fresh air or turn on their tap and hope and trust that they will have a clean glass of water, they expect these resources to be just that: clean.
With gasoline at over $3.50 a gallon, the President fails to appreciate the effect his administration’s policies have on families with bills, with kids, and with mortgages to pay.

In 2008, President Obama, then a candidate, said the problem wasn’t that gas prices were too high but that they had risen too fast. In his words, he said he “would have preferred a more gradual adjustment.” This may explain why the President spent his first 2 years in the White House by continuing and even expanding an all-of-the-above approach to energy. It is no wonder that he is now trying to cast blame on those who are offering a responsible alternative.

The President says he wants to cut our imports of foreign oil by a third by 2025. Well, to me, he doesn’t appear to have the right vision or political will to get there. The United States has the most combined energy resources on Earth, but when faced with new sources of U.S. oil, the administration’s automatic response has been to regulate, delay, or to shut down.

The President’s “say one thing, do another” policy is making the pain at the pump even worse. His approach is long on promises, short on responsibility. He talks of his concern for the people affected by the gulf oilspill. Yet his drilling shutdown in the Gulf of Mexico killed their jobs and strangles energy production even today. U.S. offshore oil production is expected to drop 15 percent this year thanks to the policies of this administration.

The President’s claim that blaming his administration for “shutting down oil production”—he says it doesn’t track with reality. But I will tell you that the administration’s stalling on gulf oil and gas drilling permits is so antibusiness that even former President Bill Clinton called it “ridiculous.” Even as the President says he wants to cut oil imports, he told an audience in Brazil’s best customers” for oil. He cut oil imports, he told an audience in June. U.S. offshore oil production is expected to drop 15 percent this year.

Mr. MENENDEZ. Mr. President, I rise in strong opposition to the McConnell amendment. I listened to my distinguished colleagues Wymond and Markey and I enjoy working with him, but this is one subject on which we fundamentally disagree.

This isn’t about energy production; this is about clean air. This amendment is a blatant attack on the Clean Air Act. The President is short-sighted in saying that the solution to all our problems is to cut oil imports. His approach is long on making promises, short on taking action.

Primarily because of dirty, old, out-of-date coal plants, every county in New Jersey is a violator under the Clean Air Act—not by what we do but what other States do. One of those coal powerplants is the aging Portland Generating Station, located just across the Delaware River. This plant emitted 30,000 tons of sulfur dioxide in 2009. That is almost three times the amount of all seven of New Jersey’s coal plants combined. So we have cleaned up our act. Others need to do it for the collective air we breathe as Americans. Its pollutants waft across the Delaware River into numerous New Jersey counties, causing and exacerbating a whole host of respiratory illnesses, from asthma to heart disease. If not for the Clean Air Act, my State or any other State similarly situated would not have been able to petition the Federal Government to stop the pollution this Pennsylvania plant spews into New Jersey’s air.

Just last week, New Jerseyans received some good news. Under the authority given by the Federal Government a rule that would grant my State’s petition. If finalized in coming months, the rule would lead to an over 80 percent reduction in the Portland coal plant’s sickening sulfur dioxide emissions. If not for the Clean Air Act, my State would not have this victory within its grasp. It wouldn’t have the opportunity to protect its citizens. We simply cannot gut the one piece of Federal legislation that protects the air we breathe.

Imagine having to tell your children they cannot go outside to play because the wind is not blowing quite the right way, because the air they will breathe will damage their lungs. The McCloskeys from Delran, NJ, don’t have to imagine that scenario; they know it. Let me tell you about Erin McCloskey. On poor air quality days in the summer, their daughter Erin could not even make it to the family car, much less get into the car, without starting to wheeze. Family activity began to revolves around trips to the doctor, treatments, and stays at the hospital. It was a severe economic hardship on the family not just because of costs but also because the family can’t be without their daughter.

The McCloskeys are not alone. Four-year-old Christian Aquino, from Camden, NJ, suffers from severe asthma. He takes six different medications a day to control asthma attacks, but still his mother, Iris Valerio, lives with the constant fear that an attack is around the corner. On bad air days, they avoid going outside, and when on the highway in heavy traffic the windows are kept closed.

Fourteen-year-old Samaad Bethea, of Elizabeth, NJ, also suffers from severe asthma. He has been on daily steroid medication to control his asthma for 3 years. If he skips a day, his lungs start to falter and he can’t catch his breath. His mother Sharon realized that pollution in their old neighborhood was triggering attacks and had an opportunity to move the family. Since that move, Samaad’s asthma has improved. It is better, but he still requires daily steroid medication.

These children are part of a sobering national reality, a New Jersey reality. Their days revolve around inhalers, steroids, and constant anxiety over when air pollution will trigger another severe asthma attack.

According to the National Centers for Disease Control and Prevention, each year over 10,000 New Jerseyans and 18 million Americans are hospitalized due to attacks triggered by air quality problems. Thousands of sick days are taken each day in New Jersey by either asthmatics or parents of asthmatics, with huge consequences for the New Jersey economy. Asthma attacks triggered by air pollution cause scores of premature deaths in my State each year.

Erin McCloskey, Christian Aquino, and Samaad Bethea bring these statistics to life. While the causes of their asthma are many, air pollution is a common trigger. The Clean Air Act directly impacts their health, their quality of life, and even the ability of their parents to get or keep a job. For them and for thousands of children like them, weakening the Clean Air Act will mean more days sequestered in their homes and more emergency room visits.

The McConnell amendment—the one I call the dirty air amendment—is the first of many amendments we can expect to see that play aimed at preventing the Federal Government from regulating polluters under the Clean Air Act.
Caring about children's health means not allowing polluters to place profits ahead of people, ahead of the well-being of our children—and I mean all children, no matter their race, ethnicity, or class. Low-income and minority Americans continue to be disproportionately exposed to pollution that is harmful to their health. A recent analysis showed, for example, that two-thirds of U.S. Latinos—about 25.6 million Americans—live in areas that do not meet the air quality standards under the Clean Air Act. Perhaps that begins to explain why Hispanic Americans are three times more likely than Whites to die from asthma attacks, why Latino children are 60 percent more likely than Whites to have asthma.

Low-income and minority Americans will also be disproportionately affected by the impacts of climate change. Let's be clear. The scientific consensus is overwhelming. Climate change will increasingly create more frequent and more extreme storms, more violent and sustained heat waves, meaning more costly and dangerous floods and droughts. Hotter summer days will mean more ozone formation and more bad air at more and more times. In this new climate, our children and children's children. But changes in weather patterns and increasingly extreme weather events also result in indirect effects. The security of our food supply will be at risk due to more frequent and more severe heat stress. The security of our water supplies will be at risk due to droughts.

For all of these reasons, scientists agree that climate pollution endangers public health and welfare. That is well understood, and we can curtail these risks by regulating climate pollution. But, no, big polluters want to kick the can down the road. They want to pretend they aren't polluting. Big polluters want to pretend these risks aren't real. They want the McConnell-Inhofe amendment to pass so they can continue business as usual.

This is not about energy because if the New Jersey coal-fired plants ultimately reduced their emissions by 80 percent, it is a question of an investment. They are still producing energy. There are 9.3 million people in the State. They are producing energy, but the reality is that they are doing it in a cleaner way. That is what this issue is about.

We must not allow polluters to set our priorities. How many children in New Jersey or in other parts of the country face the reality of dirty air? How many children are we willing to have asthmatically ill in order to allow polluters to continue to spew toxins into the air we collectively breathe? Doing so risks not only our health and that of future generations, it risks the promise of a green economy built on clean energy, efficiency innovations, and reduced waste and pollution. I urge my colleagues to stop the effort to gut the Clean Air Act and to defeat this amendment. Let's make sure we bequeath to future generations the ability to have air that, ultimately, we can collectively breathe, that doesn't sicken our families and undermine our collective health.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. UDALL of Colorado). Without objection, it is so ordered.

Mr. BOOZMAN. Mr. President, I rise to express my strong support for the McConnell amendment. This amendment prevents EPA from continuing to reach beyond Congress's clear intent under the Clean Air Act.

Congress clearly authorized greenhouse gas regulation under the Clean Air Act. This amendment is an appropriate response to clarify the law that is being misinterpreted. The EPA should not be making policy decisions beyond the authority clearly granted to the Clean Air Act.

Let us remember, last year, Congress rejected the cap-and-trade agenda on a bipartisan basis. The EPA's agenda is a job-destroying agenda. It will raise the price of energy, food, and gasoline. The cost of this policy will be transferred to the people of Arkansas and all Americans every time they shop at the store.

The EPA's agenda will not lead to a cleaner environment. American manufacturing will be hurt, and our manufacturing capacity will be replaced by foreign competitors with weak environmental standards. This amendment will allow individual States to keep existing policies in place by permitting them to regulate emissions as they see fit.

This amendment also enables the EPA to focus on the important purposes of the Clean Air Act, which I strongly support. The Clean Air Act must be used to protect the public from harmful pollution. The Clean Air Act was not intended to address climate change concerns.

Finally, let me address a myth we keep hearing. Some have stated the Supreme Court ruling that we are seeing today is the law this heavy-handed, backdoor, cap-and-tax approach. This is wrong. The Supreme Court stated that the EPA can decide whether greenhouse gases endanger public health and welfare. Many Senators believe the Supreme Court's interpretation of the law is re-defined policy. Yet, the EPA made a political decision based on the Court's ruling to expand their jurisdiction far beyond what Congress intended. This amendment will correct that action.

Others have stated this amendment would permanently eliminate the EPA's authority to regulate greenhouse gases. This is also wrong. No policy is permanent unless it is part of our Constitution, and even the Constitution can be amended. We can enact this amendment and still have a debate in this body about needed policy changes in the future.

Finally, let me quickly address some of the alternatives to this amendment that are being suggested. Some of my colleagues have suggested delaying the EPA's actions by 2 years. Others have suggested that one sector of the economy or another should be exempted from the EPA's unnecessarily burden-some rules.

I would suggest these proposals do not provide the cover some Senators want. Bad policy is bad policy whether carried out this year or 2 years from now. Our job creators need certainty. Restraining the EPA for 2 years will not provide the certainty they need to invest and create more jobs. Exempting one sector of the economy is also not enough. There is no excuse for protecting just one sector while watching Americans in other sectors lose their jobs to foreign competitors.

At the moment, our priority must be job creation, protecting our industrial and manufacturing sectors, and keeping our economy healthy. We must not make sure the EPA avoids politically driven initiatives and becomes focused on its core mission: protecting air and water quality and preventing exposure to toxic contamination.

I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota is recognized.

Mr. FRANKEN. I thank the Chair.

(The remarks of Mr. FRANKEN pertaining to the submission of S. Res. 133 are located in today's Record under “Submission of Concurrent and Senate Resolutions.”)

The PRESIDING OFFICER. The Senator from Alabama is recognized.

Mr. SESSIONS. Mr. President, I wish to speak for a few minutes on behalf of the McConnell-Inhofe amendment. I thank them for their leadership in dealing with governmental regulation of carbon dioxide and other greenhouse gases, amendment No. 183. I want to share a few thoughts about a matter that is important to me. I served several years as ranking Republican on the Judiciary Committee. I am interested in our legal system and how it works. I have to say that the Supreme Court has decided in the situation we are in today is a classic example of how unelected officials—not just judges—can make laws and regulations in a manner that is dramatically contrary to the ideals of the American Founders, and in a manner that is contrary to the ideals on which this country was founded, ideals that require accountability, that require responsibility and that allow the American people to hold their officials responsible and accountable for what they do.

For this reason alone I believe the McConnell-Inhofe amendment should be agreed to, because we are talking about a situation in which unelected...
governmental employees are systematically going about regulating emission of CO_2_ in the country under a very attenuated theory. They were never given the explicit authority to do so.

They will, under the power they have asserted, have the ability to regulate your automobile, the heating unit in your home, hospitals, businesses, cities, and anything else that utilizes carbon fuels to produce energy. This is what it is all about.

How did it happen? What occurred here? Well over forty years ago, Congress passed the first Clean Air Act, and since then, Congress has amended the Act several times. Congress was focused on cleaning up the air and dealing with smog, particulates, nitrogen dioxide, sulfur dioxide—all of these pollutants were being emitted into our atmosphere and were affecting the health and well-being of Americans, particularly in cities, and Congress took action to contain that, and it has helped produce a cleaner environment. Pollution was far worse 40 years ago than it is today. Our atmosphere has far fewer dangerous pollutants in it and, in that regard, the Clean Air Act has been very successful.

But one thing that was created we have had a marvelous balance. Human beings and animals breathe in air. They take in oxygen out of that air and they breathe out carbon dioxide. Carbon dioxide is not a pollutant. We have never considered it to be a pollutant. Plants, as you know from your basic high school classes, take in carbon dioxide and emit oxygen as part of a life cycle process that is marvelous and wonderful beyond our ability to express.

Over the course of centuries and millennia, plants in the world took in carbon dioxide and, eventually, were buried in the earth. As a result, the carbon dioxide in those plants was trapped underground and developed into coal, oil, and other fuels. In recent years we have been taking those fuels out of the ground and burning it and, as a result, releasing the carbon dioxide.

When the Clean Air Act was passed, there was no discussion or thought about any potential danger of a warming planet. Congress did not have the slightest idea at that time that thousands of bureaucrats would be able to one day take the Clean Air Act that they control every home, every business, every city, every car, and every hospital in America.

What happened? The concern over global warming arose. Whatever people believe about that, the concern certainly is out there. Many people believe it is a serious threat. Others think it is not so serious. But at any rate, a lawsuit was filed. That is what we have so much of in this country. People file lawsuits, especially on environmental issues. They said: The planet, our one possible home, is being emitted more today, and this is a danger to us and we believe it is a pollutant now. So, they would call CO_2_, which naturally occurs in our atmosphere and is used by plants and vegetation, a pollutant because the planet is warming. What do you say, Supreme Court? The Court responded: Oh, that is a polluting gas, and EPA should be allowed to regulate it. By a 5-to-4 decision, the Supreme Court seems to say, but not with much clarity, that EPA should look at regulating CO_2_ because that is what they said the Clean Air Act meant to allow.

First of all, I don’t think the statute meant that. I agree with the four judges who dissented. I believe Congress never had any intent whatsoever to give EPA the ability to control the emission of CO_2_ all over America. I have no doubt of that. It is not in the statute in a way that clearly enable the Supreme Court to say that. I suspect it was a product of activism. Judges got excited about the claim several years ago regarding the danger of CO_2_ and global warming. Never mind that there seems to be actually less concern today about global warming. In any event, those judges wanted to see CO_2_ regulated and they interpreted the statute in a way that would allow for it. Now the Environmental Protection Agency is setting about to do so. It is a major intervention by the U.S. Government in every aspect of American life.

ERAs and the emission of carbon dioxide has the potential to drive up costs for individual Americans as they heat their homes and drive their cars and will place a real burden economically on the American economy. It will put us in a bad situation economically.

So the McConnell-Inhofe amendment says: Wait a minute. Congress did not approve that. We do not want to do that yet. We do not want EPA regulating CO_2_ all over the country unless we do. We, the elected representatives, decide it ought to be done. This important decision should not be made by five out of the nine members of the Supreme Court with lifetime appointments, totally unaccountable to the American people, or tens of thousands of governmental employees—public servants, bureaucrats—in the Environmental Protection Agency. They do not get to do it either.

It is our responsibility. If we are going to have regulatory burden on every American in this Nation, this Congress ought to decide when and how and under what circumstances it should be done. We have people in this Congress and in this government who act like Congress has no control over it. They think: The Supreme Court rules, and EPA issues its regulations.

Well, why do you not do something about it? They say: Oh, that just happens. We do not have any responsibility. It is not our responsibility. Do not blame me. You do not like it. Well, it was not my fault. I did not pass the Clean Air Act over 40 years ago. I was not on the Supreme Court. I am not an EPA bureaucrat.

But we are the United States Congress, and we are accountable to the American people. It is a question of constitutionalism. It is a question of separation of powers. This is a question of accountability. If we were to decide that the emission of CO_2_ is a significant danger to our environment and it ought to be regulated, let’s vote to say so.

At this point in time, we are not able financially and there is not enough scientific evidence or justification for going forward with the regulation of CO_2_. And I am constrained to believe massive regulation is not the appropriate thing to do today—but that is a decision Congress ought to make.

We ought to be held accountable for the decisions we make. That is the way our country was set up to conduct issues of importance. I have to tell you, this is a big issue that is before the American people. It is a monumental cost on the economy and the American people. That is why we did not pass the Clean Air Act over 40 years ago. I was not the one to call the roll. The assistant legislative clerk proceeded to call the roll.

Mr. ROCKEFELLER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.
The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 215

Mr. ROCKEFELLER. Mr. President, we are going to be voting this afternoon on a number of EPA amendments, one of which is mine, which calls for a short 2-year waiting period but does not shut down in any way the EPA, particularly on CAFE standards.

So I have two messages: One is that I hope but doubt—but nevertheless hope—people will vote for my amendment. Not December, I would have gotten every Republican vote, but when they broke away from the omnibus reconciliation agreement those votes all went out the window. I think they will all vote for the McConnell amendment, which I think is a mistake. So let me explain.

First of all, I am very opposed to the McConnell amendment. I think it is foolish. It overreaches. It is briefly satisfying and devastating on a long-term basis. I think all the right things, but it overreaches the ability—because it obliterates the EPA—to set CAFE standards. Too few people in this body understand that 31 percent of all carbon emissions come out of the rear end of trucks and cars and that the right and the power and the science to set CAFE standards is an incredibly—incredibly—important mission of the EPA.

Under the McConnell amendment, that, along with everything else EPA does, is out the window on a permanent basis. It is goodbye EPA forever. That strikes me as not a mature approach to legislation.

I understand the frustration. We have a gigantic energy problem. We have a gigantic energy problem. We need everything we can get. I was out West last week, and I have seen their results, and I went with Secretary Chu—they are taking 90 percent of the carbon out of coal. That is not bad. You can call that clean coal.

We have a gigantic energy problem. We need everything we can get. I was out West last week, and I have seen their results, and I went with Secretary Chu—they are taking 90 percent of the carbon out of coal. That is not bad. You can call that clean coal.

The most important point I can say about the McConnell amendment—I just pray this sinks in; it will not, but I pray that it will—there is not one chance in 10 trillion that the McConnell amendment will become law. It will not happen. He shuts the EPA down permanently. In all respects, however, it will never happen. I doubt it will pass the Senate. It will certainly not pass at any other level where it will pass the Senate. It will certainly not make a point. It makes people feel good because it does not solve the problem; it is not going anywhere, and natural gas will overtake coal, put them out of business. I have said this to the coal operators quite frequently. They do not believe me, but I think it is true.

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So why do they do that? They do that because it does not solve the problem; it makes a point. It makes people feel good because they are mad, but, in fact, it does great destruction to our future. It does not solve a problem, and I am here to solve problems.

What I think we need is a timeout just to stop the imposition of EPA regulations that do not allow for development of clean technologies—and that would hurt the economy at a very critical point in our still slowly moving recovery—but to do it in a way that keeps us all focused and working on a long-term energy policy.

Yes, we have had problems with the EPA in West Virginia, but the answer is not to do this to the agency forever. It is just incomprehensible to me that mature people could actually be for that, vote for that, espouse that, but they have.

As of last December, when we were doing the Omnibus appropriations bill, every Republican had agreed more or less to vote for my bill—just a 2-year timeout which should not affect CAFE standards. Then all of a sudden Republicans defected. The election had already been held. The House was about to go into Republican hands. Once they defected, then everything crashed down. All of the votes I would have gotten from the Republican Party are now gone. I doubt I will get any Republican votes out of the party and not many from my own party, which I regret but I understand.

I believe in clean coal. People say “coal.” I much like it better if they say “clean coal” because if it is just coal then we are just going to let it go, but they do it and they are strong. But what they produce could be cleaned up. The technology is there. That is what my amendment would do: give a 2-year timeout to let us work the technology, try to be convincing to Wall Street, and then we could on our way to have not only natural gas but every single alternative energy that you and I know about, possibly ethanol, but that is a different story—and we would be on our way.

In any event, it is a clear choice. Clean coal has to play a role in meeting our energy needs. It is abundant. It can be clean. The technology is there. More is on the way. So I hope people will vote for my amendment, and I hope very strongly they will vote against the McConnell amendment.

In the final analysis, I guess if they do not, and they vote for the McConnell amendment, they are going to lose anyway because it is never going to get anywhere. It is a guaranteed loser in the legislative process. I think mine could be helpful.

I thank the Presiding Officer and yield the floor.

The PRESIDING OFFICER. The Senator from South Dakota.

AMENDMENT NO. 183

Mr. THUNE. Mr. President, in a couple of hours from now the Senate will vote on the Inhofe-McConnell amendment which would prevent the EPA from moving forward with dangerous— I said “dangerous,” but certainly harmful to business and certainly costly—greenhouse gas regulations. I would hope my colleagues in the Senate will support that amendment for a number of reasons because it bears heavily on one of the great debates we are having in the country today. I think the American people must find it confounding—I certainly do when you get all these mixed signals coming from the elected leaders in Washington, DC. The American people must be incrementally confused because the President has said—rhetorically, at least, he has talked about the need to reduce our dependence, our dangerous dependence, upon foreign energy. He talked recently about getting the number of barrels of oil we are importing down by one-third at the end of this decade. The fact is, we do spend $1 billion every single day on foreign oil. There is $1...
The problem is, everything this administration is doing is contrary to that goal. If we look at policies that are emanating from Washington, DC, right now, today, they completely contradict this idea that we ought to be moving toward energy independence and getting away from this dangerous dependence we have on foreign sources of energy. It will make a couple of points.

We have, of course, in the Gulf of Mexico the so-called permitorium. We have not been issuing permits to explore, to continue the work that is being done down there in terms of energy exploration. The Outer Continental Shelf has been put off limits by this administration, and many Federal lands where there are abundant energy resources have also been placed off limits. In those some areas that had been developed or where there were going to be permits issued for exploration in some of the States in the West where we know we have abundant energy resources that have now been repealed or pulled back by the administration—77 in the State of Utah, 1 in the State of Montana. We have enormous resources right here in our own country we could be developing that would get us away from sending this $1 billion a day, every single day, to countries around the world because of our addiction to energy.

The other thing tried in the Congress last year was a cap-and-trade bill. It passed the House of Representatives. It passed narrowly. It was never voted upon in the Senate because there wasn’t political support for it. That legislation would have also dramatically increased the cost of energy in this country, making it more expensive for our small businesses to run their operations, and imposed dramatically higher electricity and fuel costs on American consumers. That was given. I think everybody conceded that was the case. But because there wasn’t political support for it on Capitol Hill, it ended up not becoming law.

What we have now coming out of the EPA is essentially a cap-and-trade bill through the back door. The EPA has decided they will do by regulation what they could not get done—the administration got done through the political process in Congress.

The point I wish to make about that is the cap-and-trade bill, which was widely debated and discussed at the time, would have driven up energy costs for people in this country. This proposal by the EPA would have the exact same impact and effect. In fact, if one is concerned about economic growth and job creation, which we all should be—Lord knows, when we have almost 20 percent unemployment and lots of people out of this country looking for work, that ought to be our No. 1 priority—the fact that we would be putting policies in place that would be counter to creating jobs and getting capital deployed out there in our economy probably defies explanation, at least for most Americans.

In fact, the American Council for Capital Formation projects that the uncertainty created by the EPA’s climate change regulations would increase the risk premium of capital by 30 to 40 percent.

The additional uncertainty is projected to reduce U.S. capital investment by as much as $400 billion per year.

So I would argue that if we are serious about creating jobs, if we are serious about growing the economy, why would we want to sideline hundreds of billions of dollars of capital every single year because of these onerous and costly regulations?

This is a major reason why there is $2 trillion today sitting on the sidelines. It is talked about a lot, but nobody seems to be concerned about changing the situation. Some astonishingly from those who are able to invest and have capital to put to work is, they don’t like the economic uncertainty coming out of Washington. In most cases, if not in every case, it is focused on these regulations, on regulatory agencies, particularly the EPA, that continue to come up with new proposals to drive up the cost of doing business in this country.

There was a Charles River Associates study which projected the EPA’s cap-and-trade bill would increase wholesale electricity costs by 35 to 45 percent and reduce average worker compensation by $700 per year.

What is unfortunate about this whole situation is that the regulations will drive up energy and gasoline prices the most for middle- and low-income families. That is where the impact is going to be most felt.

Roger Bezdek, who is the former Director of the Bureau of Economic Analysis at the U.S. Department of Commerce, concluded recently that EPA’s regulations:

1. will impact low income groups, the elderly, and minorities disproportionally, both because they have lower incomes to begin with, but also because they have to spend proportionately more of their income on energy, and rising energy costs inflict great harm on these groups.

I would go on to point out that perhaps the greatest burden of increased energy costs resulting from these new greenhouse gas regulations will fall upon the elderly Social Security recipients who represent 20 percent of all households in this country and who depend primarily on fixed incomes. They have limited opportunity to increase their earnings from employment. They get hit the hardest. What these regulations are going to do is target and hit the people who can least afford to deal with them.

So we have an opportunity to do something about that. I think what we are seeing with the EPA and many of these government agencies is an example of overreach, which is a function, in my view, of bureaucracies that have gotten too big. We all talk about government. There is going to be, I think—I hope, at least—a great debate over the next couple years as we address this issue of spending and debt, about just how much government intervention we ought to have, and I think most Americans have concluded that government has gotten too big and it has grown too fast. Perhaps the greatest example is through the back door. The EPA has this tremendous propensity to want to regulate everything they can out there, to the detriment of many of our small businesses and those who are trying to create jobs.

As an example of how much our government has grown, the historical average for this country and what we spend on the Federal Government as a percentage of our total economy, as a percentage of our GDP, is about 20.6 percent. This year, it is over 25 percent.

The simple thing we must do is to do the things that are being done to expand government, to do the things that are being done to create economic growth in this country as opposed to the things that are being done to expand government.

We have a number of things it does not do. It does not prohibit States from creating greenhouse gas regulations and addressing climate change. The amendment expressly allows States to keep existing policies in place and allows States to regulate greenhouse gas emissions as they see fit. The bill also makes clear that any changes States have adopted in their State implementation programs and title V operating permit programs pertaining to greenhouse gases are not federally enforceable.

The McConnell amendment does not overturn the agreement between the White House, California, the automakers, the EPA, and the Department of Transportation on greenhouse gas emissions from cars. A lot has been made out of that issue. That is something the McConnell amendment does not do. In fact, the amendment expressly preserves the auto agreement and the most recently enacted fuel efficiency standards.

In 2017 and beyond, the amendment establishes that any future national auto regulations concerning greenhouse gases will be decided by Congress, which, frankly, is where it should be.
decided, which is why this overreach is such an example of big government gone bad.

The McConnell amendment does not overturn clean air and public health protections under the Clean Air Act. The amendment maintains all of the Clean Air Act’s provisions to protect the public from harmful pollution. Thousands of Clean Air Act regulations would remain untouched by this amendment. Certainly, this amendment does not, as has been suggested, gut the Clean Air Act. In fact, it is the contrary.

The amendment does, however, clarify that Congress never gave the EPA the authority under the Clean Air Act to regulate greenhouse gases for climate change purposes. That responsibility, as I said before, lies and should lie with the Congress.

Finally, the McConnell amendment does not stop the U.S. Government from taking any action to address climate change. The amendment puts Congress in charge of U.S. climate and energy policy. Also, the bill expressly preserves Federal research development and demonstration programs addressing climate change.

So I would argue the Congress want to enact climate change regulations, I would encourage them to bring a climate change bill to the floor. This is where it should be debated, by the people’s representatives, not decided by bureaucrats in the Executive Branch, which is what the EPA regulations would, in effect, do.

There are a number of amendments that have been offered by our Democratic colleagues which I would describe as political cover amendments. They are hearing the same thing we are from their small businesses, from agricultural groups, and from consumers across this country about what these regulations would do and how they would adversely impact the economy and our families. Indeed, my colleague from South Dakota has listed a little shop of horrors—that the status quo creates economic uncertainty, that they would adversely impact the economy and our families.

I wish to point out that all these other amendments being offered by our Democratic colleagues as alternatives to the Inhofe-McConnell amendment don’t get the job done. We talked a little bit and we heard a little bit earlier today about the Rockefeller amendment, which has the 2-year delay in it. But, again, there is a very limited scope to that amendment. The temporary nature of the amendment is going to provide very little relief for businesses and consumers across this country. If it is enacted, permits for new projects and the jobs associated with those projects could again be stalled until after the 2-year period. There is no assurance that any of these permits would be issued during this 2-year period when this amendment would be in effect.

The Rockefeller amendment would not stop or delay other EPA methods for increasing energy prices, such as the national ambient air quality standard for CO₂. The Rockefeller amendment does not prevent climate change nuisance suits sponsored by environmental activist groups hostile to energy development.

I can say one thing essentially about some of the other proposals out there. The Stabenow amendment also has a 2-year delay, but it allows EPA to continue moving forward with rulemaking. It just wouldn’t allow them to finalize those rules until the conclusion of the 2-year period. If the amendment is enacted, permits for new projects and the jobs associated with those projects could again be stalled until the end of that 2-year period.

There are a number of flaws in all these amendments, none of which are designed to do the job. If we are serious about doing something to address what the consumer groups, the farm organizations, and the business organizations are asking us to do; that is, to prevent EPA from moving forward with something they don’t have the statutory authority to do and should be reserved for the Congress, but they are going to move forward with it anyway—if we are serious about addressing the issue that is to support the Inhofe-McConnell amendment. It is that simple. It is that straightforward. All these political cover amendments that are being offered by our Democratic colleagues are simply to shape amend- ments and they don’t get at the heart of the issue.

I would again go back to where I started; that is, to say we ought to, in this country, be seriously debating policies that will move us away from the dangerous dependence we have on foreign energy. As I said earlier, every policy coming out of Washington, in my view, is designed to make it more difficult to develop the very energy sources that will create a domestic energy supply in this country that would release us from this grip that foreign countries have on us with regard to energy.

I hope the Inhofe-McConnell amendment will pass today and will have bipartisan support. It has already been talked about that perhaps none of these will reach the 60-vote threshold. What I would say to my colleagues is, again, if we are serious about trying to solve this issue, if we are serious about trying to make sure electricity and fuel costs don’t go up dramatically for our constituents, then this is the amendment we need to be for. The other amendments don’t get at the issue. They are political cover amendments.

I think it is pretty straightforward when we look at the number of groups that have come out opposed to these amendments and in favor of the Inhofe-McConnell amendment. I will just mention briefly, again, the American Farm Bureau and the Chamber of Commerce and other small business organizations that have come out in support of the Inhofe-McConnell amendment and opposed to the amendments offered by our colleagues.

I wish to read a quote from one of those letters:

Congress, not the EPA, should be guiding American energy policy. Unfortunately, by lawmakers, EPA’s regulations will make it difficult to attract new manufacturing capacity and jobs in the United States, let alone double U.S. exports in 5 years, which is what our goal has been, as President Obama has pledged.

This letter is signed by a number of organizations, including the National Association of Manufacturers, the National Association of Independent Business, the U.S. Chamber of Commerce. As I said before, I have other letters from major business organizations, including the American Farm Bureau, in support of the Inhofe-McConnell amendment and opposed to the other political cover amendments that are being offered by our Democratic colleagues. Let’s get this done right. Let’s send a message to the EPA and to the administration that this is the job for the Congress to deal with.

That is something the people’s representatives are elected to do. It is the job of the people to do the thinking, for the bureaucrats and Federal agencies that clearly have an agenda but an agenda that is completely contrary to capital formation, to competitiveness, to job creation, and to economic growth.

That is what the Senate should be focusing on, and that is why a vote in support of the Inhofe-McConnell amendment is so important.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon is recognized.
Gas prices are about $3.50 a gallon right now. So the McConnell-Inhofe amendment represents a $68 billion expenditure on additional oil. It means importing $68 billion more of oil. It means exporting $68 billion in additional American dollars overseas to some of the most profitable corporations in the history of human civilization. Gasoline prices are set by the law of supply and demand. If you increase demand for oil, you also drive up the price. So, if anything, the McConnell-Inhofe amendment doesn't decrease the cost of gasoline; it increases the cost of gasoline.

Politifact.com took on this issue because Members of Congress backing this amendment were arguing that it keeps hundred of thousands of Americans working. Politifact.com—that independent evaluator of claims made on the floor of the Senate, House, and other places—ranks that claim as false.

I can tell you that it is in our interest and in our dependence on oil, not to increase it. We need to decrease that dependence because it is important for our national security. We need to decrease that dependence because millions of dollars that are sent overseas are increasing the pocketbooks of those who don’t share our national interests. We need to decrease our dependence on foreign oil because when those dollars leave our economy, they leave our family’s finances. They don’t end up in the retail stores or circulate here in America. Indeed, our purchase of foreign oil accounts for about 50 percent of our foreign trade shortfall.

At a time when both parties should be working together to put America’s interests first in energy, the McConnell-Inhofe amendment increases our addiction to oil—foreign oil—and creates a supply impulse that raises the price of oil. Isn’t that context completely misguided?

Perhaps the real issue is public health. This McConnell attack on the Clean Air Act asks Congress to vote in lockstep against the scientific judgment of EPA’s scientists and to tell the agency charged with protecting the public health and the health of our children to ignore dangerous carbon pollution.

In 2010 alone, the Clean Air Act prevented 1.7 million asthma attacks, 130,000 heart attacks, and 86,000 emergency room visits because clean air isn’t just pleasant. It is in fact, healthy. It is great for the American quality of life to be healthy. You know, that is amazing progress that has been made over the last 20 years under the bipartisan Clean Air Act of 1990.

Insufficient action would yield to those short-term impulses that have come up on all sorts of aspects of the Clean Air Act. Each time the agency has moved to say that this is a concern, there are those who say: No, no, in the short-term, that might cost me to adjust and we might have to do things slightly differently. Ten years later, everybody says: You know, it is good that we thought about mercury in the air, we had a little bit of mercury on lead in the air, and so on and so forth. Taking a longer term view, we need to stay together and resist these short-term impulses to take and dismantle the Clean Air Act.

The American Lung Association has specifically said the McConnell amendment is “a reckless and irresponsible attempt to once again put special interests ahead of public health. The American Lung Association, the American Public Health Association, and the Asthma and Allergy Foundation of America have urged that we resist the temptation to dismantle the Clean Air Act, which the McConnell-Inhofe amendment does. There is a very simple reason for this: these amendments would have EPA put aside the practice of using science to set commonsense standards to protect public health. Instead, these amendments would have the science world put their heads in the sand about these problems.

Indeed, I am not just concerned about the McConnell amendment; I am concerned about all of the amendments we are considering today that are designed to deflect, delay, and dismantle the protection of clean air. The Baucus amendment would take away EPA’s ability to use the best science to continue to modify and tailor the standards they are setting for carbon pollution and their ability to make sure major polluters are all covered. The Stabenow and Rockefeller amendments would put a 2-year delay on pollution standards. It is tempting to think that a 2-year delay might be an acceptable middle ground, but a 2-year delay in protecting public health is 2 years too long.

Let me be very clear about this debate. The McConnell amendment and other associated amendments we will consider are wrong because we should not increase our reliance for energy on energy tax—the McConnell-Inhofe amendment represents a $68 billion expenditure on additional oil. It means importing $68 billion more of oil. It means exporting $68 billion in additional American dollars overseas for energy. We should not tolerate more pollution in our air and water. We should not decrease our ability to build on America’s foundation of ingenuity and its inventiveness and respond to air pollution challenges and make those environmental decisions in clear partnership with a stronger economy.

I think that all of our constituents across this country, as they think, as parents, about the future of their children, know clean air is the right course. But our children probably understand better than we do another key aspect of this, because this conversation today is largely about carbon pollution.

We need to wrestle with the fact that carbon pollution has a very substantial impact on the temperature across this planet. Before the Industrial Revolution, we had a carbon dioxide level of about 270 parts per million. The basic scientific consensus is that the level of carbon dioxide in the atmosphere needs to be kept somewhere under 350 parts per million. I would be pleased to report to you today that before we get to that point of 350, we are going to be able to make the adjustments necessary so that we don’t end up in a situation where we are facing some adverse consequences for our planet.

Indeed, we crossed that 350 boundary long ago. We are at 390 now, headed for 400. Ten to 15 years ago, it was going up one part per million per year; now it is going up two parts per million. So the curve is getting steeper, the pace is getting steeper. We are seeing this reverberating from coral reefs, to Arctic tundra; we are seeing it in ice sheets, in glaciers; and we are seeing it in insect populations that are thriving and decimating the forests of the Northwest, where I come from, that weren’t there a few years ago. We are seeing it in all kinds of patterns across this planet.

When I visit university campuses, as students talk about the issues nearest to their hearts, the top issue is that we must address this threat to our planet. This conversation goes to the heart of it. My generation isn’t as up to speed as our college students are about this, but I have not waited for them to graduate, pursue their careers, run for office, and arrive here on the floor of the Senate. So it is our responsibility as Americans who are concerned about our dependence on energy, as Americans who are concerned about keeping our dollars in our economy and creating jobs, and as Americans who are concerned about the sustainability of our practices, to say no to McConnell-Inhofe and no to the other amendments being brought forward or destroyed or dismantled the Clean Air Act.

The PRESIDING OFFICER. The Senator from Oklahoma is recognized.

Mr. COBURN. Mr. President, we are going to have a series of stacked votes at 4 o’clock. I want to spend a few minutes on three or four amendments and clarify some of the things I have heard rumbling.

One is that we have an amendment that is in fact, tax unemployment insurance for millionaires. Mr. President, 2,840 households who reported an income of greater than $1 million or more on tax returns were paid $18.6 million in unemployment insurance benefits in 2006. That number has decreased since then. We don’t have the final numbers yet. This included over 800 earning over $2 million and 17 with excess income of $10 million collecting unemployment benefits. We have an amendment that will prohibit that.

There has been some concern to say that the costs associated with that, the way it was scored by CBO, would neutralize it; the savings versus the cost

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to eliminate that would be even. Even if that is true—and we have done a calculation, and we think it costs about $900,000 a year to have people applying for unemployment sign a statement that their income is not above $1 million. But even if it costs the same as whatever we are doing, we should be giving unemployment benefits to people who are earning $1 million a year. It is foolish, and it exacerbates the tendency of enriching those who are already there versus what unemployment insurance is for those who are truly dependent on it can survive. I wanted to clarify that point.

Regarding the second amendment, in March the GAO, in response to an amendment I put on the last debt limit, issued a report listing what they think are billions of dollars in savings in terms of duplication. I would be remiss to not say that our President embraced that. In his State of the Union speech, one of the goals of his administration is to eliminate duplication and consolidate.

So we have two amendments that are going to be on the Senate floor. One is mine and one is the amendment of the chairman of the Appropriations Committee. Senator Inouye. They are both designed to save us $5 billion, but there are two big differences between those amendments.

My amendment tells OMB to have the study, find the $5 billion, report to us what they can do themselves and what they need us to do to help them. Senator Inouye’s amendment waits 6 months from the time we pass the bill—5 months for the study to come back, and then for us to do it, which means we won’t have any savings at all until we are well into fiscal year 2013. Every year we waste $5 billion on something we shouldn’t do is a year we are borrowing $2 billion of it just to pay the bill.

So I understand it is a cover vote, but what it means is we will never get the $5 billion in savings, whereas my amendment will get us $5 billion worth of savings this year. The way we get rid of a $1.6 trillion deficit is $1 billion or $2 billion or $5 billion at a time.

Everybody recognizes the duplication. What we are asking the administration to do is take the very low-hanging fruit they can recognize right now, do the rescission, recommend to us, and then we act on it, rather than waiting 6 years to get that done.

So it is very straightforward. We know there is significant duplication in the Federal Government. Let me just give some of the findings of the GAO report. Remember, this isn’t Tom Coburn’s report; this is a GAO report. And they only looked at one-third of the Federal Government—the first third. They have two more reports to come to us, with the second and third, and then yearly. We will get this report yearly. This is one of the areas of duplication in the Federal Government.

We have 47 job-training programs across 9 different agencies that we spend $18 billion on, and not one of them has a metric on it to see if it is effective. We are doing a study now in the Permanent Subcommittee on Investigations on what were the reports of the people who have been through this as to where it is helpful and where it isn’t. We are actually doing duplication, where we pass these job-training programs, we didn’t ask for metrics to see if they were effective. So this is an area where we can consolidate one or two. Only three of those have charges for training that are really separate from the others. The rest of them overlap one another.

There are five departments, eight agencies, and over two dozen Presidential nominees overseeing biotechnology. We know we can consolidate that. We will actually be much better when we do in terms of our efficiency and communication between agencies. That is $6.48 billion a year.

We have 20 agencies, 56 programs dedicated to food literacy, and we don’t even know what they cost. The GAO couldn’t determine what they cost. So 56 different programs on financial literacy, and we are teaching people? We have a $1.6 trillion deficit, and we are spending like $2 billion on financial literacy? If we should teach them that, which is not a bad goal, why do we need 56 programs to do that?

We have 80 economic development programs across 4 different agencies. We are spending $6 billion. Just consolidating administrative costs across those agencies could save $100 million, $200 million, $300 million.

We have 15 agencies for more than 30 food-related laws. Even the President mentioned salmon. If they are in salt-water, they have one agency; if they are in fresh water, they have another agency. That is foolish. Why duplicate the work of one agency with another?

We have 18 nutrition programs—they are very important to our kids and those who are dependent on them—at $92.5 billion. Do we need 18 programs to do that? Could we do it with 10, 8, 2, 3? The questions haven’t been asked, but let’s ask the OMB to look at the low-hanging fruit and to take the $5 billion out and work with Congress to get it done in the next appropriations cycle.

There are 20 homeless programs across 7 agencies at $2.9 billion; 82 teacher quality programs, 16 agencies at $4.6 billion. We have 52 teacher training programs? It just shows the magnitude of the problem that we have in terms of getting our budget under control, not managing effectively, and not doing the oversight we should.

We have 52 programs for entrepreneurial efforts. I don’t have any problem with that, but why do we need 52? We have 35 programs to oversee infrastructure. Overseeing infrastructure is important, but why do we need that program? The GAO found 28 programs to oversee new markets—28 different programs funded by the Federal Government across 6 different agencies to oversee new markets. We could consolidate a lot of that.

So the President has said he wants to do this. We ought to give him the tools that will help him do it more quickly because every day we wait it costs us more money.

This year will have a vote ultimately on the ethanol blenders’ credit. I have been remiss not to give the No. 1 leader on that—who has a bill of her own—Senator Feinstein, credit because she has led on this for a long time. Her bill is slightly different than the one we are going to offer. She has led on that issue. She understands the importance of the environmental impact of burning ethanol, when we are actually burning more fuel and putting out more CO2 than we would with pure gasoline because of the inefficiency of ethanol.

So I wanted to recognize her, and when we come to the vote on the blenders’ credit I will ask her to speak on that, if she would.

Finally, I would say in regards to this issue, for people who don’t understand, we are going to spend $5 billion this year paying the major oil companies 45 cents a gallon to blend ethanol into gasoline. There is a Federal law that requires a mandate. It is called the renewable fuels mandate. Last year it was 12.5 billion gallons; this year it is 13.2. It is over 22 billion gallons 5 years from now that have to be blended.

We have a letter from the people who receive this tax credit—who are going to receive this $5 billion—who say they do not want the $5 billion; they do not need the $5 billion. Yet we are going to have some resistance around here of not stopping a payment to those who receive it, and who don’t want it, for something that is already mandated by law. They have put it in a letter saying they do not want it. It is already in the record.

Now, why would we continue to spend $5 billion of our kids’ money on something they do not like—isn’t going to change the outcome, and that we will have to borrow 40 percent of to make the payment? It is beyond me that we would do that, and so it is my hope we will be successful in overturning that.

With that, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. UDALL of Colorado. Before the Senator from Oklahoma leaves the floor, I wanted to join him in support of the commonsense amendment he just outlined. The Coburn-Udall amendment would fix what I think most Americans, if not every single
American, would be shocked to discover; that is, millionaires and billionaires have been drawing unemployment benefits.

Now, unemployment insurance is a critical temporary safety net for Americans. It is necessary to get by when they fall on tough times, but providing unemployment insurance for millionaires, much less billionaires, who do not need it for their basic necessities is fiscally irresponsible, to put it mildly. Frankly, it doesn't make much sense. I think Mr. COBURN is on the right track when he said it is foolish. We all recall that for months last year we struggled to find ways to put unemployment benefits in the hands of Americans who were really struggling in the face of this tough economic downturn. It was controversial and we worked hard on that in the Senate. It was drawn out because unemployment benefits are expensive, but I supported extending those benefits for out-of-work Americans because they help. We found a way, ultimately, to pay for them. But little did we know, in taking care of these good Americans, it was made even harder because literally—and this number astonishes me—thousands of millionaires and billionaires were abusing the system to draw extra payments for themselves. So it increased the price tag for all the rest.

In the end, we are talking about values. We are talking about hard work and just rules. That is how most Americans operate. But there are a few folks always looking to game the system, and I can't believe that some of the most well-off among us have been asking for a government paycheck while out-of-work Americans, day in and day out, look for jobs. They want to provide for themselves, and they want to do it in an honest way. They don't want to draw those unemployment benefits. That is a decision and action of last resort.

We have had 13 straight months of private sector growth. We have added almost 2 million jobs. But our economy is still fragile, and too many Coloradans and too many Americans are looking for work. Families in my State, and I know in the neighboring State of Oklahoma, are working to balance their budgets and find a way to set aside money for college, taking care of their kids. Asking them to pay for unemployment insurance for millionaires is unbelievable.

So I am truly honored to work with my colleague from Oklahoma. This would save $100 million. As the Senator said, every day we wait, we waste money. Every day we don't take an opportunity to save money, we are doing a disservice to the taxpayers.

So I ask my colleagues to support this amendment. It is a smart change, and it avoids tarnishing an otherwise worthy and critical way to temporarily assist Americans who have fallen on tough times.

Mr. COBURN. Mr. President, will the Senator yield?
If you want to know the real value of clean air to American families, talk to parents who live in fear of their child’s next asthma attack. It is a fear my family knows very well. I have a grandson who is a terrific athlete, who is very energetic. He suffers from asthma. He is an asthma patient. Every time he goes to play soccer, my daughter—his mother—will check first to see where the nearest emergency room is. She knows very well that if he starts wheezing, she has to get him to a clinic in a hurry. The threat of asthma is to control pollution, we say, no, the threat is to family health and to our well-being. That is what we are about in families with young people across this country and across the world.

It does not matter what the cost is. There is not a family in the world that would not dispose of all of their assets to protect and continue the life of a child. What is at stake is not the profits of polluters ahead of the health of our children.

To see what the United States would look like without the Clean Air Act, we only need to look at China. On a visit there, I was scolded by the minister of environmental protection of the United States of America. I was using too much of the world’s oil, creating difficulties in the air. When I was in the minister’s office, I invited him to join me at the window 23 stories up in the air. We looked outside and we could not see how thick the polluted air was. The air in China is so polluted that many people wear masks when they walk outside. We do not want to be doing that in America.

This poison must not be the future. I do not want it for my grandchildren, and I do not want it for anybody else’s children or grandchildren.

In our Senate, in our Congress, our goal must be to take care of our obligations to protect our families. And the strongest obligation anyone has, anybody we know who has children does not want to endanger their health. I ask all of my colleagues: Stand up. Vote down these dangerous efforts to destroy the Clean Air Act. It belongs as part of our environment. It protects our children, it protects the environment, and we must not let this opportunity be misunderstood and say: We have to vote no to give polluters a preference before our children.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

AMENDMENT NO. 18

Ms. CANTWELL. Mr. President, I rise today to speak against the radical McConnell-Inhofe amendment and in opposition to the efforts to overturn the Supreme Court. We should not be gutting the Clean Air Act and public health care costs associated with a heart attack or stroke. People live longer, more comfortably, and have more productive lives. Simply put, weakening the Clean Air Act puts the profits of polluters ahead of the health of our children.

The American Lung Association and five other health groups sent a letter opposing all of these amendments. They say:

The Clean Air Act protects public health and reduces health care costs for all by preventing thousands of adverse health outcomes, including: cancer, asthma attacks, heart attacks, strokes, emergency room visits, hospitalizations, and premature deaths.

I am aware of the threat asthma can be. I had a sister who was a victim of asthma. If our families traveled together, she would have a little respirator that could be plugged into the cigarette lighter hole and enable her to breathe more comfortably. One day she was at a school board meeting in Rye, NY, where she was a member of the school board. She felt an attack coming on, her instinct was to try to run to her car so she could plug in the machine to the lighter hole. She collapsed in the parking lot, and she died 3 days later. We saw it upfront and personal. It was a terrible family tragedy. She had four children at the time.

When I hear talk about how threatening it is to control pollution, we say, no, the threat is to family health and to our well-being. That is what we are

vote down these dangerous efforts to destroy the Clean Air Act.

This poison must not be the future. I do not want it for my grandchildren, and I do not want it for anybody else’s children or grandchildren.

In our Senate, in our Congress, our goal must be to take care of our obligations to protect our families. And the strongest obligation anyone has, anybody we know who has children does not want to endanger their health. I ask all of my colleagues: Stand up. Vote down these dangerous efforts to destroy the Clean Air Act. It belongs as part of our environment. It protects our children, it protects the environment, and we must not let this opportunity be misunderstood and say: We have to vote no to give polluters a preference before our children.

I yield the floor and suggest the absence of a quorum.
I ask unanimous consent to have the letter printed in the RECORD.

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


Hon. MARIA CANTWELL,
Chairman, Subcommittee on Energy, Committee on Energy and Natural Resources, U.S. Senate, Washington.

DEAR CHAIRMAN CANTWELL: This is in response to your letter of March 15, 2011, which seeks a better understanding of some of the long run impacts of the Energy Independence and Security Act of 2007 (EISA).

As noted in your letter, the long-term energy outlook which the Energy Information Administration (EIA) released just before EISA was signed into law (Annual Energy Outlook 2008 Early Release) projected a significant increase in U.S. dependence on imported petroleum through 2030. This finding is reversed in EIA’s latest Annual Energy Outlook (AEO2011 Early Release), which projects a decline in U.S. dependence on imported petroleum. The outlook for the future is uncertain.

The policies enacted in EISA are responsible for much of the change in projected U.S. oil use. In particular, EISA mandated significant strengthening of both the corporate average fuel economy (CAFE) standards for cars and light trucks and the Renewable Fuel Standard (RFS) that was first enacted in the Energy Policy Act of 2005. However, other changes that have occurred since the AEO2008 was issued including for oil prices and economic growth, have also influenced the more recent projections presented in the AEO2011 Early Release.

Following enactment of EISA, EIA conducted sensitivity analyses starting from the AEO2008 Reference case to estimate the effect of its key provisions. From these calculations, it is clear that EISA alone is responsible for a major reduction in projected oil consumption, which it turn reduces oil imports.

The fuel economy standards in EISA were estimated to reduce light-duty vehicle gasoline-equivalent fuel consumption by 17 billion barrels over 20 years. By 2030, the fuel economy standards provisions in EISA were estimated to reduce light-duty vehicle gasoline-equivalent fuel consumption by 17 billion barrels over 20 years.

The AEO2011 Early Release, which reflects current laws and regulations, does not include a further increase in fuel economy standards for model years 2017 through 2025 that is now under consideration in the regulatory process. The forthcoming release of the full AEO2011 will include alternative scenarios of increased light-duty vehicle fuel efficiency to illustrate how further actions by policymakers in this area could affect projected U.S. oil use and imports over the next 25 years.

Finally, while there are a variety of ways to place the major change in projected net petroleum imports resulting from just one perspective, comparisons to the level of U.S. proven crude oil reserves can be clarified by explicitly recognizing that reserves are only a subset of available domestic resources. As discussed in my recent testimony before the House Committee on Natural Resources, additions to crude oil reserves replaced over 90 percent of cumulative U.S. crude oil production from 2000 through 2009. For this reason, total U.S. crude oil reserves decreased during that decade, decreasing from 22.0 billion barrels at the start of 2000 to 20.7 billion barrels at the start of 2010.

I hope that this information is responsive to your inquiry. Please do not hesitate to contact me if you have any further questions or concerns.

Sincerely,

RICHARD G. NEWELL,
Administrator, Energy Information Administration.

Ms. CANTWELL. In 2007, the Energy Information Administration was predicting that our foreign dependency was going to continue to increase in the coming decades. I should note that after the 2005 Energy bill, I heard some of my colleagues on the other side say that the Energy bill was a great little predictor and that it was going to help us reduce our dependence on foreign oil. But the truth is, the subsequent EIA analysis made after we passed the 2007 Energy bill says just two policies in that AEO2008—CAFE standards and the renewable fuel standards—are responsible for a downward revision of projected U.S. dependence on foreign oil.

So the things that have made us less dependent on foreign oil are the very things people are trying to gut from important legislation that is already on the books. It is not the case that additional drilling, drilling, drilling and saying to the EPA: “Ignore the Supreme Court on the Clean Air Act,” is going to help us. Reducing demand is going to reduce prices at the pump. Look at the example of the U.K., which produces almost all of its own oil from the North Sea. They still gothammered in 2008; oil prices peaked at $147 a barrel because there is a world market price for oil. So to refute the notion that we should skirt our environmental responsibilities and drill, drill, drill to protect ourselves from high oil prices, we need to look no further than the U.K. example.

I don’t understand why the minority leader wants us to increase our Nation’s reliance on foreign oil. I think we should be getting off foreign oil and not allowing polluters to addict another generation to that product. I think we should be getting off foreign oil, rather than have future U.S. generations compete with the Chinese for the world’s oil. But the truth is, the subsequent EIA analysis that is now under consideration in the regulatory process. The forthcoming release of the full AEO2011 will include alternative scenarios of increased light-duty vehicle fuel efficiency to illustrate how further actions by policymakers in this area could affect projected U.S. oil use and imports over the next 25 years.
April 6, 2011

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Some of the other amendments offered on this subject are well intentioned, but they do fall short of actually making a difference. The amendment before us repeals EPA’s effort. It is very simple and very clear. Small businesses are struggling to survive, struggling to keep workers, and trying to make it in very small margins in this economic time.

Families are facing higher energy costs. We are all suffering. I have a pickup truck which I love to drive. I filled it up last weekend, and it was about $60. That is a pickup truck. That is a basic form of transportation for many Americans. Farmers depend on affordable energy prices. They must put gasoline in their trucks, diesel in their harvesters, use energy-intensive fertilizer.

Higher costs for farmers means higher costs for food. You are talking about now an inflation we cannot afford in this kind of economic environment. During all of this, the EPA now wants to impose a new gas tax on America in the form of greenhouse gas regulation.

Last Congress I issued a report that documented how the Kerry-Lieberman climate legislation would impose a $3.6 trillion gasoline tax, and $330 billion in new fuel taxes. According to the EPA and the senior Obama administration officials, regulations would be even worse than legislation. That was one of the main arguments they used in support of climate legislation, that the regulations would be even worse than cap-and-trade legislation.

But that is exactly what we are getting with the EPA now trying to regulate what we could not pass in the legislation for good reason. The Baucus amendment could shield small businesses and farmers from EPA permit requirements, but it codifies the requirements for energy and fuel producers, meaning everyone in America will still pay higher energy prices.

The Stabenow and Rockefeller amendment only delays the higher energy costs and job losses for 2 years. That is not good enough. I hope my colleagues will see that this is our time to tell the EPA they will determine what we want them to regulate. That is the responsibility of the Congress. We are to make the laws, they are to implement them. They are not to reinvent them in their own model of what they have the authority to do, and we have not given them the authority to regulate greenhouse gases. The refiners say this added amount of regulation is going to cost so much that they will have to raise their prices in their factories, and that assuredly will raise the price of gasoline and diesel fuel throughout the year in our country.

This is an amendment. There is only one amendment of all the amendments on this subject that will do the job. It is simple and clear. It would eliminate the EPA’s ability to make regulations in an area that Congress has not authorized it to do. That is what we need to do. Congress needs to take the reins and halt the overregulation that is hurting our businesses and hurting our economic recovery.

I hope my colleagues will join me in supporting the McConnell-Inhofe-Murkowski amendment.

Mr. President, today, we are in the midst of another rapid increase in the price of oil and gas at the pump faced by our constituents. Rather than address this issue in a positive manner, we are once again debating an amendment whose authors believe that they have the expertise to determine that the EPA was wrong to conclude that greenhouse gases are pollutants, despite the preponderance of scientific evidence.

The McConnell amendment disregards the advice of leading scientists, doctors, and public health experts by not only overturning EPA’s scientific endangerment finding but also telling EPA that it must continue to ignore what America’s science experts are telling us about the dangerous impacts of carbon pollution.

The Supreme Court concluded in 2007 that the Clean Air Act’s definition of air pollutant includes greenhouse gas emissions, rejecting the Bush administration’s refusal to determine whether that pollution endangers Americans’ health and welfare. The Senate should similarly reject this amendment, which would overturn that science-based decision.

There are many far-reaching consequences of this amendment, but I want to focus my attention on how it will disrupt the broadly supported and partnership-driven fuel efficiency standards for new cars and light trucks. California, along with hundreds of millions of barrels of oil savings, including savings for the American consumer, and potentially re-opening the debate to contentious litigation.

This would be a major step backwards in our efforts to decrease the cost of fueling at the pump. The price of gas weighs heavily on the budgets of American families, currently $3.56 per gallon in Rhode Island and an increase of 27 cents per gallon since the same time last year. The cheapest gallon of gas is the one that you do not need to buy, which is why I have long championed improved fuel efficiency.

Last year’s vehicle efficiency and emissions standards will save consumers more than $3,000 in fuel costs over the lifetime of new vehicles. Increasing the standard to 60 mpg by 2025 could result in $7,000 in savings. Our competitors in China and Europe already have higher efficiency standards. It is time, now, for the manufacturing jobs here in America by producing cars that save consumers money at the pump. I have been heartened to see our auto industry begin to do just that, but we need to go further.

The McConnell amendment would accomplish the opposite by creating business uncertainty for our existing standards and stopping the development of future efforts to save more oil and money.

This amendment is part of the ongoing concern over how we will reduce carbon pollution, and there will always be the need to balance the needs for economic growth with environmental protection. But it does not have to be an either or position. A healthy environment is important for a strong economy, and the 40-year track record of the Clean Air Act has shown us that the two can work well in concert.

We need to define our energy future, one that ends our dependence on foreign oil and confronts the challenges of climate change. This amendment accomplishes neither and I urge my colleagues to reject it.

Mr. LEVIN. Mr. President, there are various proposals before us that would impact efforts by the U.S. Environmental Protection Agency to address greenhouse gas emissions that contribute to global climate change.

I have regarding EPA’s regulatory efforts in this regard, Senator McCONNELL’s amendment not only restricts EPA’s regulatory work, but it would explicitly overturn an important science based EPA finding that greenhouse gas emissions may endanger the public health and welfare of current and future generations. Further, the McConnell amendment would repeal the mandatory reporting of emission levels of greenhouse gases, which began in 2009. The results of that reporting will help inform important policy decisions regarding how to reduce greenhouse gas emissions.

Senator ROCKEFELLER’s amendment would establish a 2-year delay on any EPA action pertaining to greenhouse gas emissions from stationary sources, with the hope that Congress will act to reach a legislative solution to reduce greenhouse gas emissions economy-wide. I could support that because I prefer comprehensive climate legislation with targets and timetables that are technologically achievable instead of a regulatory regime administered by the EPA to address greenhouse gas emissions.

However, I cannot support the Rockefeller amendment because of its impact on the regulation of vehicle greenhouse gas emissions. The amendment would explicitly allow regulation of vehicle greenhouse gas emissions by EPA to go forward under the Clean Air Act, which leaves intact authority for the EPA to grant a waiver to the State of California to regulate vehicle greenhouse gas emissions. The stated goal of the Obama administration, one I strongly support and have fought for, is to have a single national standard for vehicle fuel economy and greenhouse gas emissions, as is currently the case for model years 2012-2016. That
goal is defeated, however, if states can individually regulate these emissions, because the result is a patchwork of overlapping and conflicting regulations.

Senator STABENOW’s amendment has many powerful special interests and authority but leaves in place its authority to grant a waiver that is so problematic for our manufacturing sector. I particularly regret that I cannot support the Stabenow amendment because it also includes an extension of the so-called section 48C advanced energy manufacturing tax credit, which I support. This tax credit—enacted as part of the American Recovery and Reinvestment Act—provides an important incentive for energy manufacturers to continue to invest in facilities in the U.S. I very much support extension of this tax credit and will work with my colleagues to try to extend it.

Mr. LEAHY. Mr. President, I urge rejection of all of the amendments offered today that would gut the Environmental Protection Agency’s ability to enforce our Clean Air Act.

It has been proven time and time again that we can have both a clean environment and grow our economy. In fact without a clean environment, it is more difficult for us to grow the economy. Without the Clean Air Act we would be spending trillions of dollars more on health care costs and lost work days. Over its 40 years the Clean Air Act has been one of the world’s most successful environmental and health protection laws reducing exposure to pollutants such as lead, ozone, sulfur dioxide, smog-forming gases, and mercury and other heavy metals and toxins.

Thanks to the Clean Air Act millions of lives have been saved by preventing premature deaths, heart attacks, cancer, asthma, and other life-threatening illnesses. But even after 40 years of action, pollution in many areas of the country still violates basic health standards, putting tens of millions of Americans’ lives at risk.

In Vermont, we don’t have any coal-fired powerplants, we are still the victims of their pollution as it travels by wind across our borders into the Green Mountain State. Throughout the Nation, hundreds of thousands of Americans suffer every year from illnesses caused by powerplants, refineries and other large sources of air pollution and greenhouse gases.

Yet there are some powerful special interests and some Members of this body who would like to strip the EPA of its authorities to enforce the Clean Air Act because they reject the notion that greenhouse gases are air pollutants and harmful to public health, or they believe that we just cannot afford to clean up cleanly and cheaply, carbon dioxide, hydrofluorocarbons and other compounds are the ingredients of a pollutant cocktail forced on many millions of Americans.

The Supreme Court has determined that the Clean Air Act is “unambiguous” and that greenhouse gases, such as those I just mentioned, are “without a doubt” air pollutants under the Clean Air Act. As such, EPA is required to regulate these emissions since they endanger public health. The Supreme Court has given the EPA little choice, and the science is clear they must act.

The McConnell amendment would have politics, not science, decide which pollutants are hazardous and which pollutants should be regulated. If politics had been allowed to trump the compelling scientific evidence, we may have never phased lead out of gasoline, or reduced ozone-depleting chemicals, or tackled acid rain. Over the years powerful special interests have sought to block EPA’s actions on all of these issues, arguing that the science was weak and the costs unjustified. Once again they are crying wolf and trotting out the same discredited arguments to fight greenhouse gas regulations today. In enforcing the Clean Air Act, EPA is doing the job that Congress mandated decades ago. These amendments that attack the Clean Air Act could send the wrong market signals to our innovators.

The McConnell amendment would render meaningless the progress that we have already made to invent new products that consume less fuel, pollute less, and create American jobs—that cannot be sent overseas. The McConnell amendment would penalize those pioneering facilities that have already taken steps to clean up industry, and reward those who have seen these new standards coming for years, but have chosen to do nothing to protect the public.

Instead they now pressure Congress to let them off the hook and to pass the long term health costs onto the public.

The evidence in favor of embracing a cleaner future is clear. We have an opportunity to encourage our innovative companies to be global leaders in new clean energy technologies that will create jobs here in America. We must stop supporting the dirty, outdated and inefficient technologies of the past.

By eliminating EPA’s ability to impose scientific, health-based limits on carbon pollution from the Nation’s largest polluters, the McConnell amendment and the other amendments that attack the EPA would only end up putting a hefty toll in Americans’
It is very clear in the Clean Air Act that, yes, Congress meant we should control this type of dangerous pollution once an endangerment finding is made. And that was made. What the McConnell amendment does—and my friend Senator INOWSKI and actually the author of the oil bill, the same thing as the oil bill, the same thing—is essentially say that the EPA is overruled. They repeal the endangerment finding. That is like my coming here and saying, I want to repeal science that says that smoking causes lung cancer. I want to play doctor. I want to want to play scientist. It is absolutely a dangerous precedent because it involves our people. Climate change is expected to worsen regional smog pollution, which can cause decreased lung function, aggravated asthma, increased emergency room visits, and premature deaths.

Why on Earth do my colleagues want to repeal an endangerment finding—by the way, Senator MURKOWSKI tried and failed to call here. But the fact is, why should we play doctor? I know some of us have a great elevation of ourselves; a couple have doctorate degrees, but most of us are not scientists and doctors. We act as if we actually are not humble to repeal science. That is what they do here.

Let's look at the health successes of the Clean Air Act. In 2010 alone, the act prevented 160,000 premature deaths, 1.7 million asthma attacks, 130,000 heart attacks, and 89,000 days of school. I am telling you, the Clean Air Act has been a great success. The number of smog-related health advisories in Southern California has dropped from 166 days in 1976 to zero days in 2010.

Why on Earth would we want to mess with a law that has been working? It has been working. I defy anyone to point out a law that has worked as well as this one. We went from 166 days in 1976 to zero days today. We are going to repeal or try to repeal the endangerment finding that went along with the EPA deciding to move forward and enforce decreases in carbon pollution.

On March 14 the Washington Post had a very interesting article, an op-ed piece signed by Christie Todd Whitman, EPA Administrator from 2001 and 2002, and William Rekdalska, EPA Administrator from 1970 to 1973, two Republican former heads of the EPA. They wrote:

Today the agency President Richard Nixon created in response to the public outcry over visible air pollution and flammable rivers is under siege. The Senate is poised to vote on a bill that would, for the first time, disapprove of a scientifically based finding, in this case that greenhouse gases endanger public health and welfare.

This is signed by two Republican former heads of the Environmental Protection Agency. The McConnell amendment is radical in the extreme. We have never before played doctor around here and repealed a scientific finding that said a certain type of pollution is a problem.

They also said:

It is easy to forget how far we have come in the past 40 years. We should take heart from all the progress and not, as some in Congress have suggested, seek to tear down the agency that the president and Congress created to protect America's health and environment.

If we are interested in bipartisanship, why don't we look at the facts. The
fact is, the American public supports EPA and the Clean Air Act. The fact is, Richard Nixon created the EPA. The fact is, George Herbert Walker Bush signed the Clean Air Act amendments. The fact is, it is very clear in the Clean Air Act that carbon pollution, any pollution related to climate change, is covered.

This is a reality check from someone who believes we should not go down this dangerous path of playing doctor, playing scientist, overturning the Environmental Protection Agency, which enjoys almost 70 percent support among the people of this greatest of all nations.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Mr. President, I agree in one respect with the Senator from California. Actually, we agree on a lot of points. We agree on infrastructure and we know that the country has some very simple things I do. I take the total number of families who file tax returns and then I do the math. If I divide that, say, $350 billion a year, that means the average taxpayer in my State would have to pay $100 extra in additional taxes in order to pay for the cap-and-trade regime that comes with any type of legislation. We talked about that. Continually, we defeated each bill that came along.

This is the key. The Obama administration is very beholden to some of the far leftwing people. He had a commitment to try to pass some kind of cap and trade. He said: If we can't do it legislatively, we will do it through regulation. So we had all these regulations that the EPA started coming down with.

I have to mention, of these regulations, one was very significant because the Senate Environment and Public Works Committee, I said to her—this is right before going to the big U.N. party in Copenhagen about 18 months ago—I have a feeling, Madam Director, that you are going to do this with an endangerment finding. When you do it, it has to be based on science. What science will you base it on?

She said: Primarily on the IPCC.

To make sure everybody understands, the IPCC is the United Nations. They are the ones who came up with this whole thing and said this is what the end of the world is going to be.

I said: If you are going to have an endangerment finding that CO₂ is an endangerment to health, then it has to be based on science. What science will it be based on?

The answer was, the United Nations. It is going to be based on the science of the Intergovernmental Panel on Climate Change. That is the United Nations.

Coincidentally, right after that is when climategate came, and they found that they had been cooking the books for about 10 years and that the legitimate interests and input of real scientists were rejected. So the science just flat wasn't there.

That is why I said at the time that we had this bill up, I will stipulate to the science, even though the science is not there. I know it is not there, but what is there is the economics.

Here we were, faced with a situation where we were looking at the possibility of the Environmental Protection Agency regulating CO₂. I contend that they can do it if they have an endangerment finding, but they don't have to do it. The economic punishment that would come with it is ludicrous. However, it wouldn't do any good.

Here is the big question: What if I am wrong? People have asked me: INHOFE, what if you are wrong? You have been leading this fight for 9 years. What if CO₂ does endanger health and cause global warming and all these scary stories we hear?

My response to that is, if that is the case, it is not going to make any difference because even the EPA director admits if we unilaterally pass some type of regulation that stops the regulation of greenhouse gases, it is not going to affect the overall release of CO₂ emissions.

The reason is simple. If we do it only in the United States, we would argue that is not where the problem is. The problem is in China, Mexico, India, and Third World countries that don't have any emission controls at all. So I think everyone agrees if we pass something like the Waxman-Markey bill, we would be at 4.

I would take it one step further. As we chase away our manufacturing base, as they say would happen, we would be in a position where they would go to countries where there is no emission controls. It would actually have the result of increasing emissions.

Even if Senator Boxer is right in everything she says, she is wrong in the respect that if we pass it, it will not lower emissions. That is the fact.

We are running out of time, but I have the time right up to 4 o'clock. I will go over four things that will happen, finalizing the vote that is going to be at 4.

Mr. BAUCUS. Will the Senator yield? Mr. INHOFE. Let me finish because I am going to need all the time.

Mr. BAUCUS. I ask unanimous consent to speak for 2 minutes prior to the vote on my amendment.

The PRESIDING OFFICER. Is there objection?

Mr. INHOFE. Reserving the right to object, is the Senator talking about doing it after 4 o'clock?

Mr. BAUCUS. Before the vote, yes. Unanimous consent would include me to speak for 1 minute at that time, I have no objection.

Mr. BAUCUS. That would be fine.

The PRESIDING OFFICER. Without objection, it is so ordered.
words, there are a lot of Democrats who don’t want to vote to take away the jurisdiction of the Environmental Protection Agency to regulate greenhouse gases, so they have offered other amendments. The Baucus amendment is one that is going to exempt certain small polluters, and the bipartisan group that considers greenhouse gas emissions that are upheld in the courts. Passage of this rulemaking rule. It may or may not be deal with small business with its tailoring rule. It may or may not pass regulation. The Rockefeller vote, which is going to be the third vote, is one that would have a 2-year delay. In other words, it says we can go ahead and do the regulation, but we will kind of put it off for 2 years.

The real vote and the one that is critical—and if there is anyone out there who doesn’t want to go home and say: I am responsible for passing the largest tax increase in the history of America by defeating the Inhofe-McConnell amendment, then go ahead and vote that way. That is going to be a problem. I don’t want to go out for the senators who might vote the wrong way.

The McConnell-Inhofe amendment will be the fourth vote. This is the critical one. The rest are cover votes. With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Montana.

Mr. BAUCUS. I ask unanimous consent that in addition to my being able to speak for 2 minutes and Senator Inhofe 1 minute, that Senator Boxer also be allowed to speak for 1 minute on this amendment.

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

AMENDMENT NO. 236

Mr. BAUCUS. Madam President, I have a very commonsense amendment. It basically says: The general rule makes sense, but there should be a couple exceptions. The general rule is that we should have regulations on greenhouse gas emissions, but not for agriculture. I am talking about agricultural producers, not processors, the regulations which would still apply to processors.

We are talking about producers, agricultural producers. They should be exempt. Currently, there are not regulations that affect agricultural producers. I think we should make clear to agriculture they are exempt. They are not the big greenhouse gas polluters.

Secondly, this amendment puts in place and codifies EPA’s attempt to deal with small business with its tailoring rule. It may or may not be upheld in the courts. Passage of this amendment would allow this to be upheld in the courts.

Essentially, there are 15,000 emitters of greenhouse gas emissions that are the big ones. The other 6 million basically are the very small ones. What about the big ones, the 15,000? Those are large plants run by big corporations. They essentially produce most of the greenhouse gas emissions. Ninety-six percent of these 15,000—the big ones—are already subject to EPA criteria. They have to get permits. Moreover, three percent of the greenhouse gas emissions. So I am just saying, for small businesses—there are a lot of them—it is very important they be exempt from EPA regulations. It is common sense. In general, it does exempt agriculture and it exempts small business.

The PRESIDING OFFICER (Mrs. HAGAN). The Senator from Montana has consumed his 2 minutes.

Mr. BAUCUS. I thank the Chair.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Madam President, a point of inquiry, not to be taken from the time I have. The inquiry is, When the Senate votes, are we going to have additional time arguing for and against the amendments? The PRESIDING OFFICER. There is 2 minutes of debate, equally divided, between the two voted on. Is that correct?

The PRESIDING OFFICER. Senator BOXER and Senator INHOFE have each 1 minute.

Mr. INHOFE. I ask that the Chair, these 2 minutes are having to do with the Baucus amendment, the first one we will vote on; is that correct?

The PRESIDING OFFICER. Yes. Mr. INHOFE. OK, I thank the Chair very much.

Let me go first. In deference to my good friend, Senator BOXER, I said I would go first and she can go last.

Let me mention, this is only on the Baucus amendment. Yes, the Senator is right in presenting his amendment that it does exempt farmers and some small businesses from the higher costs and all that. But here is the problem with that: All we have to do is read the statement by the American Farm Bureau where they say: Look, all of our farmers across America—even if this only affects the refineries and the manufacturers, that increases the cost of fuel and the cost of fuel is going to go higher and we do not get anything for it. For that reason, they oppose the Baucus amendment.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Madam President, when Senator BAUCUS talked to me about his amendment, it sounded quite reasonable to make sure we codify the tailoring rule of the EPA, which exempts broad swaths of American businesses from their work on enforcing carbon pollution reductions. But as it came out—and I discussed this with him—it goes further. It harms the promotion of clean, renewable biomass, effectively stopping EPA’s ability to use the Clean Air Act to encourage this kind of alternative energy.

It also undermines the Clean Air Act’s New Source Review Program for carbon pollution, which ensures that the biggest polluters use modern pollution control technologies. It basically says the EPA cannot go and enforce it using the New Source Review unless there is another pollutant involved. So as the chairman of the Environment and Public Works Committee, I have deep concerns. The Baucus amendment is opposed by leading public health organizations: the American Lung Association, the American Public Health Association, the American Thoracic Society, the Asthma and Allergy Foundation of America, Physicians for Social Responsibility, and the Trust for America’s Health, as well as clean energy business, environment, and conservation organizations.

For that reason—although I fully understood the initial intent, and I thought it was laudable—this has transformed into an amendment that I do not support and the leading public health organizations do not support. So I would urge a “no” vote on the Baucus amendment.

I yield the floor.

The PRESIDING OFFICER. All time has expired.

The question is on agreeing to Baucus amendment No. 236.

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The result was announced—yeas 7, nays 93, as follows:

[Role call Vote No. 51 Leg.]

YEAS—7

Baucus (MT)  Hagan (WA)
Begich (AK)  Johnson (SD)
Conrad (ND)  Klobuchar (MN)

NAYS—93

Akaka (HI)  Alexander (MT)  Franken (MN)
Ayre (CO)  Boozman (AR)  Gillibrand (NY)
Bosсе (ME)  Benner (MT)  Graham (NC)
Bingaman (WY)  Bennett (ID)  Grassley (IA)
Brink (ID)  Boozman (AR)  Harkin (IA)
Brown (MA)  Brown (OH)  Hutchison (KS)
Brown (RI)  Boozman (AR)  Inhofe (OK)
Burr (NC)  Boxer (CA)  Inouye (HI)
Casey (PA)  Chambliss (GA)  Johanns (NE)
Cassidy (LA)  Chambliss (GA)  Johnson (WI)
Cardin (MD)  Cantwell (WA)  Kyl (AZ)
Carroll (MS)  Casebier (IA)  Kyl (AZ)
Cochran (MS)  Cochran (MS)  Leahy (VT)
Cornyn (TX)  Collins (AK)  Lieberman (CT)
Coons (DE)  Coons (DE)  Lieberman (CT)
Corzine (NJ)  Crapo (ID)  McCain (AZ)
Corker (TN)  Crapo (ID)  McCain (AZ)
 en (NC)  Crapo (ID)  McCain (AZ)
Cowan (WV)  Crapo (ID)  McCain (AZ)
Corker (TN)  Crapo (ID)  McCain (AZ)
Coons (DE)  Crapo (ID)  McCain (AZ)
Cruz (TX)  Crapo (ID)  McCain (AZ)
Durbin (IL)  Ensign (NV)  Merkley (OR)
Enzi (WY)  Ensign (NV)  Merkley (OR)
Eckstein (MT)  Ensign (NV)  Merkley (OR)
Eckstein (MT)  Ensign (NV)  Merkley (OR)
Evans (VT)  Ensign (NV)  Merkley (OR)
Feinstein (CA)  Ensign (NV)  Merkley (OR)
Feinstein (CA)  Ensign (NV)  Merkley (OR)

The PRESIDING OFFICER. On this vote, the yeas are 7, the nays are 93. Under the previous order, requiring 60
votes for the adoption of this amendment, the amendment is rejected.

AMENDMENT NO. 277

There will now be 2 minutes of debate on the Stabenow amendment. Who yields time?

The Senator from Michigan. Ms. STABENOW. For years, I have consistently and repeatedly said that we need to have a balanced and comprehensive American energy policy.

We can’t just impose regulations; we need smart incentives to create the technology for a clean energy economy.

The Stabenow-Brown amendment is based on the framework developed on a bipartisan basis for the past 2 years to develop a truly comprehensive policy that would allow us to phase in regulations.

This amendment would allow the EPA to do its work but would have the enforcement of that work be done in 2 years. We would build on the successful advanced energy manufacturing tax credit, known as 48C, which has created jobs at 183 businesses in 43 States.

We have put the right incentives into place because we know when we do that we help businesses create good-paying jobs, and we can reduce carbon pollution at the same time.

Our amendment also follows what the EPA has indicated is its intention and in the meantime our air gets dirtier.

The amendment is a commonsense approach to addressing the issue of clean energy.

The PRESIDING OFFICER. The Senator from California is recognized.

Mrs. BOXER. Madam President, my amendment, the Senator from West Virginia.

Mr. ROCKEFELLER. Madam President, my amendment suspends full implementation of the Clean Air Act as it relates to carbon pollution for 2 years, which is going to cost jobs and harm America’s competitiveness. Worse than that, I think around here “delay” is sometimes a code word for “never.”

A 2-year delay could become a long-term delay. It becomes more expensive, and in the meantime our air gets dirtier.

I will close with this: 68 percent of the people believe Congress should not stop EPA from enforcing Clean Air Act standards. Yet this amendment, and all of the others, do just that.

Let’s stand with the people, with the American Lung Association, with the physicians who have taken a stand against all of these amendments, and allow EPA to do its job.

I yield to the Senator from Oklahoma.

Mr. INHOFE. Madam President, let me join my friend from California and say that the Stabenow amendment is similar to the one we voted on before. It admits that the EPA will harm man-facturers, but it doesn’t do anything to protect anybody from the higher price of energy. The farmers will tell you that, and everybody else will. With the 2-year delay, EPA can drop its regulatory hammer on farmers and businesses.

I urge your vote against this amendment.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 277.

Mr. INOUYE. Madam President, I ask for the yeas and nays.

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

Mr. INHOFE. The clerk will call the roll.

The result was announced—yeas 7, nays 93, as follows:

[Rollcall Vote No. 52 Leg.]

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<th>YEAS</th>
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<td>Brown (OH)</td>
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<td>Casey</td>
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<td>Alexander</td>
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<td>Ayotte</td>
<td>Graham</td>
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<td>Barrasso</td>
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<td>Baucus</td>
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<td>Begich</td>
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<td>Boren</td>
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<td>Bova</td>
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<td>Brown (MA)</td>
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The PRESIDING OFFICER. The yeas are 7, the nays are 93. Under the previous order requiring 60 votes for the adoption of this amendment, this amendment is rejected.

AMENDMENT NO. 215

Under the previous order, there is now 2 minutes of debate equally divided prior to a vote in relation to amendment No. 215, offered by the Senator from West Virginia.

Mr. ROCKEFELLER. Madam President, my amendment plan would put EPA on hold for 2 years and no more, but not on hold from many of its other duties, for example, CAFE standards.

Many of our colleagues do not realize—and certainly the ones who are going to support the McConnell amendment do not realize—that 31 percent of all greenhouse gas emissions in this country come from the backs of trucks and cars. I do not stop them from going ahead and doing that. But I want breathing space so we can take 2 years—yes, there is a lot of frustration in my State about EPA and permits, and I understand that very well. But I want to take 2 years so we can think as a body and actually come up with an energy policy. I am ready for that.

I am not the same person I was 2 or 3 years ago on this subject. But we need the McConnell amendment, which is truly a stunning aberration.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. Madam President, I will take 30 seconds and yield to my friend Senator INHOFE.

For the reasons we already said about public health or the protection of our Clean Air Act, I urge my colleagues to defeat the Rockefeller amendment.

Let me add one other point. The American renewable energy industry has written to us and told us that the uncertainty of a 2-year delay is more than 2 years. It causes American renewable energy companies to be at a disadvantage with foreign energy companies, costing Americans jobs. Uncertainty adds to job loss in America.

For the sake of the public health of Americans, for the sake of our economy, I urge my colleagues to reject the Rockefeller amendment.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Madam President, the 2-year delay encourages bureaucrats to stall new permits. It does not accomplish anything. It delays new construction, and it delays new jobs.

One of the interesting points about all three of these amendments is that everyone agrees EPA should not be regulating greenhouse gases. If you are going to have a root canal, does it help to wait 2 years?

I urge my colleagues to vote against the amendment.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 215.

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

Mr. INHOFE. The clerk will call the roll.

The result was announced—yeas 12, nays 88, as follows:

[Rollcall Vote No. 53 Leg.]

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<td>Wyden</td>
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The result was announced—yeas 12, nays 88, as follows:

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<td>Brown</td>
<td>Bingaman</td>
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April 6, 2011

CONGRESSIONAL RECORD — SENATE
null
The PRESIDING OFFICER. On this vote, the yeas are 100, the nays are zero. Under the previous order requiring 60 votes for the adoption of the amendment, the amendment is agreed to.

AMENDMENT NO. 286

Under the previous order, there is now 2 minutes of debate equally divided prior to a vote in relation to Amendment No. 286 offered by the Senator from Hawaii, Mr. INOUYE.

Mr. INOUYE. Mr. President, my amendment addresses the concerns raised by the Coburn amendment, but it does so by using existing authorities established by the Impoundment Control Act of 1974. My amendment accomplishes the same objectives, but it maintains the proper deference to Congress on matters of appropriations.

The Coburn amendment simply duplicates that existing authority but removes the checks and balances. I urge a yes vote on the Inouye amendment and a no vote on the Coburn amendment.

The PRESIDING OFFICER. The amendment is rejected.

Under the previous order, there is now 2 minutes of debate equally divided prior to a vote in relation to amendment No. 273 offered by the Senator from Oklahoma, Mr. COBURN.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. REID. Mr. President, we have one more vote in this series of votes. This will be the last vote tonight. We are now going to continue working on this piece of legislation. People should talk to the manager of the bill if they have other amendments. We have quite a few we have to work through, but I think we have had a lot of success today.

We are still working on seeing if we can get a budget deal, everybody. I have a meeting at the White House at a quarter to 9 tonight with Speaker BOEHEMMER.

The PRESIDING OFFICER. On this vote, the yeas are 57, the nays are 43. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is rejected.

Under the previous order, there is now 2 minutes of debate equally divided prior to a vote in relation to amendment No. 273 offered by the Senator from Oklahoma, Mr. COBURN.

Mr. WARNER. Mr. President, I rise to urge adoption of the Coburn amendment. I believe the Coburn amendment actually adds teeth. We have a study here of duplicative programs from GAO. We have got to make sure we are, as we debate closing down the Federal Government, attacking real programs.

We ought to be able to save $5 billion of administrative duplication within the 82 programs that were given in this guideline in the GAO report. I would urge adoption of the Coburn amendment after the Inouye amendment.

The PRESIDING OFFICER. The question is on agreeing to the Inouye amendment.

Mr. LEAHY. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second. The clerk will call the roll.

The result was announced—yeas 64, nays 36, as follows:

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<tr>
<td>Alexander</td>
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<td>Risch</td>
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<td>Portman</td>
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<td>Roberts</td>
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<td>Rubio</td>
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The PRESIDING OFFICER. Mr. BENNET. On this vote, the yeas are 64, the nays are 36. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is agreed to.

AMENDMENT NO. 273

Under the previous order, amendments Nos. 217 and 184 offered by the Senator from Oklahoma are agreed to.

Mr. GRASSLEY. Mr. President, I would like to briefly explain my vote in favor of amendment No. 273, offered by Senator COBURN. The amendment seeks to save at least $5 billion by consolidating duplicative and overlapping...
government programs. I wholeheartedly support efforts to save taxpayer money by eliminating waste, fraud, abuse and inefficiency within the Federal Government. A congressional responsibility that I take very seriously is the day to conduct oversight of Federal agencies.

I recognize that Senator Coburn’s amendment is based on a Government Accountability Office report to Congress which identified programs and initiatives that have duplicative goals or activities. The report included 34 areas where billions of dollars could be saved. It included seven areas within Defense Department programs. It proposes saving millions by consolidating Federal data centers that today are spread across 24 Federal agencies. It identifies duplication in 44 separate employment and training programs, which could save millions of dollars. I also understand that the blender’s credit for ethanol was singled out in the report.

In voting in favor of the amendment, I want to make clear that I do not consider the ethanol blender’s credit to be a duplicative program, nor do I believe it should simply be eliminated. I would also like to make clear that the GAO report suggested a number of policy options that Congress could consider when revising the tax incentive. My colleagues should know that I, along with other Members of the Senate, are currently working to reform and restructure the tax incentives for ethanol production and consumption. Many of the reforms we are exploring are the same options suggested by the GAO report.

It is my hope then, that the Senate will consider thoughtful, constructive reforms to the ethanol tax incentive, rather than the proposal put forth by Senator Coburn with amendment No. 230 that would end the incentive immediately.

The PRESIDING OFFICER. The majority leader.

MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent to proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each.

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

BUDGET NEGOTIATIONS

Mr. REID. Mr. President, this budget we have spent so much time talking about is really about making tough choices, hard choices, difficult choices. The American people understand this. They understand tough choices. They have to make them every day, especially now with the economy being in the shape it is in. So should their representatives in Congress make tough choices.

We are being honest with ourselves over here. We know we can’t get 100 percent of what we want. That is what this negotiation is all about. That is why this is a negotiation. It is not a winner-take-all situation.

Democrats have made tough choices because we want to get this agreement completed. We want to keep the country running and keep the momentum in the economy that is now creating jobs. We want to avoid a shutdown and the terrible consequences that would follow.

The only thing Republicans are trying to avoid is making the tough choices we need to make. We have been more than reasonable. We have been more than fair. We meet them halfway, and they say no. We meet them more than halfway, and they still say no. We meet them all the way, and they still say no. If Republicans were serious about keeping the country running, all they would have to do is say yes.

Now we learn House Republicans are going to make another excuse, create another diversion, and avoid another tough choice. Instead of solving the crisis the way we should, instead of saying yes, they say, in fact, what they are going to do is pass what they will call another short-term stopgap measure. They will say it is short term, but what that really means is it is a short cut—a short cut around doing our jobs. Instead of solving problems, they are stalling. They are procrastinating. That is not just bad policy, it is a fantasy.

We all heard the President of the United States say yesterday that he won’t accept anything short of a full solution. And why should he? We are 6 months into the fiscal year now. President Obama is right. We can’t keep funding our great country with one stopgap after another. The United States of America, this great country of ours, shouldn’t have to live paycheck to paycheck. We are not going to let it happen. We are going to keep talking and keep trying to find middle ground. The Speaker and I will go back to the White House tonight in 2 hours and 20 minutes to meet with him again to continue the conversation we have been having for weeks with this administration.

We know the Republicans are afraid of the tea party. That has been established. Now it looks as though they are also afraid of making the tough choices we have to make. But tough choices are what governing is all about. They are about leadership is all about. It is time for my friends in the House of Representatives to stop campaigning and start governing.

And remember what one of the greatest Speakers of all time said. In fact, he was Speaker three times. He was from the State of Kentucky. Henry Clay. He was known as the “great compromiser.” He said that all legislation is based on mutual consensus. That is what it is all about. But remember, let’s focus on the word “mutual.” It takes both of us.

Mr. President, it is time to lead.