sense of the Senate on promoting initiatives to develop an HIV vaccine.

The HIV/AIDS pandemic is unlike any disease in history and has profound implications for political stability, development, and human welfare. The sheer magnitude of the crisis is overwhelming. An estimated 40,000,000 people live around the world with HIV or AIDS, and nearly 8,500 people die every day from AIDS. Last year alone, more than 3,000,000 people died from AIDS. Every 14 seconds, a child loses a parent to AIDS. An estimated 14,000,000 children have lost one or both parents to AIDS, and this number is expected to increase to 25,000,000 by 2010. According to recent projections from the World Health Organization and the Joint United Nations Program on HIV/AIDS (UNAIDS), if the pandemic spreads at this current rate, there will be 45,000,000 new infections by 2010 and nearly 70 million deaths by 2020. Sub-Saharan Africa has been hardest hit by the disease, with more than 75 percent of the people infected with HIV living in the region.

The U.S. is leading global efforts to combat the pandemic through its $15 billion dollar Emergency Plan for AIDS relief and its commitment to the Global Fund to Fight AIDS, Tuberculosis, and Malaria. But the human and economic toll of the HIV pandemic demands that these activities be complemented by accelerated efforts to develop an HIV vaccine. An HIV vaccine would prevent new HIV and AIDS cases, which could save millions of lives and dramatically reduce the negative social and economic consequences of the disease. Yet, HIV vaccine development is still not prominent on national or international public health agendas.

Developing an HIV vaccine is particularly challenging because HIV is one of the most complicated viruses ever identified. In addition, many private sector biotechnology companies have not invested money and expertise in the search for an HIV vaccine. Developing an HIV vaccine, therefore, is unlikely to occur without a well-coordinated and focused global research effort.

Recently, under President Bush’s leadership, the Members of the Group of Eight Industrialized Nations (G-8), during their meeting at Sea Island, endorsed the establishment of a Global HIV Vaccine Enterprise. The Enterprise, an international alliance working to develop an HIV vaccine, would be modeled after the Human Gnome Project which brought together public and private sector researchers to map the human genetic code. Similarly, the HIV Vaccine Enterprise is intended to accelerate progress by promoting international public-private collaboration. It would coordinate the research efforts of scientists from around the globe to improve the chances of developing an HIV vaccine. President Bush also announced plans to establish a second HIV Vaccine Research and Development Center, in addition to the one at the U.S. National Institutes of Health. This will become a key component of the Global HIV Vaccine Enterprise.

The International AIDS Vaccine Initiative (IAVI) has been instrumental in laying the groundwork for such an enterprise. The IAVI is an international organization that collaborates with developing countries, governments, and international agencies dedicated to accelerating the development of a vaccine to halt the AIDS epidemic. The IAVI, however, cannot accomplish this task alone. Here in the United States, the Bill and Melinda Gates Foundation and the Rockefeller Foundation have joined forces to help address the financial problems faced by small biotechnology companies. They founded BIO Ventures for Global Health to help small biotechnology companies address the problems they confront in developing new medical products for poor countries. The wider application of this model would greatly improve the development of vaccines and other medicines aimed at improving health in the developing world.

I commend the President’s leadership on this critically important issue. The G-8’s endorsement of a Global HIV Vaccine Enterprise is a big step forward in the development of an HIV vaccine. My resolution acknowledges the President’s and the G-8’s actions towards this goal and urges them to continue to cooperate with other countries, particularly those hit hardest by the HIV/AIDS pandemic, to achieve this important objective.

AMENDMENTS SUBMITTED AND PROPOSED

SA 3546. Mr. MCCAIN (for himself and Mr. LIEBERMAN) submitted an amendment intended to be proposed by him to the bill S. 2062, to amend the procedures that apply to consideration of interstate class actions to assure fairer outcomes for class members and defendants, and for other purposes; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 3546. Mr. MCCAIN (for himself and Mr. LIEBERMAN) submitted an amendment intended to be proposed by him to the bill S. 2062, to amend the procedures that apply to consideration of interstate class actions to assure fairer outcomes for class members and defendants, and for other purposes; which was ordered to lie on the table.

CONGRESSIONAL RECORD

SENATE

DEFINITIONS

In this Act:

(1) ADMINISTRATOR.—The term “Administrator” means the Administrator of the Environmental Protection Agency.
The term "baseline" means the historic greenhouse gas emission levels of an entity, as adjusted upward by the Administrator to reflect actual reductions that are verifiable in accordance with—

(A) regulations promulgated under section 201(o)(1); and
(B) relevant standards and methods developed by the Administrator.

The term "carbon dioxide equivalents"—The term "carbon dioxide equivalents" means, for each greenhouse gas, the amount of each such greenhouse gas that makes the same contribution to global warming as one metric ton of carbon dioxide, as determined by the Administrator.

The term "covered entity"—The term "covered entity" means an entity (including a branch, department, agency, or instrumentality of Federal, State, or local government) that—

(A) owns or controls a source of greenhouse gas emissions in the electric power, industrial, or commercial sectors of the United States economy (as defined in the Inventory);
(B) emits, from any single facility owned or controlled by that entity, over 10,000 metric tons of greenhouse gas per year, measured in units of carbon dioxide equivalents, or produces or imports—
(i) petroleum products that, when combusted, will emit, or
(ii) hydrofluorocarbons, perfluorocarbons, or sulfur hexafluoride; and

over 100 metric tons of greenhouse gas per year, measured in units of carbon dioxide equivalents.

The term "database" means the national greenhouse gas database established under section 201.

The term "direct emissions"—The term "direct emissions" means greenhouse gas emissions by an activity from a facility that is owned or controlled by that entity.

The term "facility" means a building, structure, or installation located on an owned or leased property or a portion of property of an entity in the United States.

The term "greenhouse gas" means—

(A) carbon dioxide;
(B) methane;
(C) nitrous oxide;
(D) hydrofluorocarbons;
(E) perfluorocarbons; and
(F) sulfur hexafluoride.

The term "indirect emissions"—The term "indirect emissions" means greenhouse gas emissions that are—

(A) a result of the activities of an entity; but
(B) emitted from a facility owned or controlled by another entity.


The term "leakage"—The term "leakage" means—

(A) an increase in greenhouse gas emissions by one facility or entity caused by a reduction in greenhouse gas emissions by another facility or entity; or

(B) a decrease in sequestration that is caused by an increase in sequestration at another location.

The term "permanence"—The term "permanence" means the extent to which greenhouse gases that are sequestered will not later be returned to the atmosphere.

The term "proxy" means the registry of greenhouse gas emission reductions established under section 201(b)(2).

The term "Secretary"—The term "Secretary" means the Secretary of Commerce.

The term "sequestration"—

(A) in general.—The term "sequestration" means the storage of a greenhouse gas by a natural ecosystem, or the storage of greenhouse gases by the atmosphere, as determined by the Administrator.

(B) exclusions.—The term "sequestration" does not include—
(i) any conversion of, or negative impact on, a native ecosystem; or
(ii) any introduction of non-native species.

The term "source category"—The term "source category" means an activity that results in direct emissions of greenhouse gases, as listed in the Inventory.

The term "stationary source"—The term "stationary source" generally means a process or activity that captures, sequesters, or stores greenhouse gases or increased sequestration of greenhouse gases except those emissions resulting directly from an engine for transportation purposes.

Section 102. Commerce Department Study of Technology Transfer Barriers.

(a) Study.—The Assistant Secretary of Technology Policy at Department of Commerce shall conduct a study of technology transfer barriers, best practices, and out-of-the-box solutions or activities at Federal laboratories related to the licensing and commercialization of energy efficient technologies, and other technologies that, compared to similar technology in commercial use, result in reduced emissions of greenhouse gases or increased sequestration of greenhouse gases. The study shall be submitted to the Senate Committee on Commerce, Science, and Transportation and the House of Representatives Committee on Science within 6 months after the date of enactment of this Act and describe past instances of abrupt climate change designed to incorporate these mechanisms into Federal laboratories.

(b) Use of funds.—The Assistant Secretary shall work with the existing interagency working group to address identified barriers.


(a) Report.—Within 6 months after the date of enactment of this Act, the Secretary shall submit a report to the Senate Committee on Commerce, Science, and Transportation and the House of Representatives on the effects that the entry into force of the Kyoto Protocol without United States participation will have on—

(1) United States industry and its ability to compete globally;
(2) international cooperation on scientific research and development; and
(3) United States participation in international environmental change mitigation efforts and technology deployment.

(b) Authorization of appropriation.—For fiscal year 2005 and each fiscal year thereafter, there are authorized to be appropriated to the National Science Foundation not less than $25,000,000, to be made available through the Science and Technology Policy Institute, for research in those priority areas.

Section 104. Research Grants.

(a) Committee to Develop List of Priority Research Areas.—The National Science Foundation shall—

(1) by redesignating subsection (e) as subsection (d); and

(2) by inserting after subsection (b) the following:

'(c) Research Grants.—'

(1) COMMITTEE TO DEVELOP LIST OF PRIORITY RESEARCH AREAS.—The Committee shall develop a list of priority areas for research and development on climate change that are not being addressed by Federal agencies.

(2) DIRECTOR OF OSTP TO TRANSMIT LIST TO NSF.—The Director of the Office of Science and Technology Policy shall transmit the list to the National Science Foundation.'
change” means a change in climate that occurs so rapidly or unexpectedly that human or natural systems may have difficulty adapting to it.

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary for fiscal year 2005 $60,000,000 to carry out this section, such sum to remain available until expended.

SEC. 106. NATIVE GREENHOUSE GAS FUNCTION.

Section 2(c) of the National Institute of Standards and Technology Act (15 U.S.C. 272(c)) is amended—

(1) by striking “and” after the semicolon in paragraph (21);

(2) by redesignating paragraph (22) as paragraph (21); and

(3) by inserting after paragraph (21) the following:—

“(22) perform research to develop enhanced technologies to measure carbon and other greenhouse gases; and

“(2) MATERIAL, PROCESS, AND BUILDING RESEARCH.—The National Measurement Laboratories shall conduct research under this subsection that encourages—

(A) development of material and manufacturing processes which are designed for energy efficiency and reduced greenhouse gas emissions into the environment; and

(B) developing chemical processes to be used by industry that, compared to similar processes in commercial use, result in reduced emissions of greenhouse gases or increased sequestration of greenhouse gases; and

“(C) enhancing building performance with a focus in developing standards or tools which will help incorporate low- or no-emission technologies into building designs.

“(3) STANDARDS AND TOOLS.—The National Measurement Laboratories shall develop standards and tools under this subsection that include software to assist designers in selecting alternate building materials, performance data on materials, artificial intelligence-aided design procedures for building subsystems and ‘smart buildings’, and improved test methods and rating procedures for evaluating the energy performance of residential and commercial appliances and products.

“(d) NATIONAL VOLUNTARY LABORATORY ACCREDITATION.—The Director shall utilize the National Voluntary Laboratory Accreditation Program under this section to establish a program to include specific calibration and test methods and protocols assembled to satisfy the unique needs for accreditation in measuring the production of greenhouse gases. In carrying out this subsection the Director may cooperate with other departments and agencies of the Federal Government, State and local governments, and private organizations.

SEC. 107. DEVELOPMENT OF NEW MEASUREMENT TECHNOLOGIES.

To facilitate implementation of section 204, the Secretary shall initiate a program to develop measurement standards and appropriate Federal agencies, innovative standards and measurement technologies to calculate greenhouse gas emissions or reductions for which no accurate or reliable measurement technology exists. The program shall include—

(1) technologies (including remote sensing technologies) to measure carbon and other greenhouse gas emissions and reductions from agriculture, forestry, and other land use practices; and

(2) technologies to calculate non-carbon dioxide greenhouse gas emissions from transportation.

SEC. 108. ENHANCED ENVIRONMENTAL MEASUREMENTS AND STANDARDS.

The National Institute of Standards and Technology Act (15 U.S.C. 271 et seq.) is amended—

(1) by redesigning sections 17 through 32 as sections 18 through 33, respectively; and

(2) by inserting after section 16 the following:

SEC. 17. CLIMATE CHANGE STANDARDS AND PROCESSES.

“(a) IN GENERAL.—The Director shall establish within the Institute a program to perform research on global climate change standards and processes, with the goal of providing scientific and technical knowledge applicable to the reduction of greenhouse gases (as defined in section 3(b) of the Climate Stewardship Act of 2001) and of facilitating implementation of section 204 of that Act.

“(b) RESEARCH PROGRAM.—

“(1) IN GENERAL.—The Director is authorized to conduct, directly or through contracts or grants, a global climate change standards and processes research program.

“(2) RESEARCH PROJECTS.—The specific contents and priorities of the research program shall be determined in consultation with appropriate Federal agencies, including the Environmental Protection Agency, the National Oceanic and Atmospheric Administration, and the National Aeronautics and Space Administration. The program generally shall include basic and applied research—

(A) to develop and provide the enhanced measurements, calibrations, data, models, and reference material standards which will enable the monitoring of greenhouse gases;

(B) to assist in establishing a baseline reference point for future trading in greenhouse gases and the measurement of progress in emissions reductions; and

(C) to exchange internationally as scientific or technical information which has the stated purpose of developing mutually recognized measurements, standards, and procedures for reducing greenhouse gases; and

“(d) NATIONAL VOLUNTARY LABORATORY ACCREDITATION.—

“(1) IN GENERAL.—In carrying out this section, the Director shall utilize the collective skills of the National Measurement Laboratories of the National Institute of Standards and Technology to improve the accuracy of measurements that will permit better understanding and control of these industrial chemical processes and result in the reduction or elimination of greenhouse gases.

“(2) MATERIAL, PROCESS, AND BUILDING RESEARCH.—The National Measurement Laboratories shall conduct research under this subsection that encourages—

(A) development of material and manufacturing processes which are designed for energy efficiency and reduced greenhouse gas emissions into the environment; and

(B) developing chemical processes to be used by industry that, compared to similar processes in commercial use, result in reduced emissions of greenhouse gases or increased sequestration of greenhouse gases; and

“(C) enhancing building performance with a focus in developing standards or tools which will help incorporate low- or no-emission technologies into building designs.

“(3) STANDARDS AND TOOLS.—The National Measurement Laboratories shall develop standards and tools under this subsection that include software to assist designers in selecting alternate building materials, performance data on materials, artificial intelligence-aided design procedures for building subsystems and ‘smart buildings’, and improved test methods and rating procedures for evaluating the energy performance of residential and commercial appliances and products.

“(d) NATIONAL VOLUNTARY LABORATORY ACCREDITATION.—The Director shall utilize the National Voluntary Laboratory Accreditation Program under this section to establish a program to include specific calibration and test methods and protocols assembled to satisfy the unique needs for accreditation in measuring the production of greenhouse gases. In carrying out this subsection the Director may cooperate with other departments and agencies of the Federal Government, State and local governments, and private organizations.

SEC. 109. TECHNOLOGY DEVELOPMENT AND DIFFUSION.

The Director of the National Institute of Standards and Technology, through the Manufacturing Extension Partnership Program, may develop a program to promote the use, by the more than 380,000 small manufacturers, of new and improved technologies and techniques that result in reduced emissions of greenhouse gases or increased sequestration of greenhouse gases.

SEC. 110. AGRICULTURAL OUTREACH PROGRAM.

(a) IN GENERAL.—The Secretary of Agriculture, through the Manufacturing Extension Program Office and in consultation with the heads of other appropriate departments and agencies, shall establish the Global Change Education and Outreach Initiative Program to educate, and reach out to, agricultural organizations and individual farmers on global climate change.

(b) PROGRAM COMPONENTS.—The program—

(1) shall be designed to ensure that agricultural organizations and individual farmers receive detailed information about—

(A) the potential impact of climate change on their operations and

(B) market-driven economic opportunities that may come from storing carbon in soils and vegetation, including emerging private sector markets for carbon storage; and

(C) techniques for measuring, monitoring, verifying, and inventories such carbon capture efforts;

(2) may incorporate existing efforts in any area of activity referenced in paragraph (1) or in related areas of activity;

(3) shall provide—

(A) outreach materials to interested parties;

(B) workshops; and

(C) technical assistance; and

(4) may include the creation and development of regional centers on climate change or coordination with existing centers (including such centers within NRCS and the Cooperative State Research Education and Extension Service).

TITLE II—NATIONAL GREENHOUSE GAS DATABASE

SEC. 201. NATIONAL GREENHOUSE GAS DATABASE AND REGISTRATION.

(a) ESTABLISHMENT.—As soon as practicable after the date of enactment of this Act, the Administrator, in coordination with the Secretary of Energy, the Secretary of Agriculture, and private sector and nongovernmental organizations, shall establish, operate, and maintain a database, to be known as the National Greenhouse Gas Database, to collect, verify, and analyze information on greenhouse gas emissions by entities.

(b) NATIONAL GREENHOUSE GAS DATABASE COMPONENTS.—The database shall consist of—

(1) an inventory of greenhouse gas emissions; and

(2) a registry of greenhouse gas emission reductions and increases in greenhouse gas sequestrations.

(c) COMPREHENSIVE SYSTEM.—

(1) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Administrator shall promulgate regulations to implement a comprehensive system for greenhouse gas emissions reporting, inventorying, and reductions registration.

(2) REQUIREMENTS.—The Administrator shall ensure, to the maximum extent practicable, that—

(A) the comprehensive system described in paragraph (1) is designed to—

(i) maximize completeness, transparency, and accuracy of information reported; and

(ii) minimize costs incurred by entities in measuring and reporting greenhouse gas emissions; and

(B) the regulations promulgated under paragraph (1) establish procedures and protocols necessary—

(i) to prevent the double-counting of greenhouse gas emissions or emission reductions reported by more than one reporting entity; and

(ii) to provide for corrections to errors in data submitted to the database;

(iii) to provide for adjustment to data by reporting entities that have had a significant organizational change (including mergers, acquisitions, and divestitures), in order to maintain comparability among data in the database over time;

(iv) to provide for adjustments to reflect, new technologies or methods for measuring or calculating greenhouse gas emissions; and

(v) to account for changes in registration of greenhouse gas emission reductions resulting from a voluntary private transaction between reporting entities; and

(vi) to update the National Greenhouse Gas Database in accordance with new technologies or methods for measuring or calculating greenhouse gas emissions.

The database shall consist of—

(A) a registry of greenhouse gas emissions; and

(B) a registry of greenhouse gas emission reductions and increases in greenhouse gas sequestrations.

The database shall consist of—

(A) a registry of greenhouse gas emissions; and

(B) a registry of greenhouse gas emission reductions and increases in greenhouse gas sequestrations.

The database shall consist of—

(A) a registry of greenhouse gas emissions; and

(B) a registry of greenhouse gas emission reductions and increases in greenhouse gas sequestrations.

The database shall consist of—

(A) a registry of greenhouse gas emissions; and

(B) a registry of greenhouse gas emission reductions and increases in greenhouse gas sequestrations.
(vi) to clarify the responsibility for reporting in the case of any facility owned or controlled by more than 1 entity;

(3) SERIAL NUMBERS.—Through regulations promulgated under paragraph (1), the Administrator shall develop and implement a system that provides—

(A) for the verification of submitted emissions and emission reduction reports required under this section; and

(B) for the provision of unique serial numbers to identify the registered emission reductions made by an entity relative to the baseline greenhouse gas emissions.

(4) REQUIREMENTS.—An entity that participates or has participated in the greenhouse gas reduction activities described in paragraph (1) may (along with entities in the private and public sectors) make a claim for the greenhouse gas reduction equal to 1 point for every 1 ton of greenhouse gas reductions achieved at any time since 1990 under this section; and

(5) INDEPENDENT THIRD-PARTY VERIFICATION.—To meet the requirements of this section and section 203, an entity that is required to submit a report under this section may—

(a) obtain independent third-party verification; and

(b) present the results of the third-party verification to the Administrator.

(6) AVAILABILITY OF DATA.—

(A) IN GENERAL.—The Administrator shall ensure that information in the database is—

(i) published; and

(ii) accessible to the public, including in electronic format on the Internet.

(B) EXCEPTION.—Subparagraph (A) shall not apply in any case in which the Administrator determines that publishing or otherwise making available information described in that subparagraph poses a risk to national security or discloses confidential business information that cannot be derived from information that is otherwise publicly available and that would cause competitive harm if published.

(7) DATA INFRASTRUCTURE.—The Administrator shall ensure, to the maximum extent practicable, that the database rises, and is integrated with, Federal, State, and regional greenhouse gas data collection and reporting systems in effect as of the date of enactment of this Act.

(8) ADDITIONAL ISSUES TO BE CONSIDERED.—In promulgating the regulations under section 201(c)(1) and implementing the database, the Administrator shall take into consideration a broad range of issues involved in establishing an effective database, including—

(A) the data and information systems and measures necessary to identify, track, and report greenhouse gas emissions in a manner that will encourage private sector trading and exchanges;

(B) the greenhouse gas reduction and sequestration measurement and verification methods and standards applied in other countries, as applicable or relevant;

(C) the extent to which available fossil fuels, greenhouse gas emissions, and greenhouse gas production are imported data are adequate to implement the database; and

(D) the differences in, and potential uniqueness of, the utilities operations, and business and other relevant practices of persons and entities in the private and public sectors that may be expected to participate in the database.

(9) ANNUAL REPORT.—The Administrator shall publish an annual report that—

(A) describes the total greenhouse gas emissions and emission reductions reported to the database during the year covered by the report;

(B) provides entity-by-entity and sector-by-sector analyses of the emissions and emission reductions reported; and

(C) describes the atmospheric concentrations of greenhouse gases; and

(D) provides a comparison of current and past atmospheric concentrations of greenhouse gases.

SEC. 202. INVENTORY OF GREENHOUSE GAS EMISSIONS FOR COVERED ENTITIES.

(a) IN GENERAL.—Not later than July lst of each calendar year after 2006, each covered entity shall submit to the Administrator a report that states, for the preceding calendar year, the entity-wide greenhouse gas emissions (as reported at the facility level), including—

1. the total quantity of direct greenhouse gas emissions attributed to stationary sources, expressed in units of carbon dioxide equivalents, except those reported under paragraph (3);

2. the amount of petroleum products sold or imported by the entity and the amount of greenhouse gases, expressed in units of carbon dioxide equivalents, that would be emitted when these products are used for transportation in the United States, as determined by the Administrator under section 301(b); and

3. such other categories of emissions as the Administrator requires to be reported under section 201(c)(1) and that will encourage private sector trading and exchanges; and

(b) COLLECTION AND ANALYSIS OF DATA.—

The Administrator shall collect and analyze information reported under subsection (a) for use under title III.

SEC. 203. GREENHOUSE GAS REDUCTION REPORTING.

(a) IN GENERAL.—Subject to the requirements described in subsection (b)—

1. a covered entity may register greenhouse gas emission reductions achieved after 1990 and before 2010 under this section; and

2. a covered entity that is not a covered entity under paragraph (1) may submit a report described in paragraph (1) before the date specified in that paragraph for the purposes of achieving and commoditizing greenhouse gas reductions through use of the registry and for other purposes; and

(b) REQUIREMENTS.—

1. IN GENERAL.—The requirements referred to in subsection (a) are that an entity—

(A) establish a baseline; and

(B) submit the report described in subsection (c)(1).

2. REQUIREMENTS APPLICABLE TO ENTITIES ENTERING INTO CERTAIN AGREEMENTS.—An entity that enters into an agreement with a participant in the registry for the purpose of a carbon sequestration project shall not be required to comply with the requirements specified in paragraph (1) unless that entity

is required to comply with the requirements by reason of an action other than the agreement.

(c) REPORTS.—

1. REQUIRED REPORT.—Not later than July 1st of each calendar year beginning more than 2 years after the date of enactment of this Act, and that failure required under this subsection shall be prohibited from using, or allowing another entity to use, its registered emissions reductions or increases in sequestration to satisfy the requirements of section 301.

2. INDEPENDENT THIRD-PARTY VERIFICATION.—To meet the requirements of this section and section 203, an entity that is required to submit a report under this section may—

(a) obtain independent third-party verification; and

(b) present the results of the third-party verification to the Administrator.

3. AVAILABILITY OF DATA.—

(A) IN GENERAL.—The Administrator shall ensure that information in the database is—

(i) published; and

(ii) accessible to the public, including in electronic format on the Internet.

(B) EXCEPTION.—Subparagraph (A) shall not apply in any case in which the Administrator determines that publishing or otherwise making available information described in that subparagraph poses a risk to national security or discloses confidential business information that cannot be derived from information that is otherwise publicly available and that would cause competitive harm if published.

4. DATA INFRASTRUCTURE.—The Administrator shall ensure, to the maximum extent practicable, that the database rises, and is integrated with, Federal, State, and regional greenhouse gas data collection and reporting systems in effect as of the date of enactment of this Act.

5. ADDITIONAL ISSUES TO BE CONSIDERED.—In promulgating the regulations under section 201(c)(1) and implementing the database, the Administrator shall take into consideration a broad range of issues involved in establishing an effective database, including—

(A) the data and information systems and measures necessary to identify, track, and report greenhouse gas emissions in a manner that will encourage private sector trading and exchanges;

(B) the greenhouse gas reduction and sequestration measurement and verification methods and standards applied in other countries, as applicable or relevant;

(C) the extent to which available fossil fuels, greenhouse gas emissions, and greenhouse gas production are imported data are adequate to implement the database; and

(D) the differences in, and potential uniqueness of, the utilities operations, and business and other relevant practices of persons and entities in the private and public sectors that may be expected to participate in the database.

(E) ANNUAL REPORT.—The Administrator shall publish an annual report that—

1. describes the total greenhouse gas emissions and emission reductions reported to the database during the year covered by the report;

2. provides entity-by-entity and sector-by-sector analyses of the emissions and emission reductions reported; and

3. describes the atmospheric concentrations of greenhouse gases; and

4. provides a comparison of current and past atmospheric concentrations of greenhouse gases.
(a) STANDARDS.—(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary, in consultation with the Administrator, the Secretary of Energy, and the Secretary of Agriculture, shall establish measurement and verification methods and standards to ensure a consistent and technically accurate record of greenhouse gas emissions, emission reductions, and atmospheric concentrations for use in the registry.

(2) REQUIREMENTS.—The methods and standards established under paragraph (1) shall include—

(A) a requirement that a covered entity use a continuous emissions monitoring system, or another system of measuring or estimating emissions that is determined by the Secretary to provide information with precision, reliability, accessibility, and timeliness similar to that provided by a continuous emissions monitoring system where technologically feasible;

(B) establishment of standardized measurement and verification practices for reports made by entities participating in the registry, taking into account—

(i) protocols and standards in use by entities required or desiring to participate in the registry as of the date of development of the methods and standards under paragraph (1);

(ii) boundary issues, such as leakage;

(iii) avoidance of double counting of greenhouse gas emissions and emission reductions;

(iv) protocols to prevent a covered entity from avoiding the requirements of this Act by reorganization into multiple entities that are under common control; and

(v) procedures for the Secretary, in consultation with the Administrator, to determine methods of measuring, estimating or calculating emissions for covered entities, for those cases in which the Secretary determines that methods of monitoring, measuring or estimating such emissions with precision, reliability, accessibility, and timeliness similar to that provided by a continuous emissions monitoring system are not technologically feasible at present; and

(B) reporting the accuracy of such estimations;

(D) establishment of measurement and verification requirements applicable to sequestered greenhouse gas emissions that are taken to reduce, avoid, or sequester greenhouse gas emissions;

(E) in coordination with the Secretary of Agriculture, implement a procedure to measure the results of the use of carbon sequestration and carbon capture technologies, including—

(i) soil carbon sequestration practices; and

(ii) forest preservation and reforestation activities that adequately address the issues of permanence, leakage, and verification;

(F) establishment of standards for obtaining the Secretary's approval of the suitability of geological storage sites to include evaluation of both the geology of the site and the entity's capacity to manage the site;

(G) establishment of other features that, as determined by the Secretary, will allow entities to adequately establish a fair and reliable measurement and reporting system.

(b) REVIEW AND REVISION.—The Secretary shall periodically review, and revise as necessary, the methods and standards developed under paragraph (1).

(c) PUBLIC PARTICIPATION.—The Secretary shall—

(1) make available to the public for comment, in draft form and for a period of at least 90 days, the methods and standards developed under subsection (a); and

(2) after the methods and standards referred to in paragraph (1), in coordination with the Secretary of Energy, the Secretary of Agriculture, and the Administrator, adopt the methods and standards under subsection (a) for use in implementing the database.

(3) EXPERTS AND CONSULTANTS.—(1) IN GENERAL.—The Secretary may obtain the services of experts and consultants in the private and nonprofit sectors in accordance with section 3109 of title 5, United States Code, in the development of greenhouse gas measurement, certification, and emission trading.

(2) AVAILABLE ARRANGEMENTS.—In obtaining any services under paragraph (1), the Secretary may use any available grant, contract, cooperative agreement, or other arrangement authorized by law.

TITLE III—MARKET-DRIVEN GREENHOUSE GAS EMISSIONS Credits Submitted By Marked Transactions

Subtitle A—Emission Reduction Requirements; Use of Tradeable Allowances

SEC. 301. COVERED ENTITIES MUST SUBMIT ALLOWANCES FOR EMISSIONS.

(a) IN GENERAL.—Beginning with calendar year 2010—

(1) each covered entity in the electric generation, industrial, and commercial sectors shall submit one tradeable allowance for every metric ton of greenhouse gases, measured in units of carbon dioxide equivalents, that it emits from stationary sources, except those described in paragraph (2);

(2) each producer or importer of hydrofluorocarbons, perfluorocarbons, or sulfur hexafluoride that is a covered entity shall submit to the Administrator one tradeable allowance for every metric ton of greenhouse gases, measured in units of carbon dioxide equivalents, that it emits from stationary sources, except those described in paragraph (2);

(b) DETERMINATION OF TRANSPORTATION SECTOR AMOUNT.—For the transportation sector, the Administrator shall determine the amount of greenhouse gases, measured in units of carbon dioxide equivalents, that will be emitted when petroleum products are used for transportation.

(c) CREDIT MARKET FOR SEQUESTRATION IN AGRICULTURAL SOILS.—If a covered entity chooses to satisfy 15 percent of its total allowance submission requirements under the provisions of subsection (b), it shall satisfy up to 1.5 percent of its total allowance submission requirements under this section without regard to whether the tradeable allowance was allocated to it under title B or acquired from another nation under the Climate Change Credit Corporation established under section 351.

(d) DETERMINATION OF TRADEABLE ALLOWANCE CREDITS.—The Administrator may make credits available under subsection (a) for anticipated reductions in emissions that—

(1) are attributable to the realization of capital investments in equipment, the construction, reconfiguration, or acquisition of facilities, or the deployment of new technologies—
(A) for which the covered entity has executed a binding contract and secured, or applied for, all necessary permits and operating or implementation authority; and

(B) for which the operation is scheduled to occur within the current calendar year; and

(C) that will become operational and begin to reduce, emissions from the covered entity within a year after the year in which the credit is used; and

(2) will be realized within 5 years after the year in which the credit is used.

(c) Submission of Tradeable Allowances.—If a covered entity uses a credit under this section to meet the requirements of this Act for a calendar year (referred to as the use year), the tradeable allowances for the year from which the credit was taken (referred to as the source year) shall be increased by an amount equal to:

(1) 10 percent for each credit borrowed from the source year, multiplied by

(2) the number of years beginning after the use year and before the source year.

(d) Maximum Borrowing Period.—A credit from a year beginning more than 5 years after the current year may not be used to meet the requirements of this Act for the current year.

(e) Failure To Achieve Reductions Generating Credit.—If a covered entity that uses a credit under this section to meet the requirements of this Act for a calendar year (referred to as the use year) fails to achieve the anticipated reduction for which the credit was granted for the year from which the credit was taken, then—

(1) the Administrator shall increase the amount of the credit, plus the amount determined under subsection (c), by the amount equal to

(2) the number of years beginning after the use year and before the source year.

(f) Maximum Borrowing Period.—A credit from a year beginning more than 5 years after the current year may not be used to meet the requirements of this Act for the current year.

(g) Exception.—Notwithstanding paragraph (1), an entity that is a covered entity for any calendar year beginning after 2009 shall not be considered to be a non-covered entity for purposes of subsection (a) only because it emitted, or its products would have emitted, 10,000 metric tons or less of greenhouse gas, measured in metric tons of carbon dioxide equivalents, in the year 2000.

SEC. 304. OTHER USES OF TRADEABLE ALLOWANCES.

(a) In General.—Tradeable allowances may be sold, exchanged, purchased, retired, or used as provided in this section.

(b) Intrasectoral Trading.—Covered entities may use tradeable allowances submitted to such entity under this Act for the current year to meet tradeable allowances requirements under this Act for the current year.

(c) Climate Change Credit Organization.—The Climate Change Credit Corporation established under section 351 may sell tradeable allowances allocated to it under section 332(a)(2) to any covered entity or to any investor, broker, or dealer in such tradeable allowances. The Climate Change Credit Corporation shall use all proceeds from such sales in accordance with the provisions of section 352.

(d) Banking of Tradeable Allowances.—Notwithstanding the requirements of section 301, a covered entity that has more than a sufficient amount of tradeable allowances to satisfy the requirements of section 301, may refrain from submitting a tradeable allowance to satisfy the requirements in order to sell, exchange, or use the tradeable allowance in the future.

SEC. 305. EXEMPTION OF SOURCE CATEGORIES.

(a) In General.—The Administrator may grant an exemption from the requirements of this Act to a source category if the Administrator determines, after public notice and comment and after considering whether it is feasible to meet or estimate the emissions from that source category, that the source category is not technologically feasible to measure or estimate emissions from that source category, until such time as measurement or estimation becomes feasible.

(b) Effect of Exemption.—If the Administrator exempts a source category under subsection (a), the Administrator shall also reduce the total tradeable allowances under section 331(a)(1) by the amount of greenhouse gas emissions that the exempted source category emitted in calendar year 2000, as identified in the 2000 Inventory.

(c) Limitation on Exemption.—The Administrator may not grant, an exemption under subsection (a) to carbon dioxide produced from fossil fuel.

Subtitle B—Establishment of Tradeable Allowances

SEC. 331. ESTABLISHMENT OF TRADEABLE ALLOWANCES.

(a) In General.—The Administrator shall promulgate regulations to establish tradeable allowances, denominated in units of carbon dioxide equivalents, for calendar years beginning in or after 2009.

(1) 5896 million metric tons, measured in units of carbon dioxide equivalents, reduced by

(2) the amount of emissions of greenhouse gases in calendar year 2000 from non-covered entities.

(b) Serial Numbers.—The Administrator shall assign a unique serial number to each tradeable allowance established under subsection (a), and shall take such action as may be necessary to prevent counterfeiting of tradeable allowances.

(c) Nature of Tradeable Allowances.—A tradeable allowance is not a property right, and nothing in this Act or in any executive order or other provision of law limits the authority of the United States to terminate or limit a tradeable allowance at any time.

(d) Non-Covered Entity.—In this section:

(1) In General.—The term ‘non-covered entity’ means an entity that—

(A) owns a source of greenhouse gas emissions in the electric power, industrial, or commercial sectors of the United States (as defined in the Inventory);

(B) uses tradeable allowances for use in transportation, or produces or imports hydrofluorocarbons, perfluorocarbons, or sulfur hexafluoride; and

(2) Exception.—Notwithstanding paragraph (1), an entity that is a covered entity for any calendar year beginning after 2009 shall not be considered to be a non-covered entity for purposes of subsection (a) only because it emitted, or its products would have emitted, 10,000 metric tons or less of greenhouse gas, measured in metric tons of carbon dioxide equivalents, in the year 2000.

SEC. 332. DETERMINATION OF TRADEABLE ALLOWANCE ALLOCATIONS.

(a) In General.—The Secretary shall determine—

(1) the amount of tradeable allowances to be allocated to each covered sector of that sector’s allotment; and

(2) the amount of tradeable allowances to be allocated to the Climate Change Credit Corporation established under section 351.

(b) Allocation Factors.—In making the determination required by subsection (a), the Secretary shall consider—

(1) the distribution of the allocations on household income and net worth of individuals;

(2) the impact of the allocations on corporate income, taxes, and asset values;

(3) the impact of the allocations on income levels of consumers and on their energy consumption;

(4) the effects of the allocations in terms of economic efficiency;

(5) the ability of covered entities to pass through compliance costs to their customers;

(6) the degree to which the amount of allocations to the covered sectors should decrease over time; and

(7) the need to maintain the international competitiveness of United States manufacturing and to avoid the additional loss of United States manufacturing jobs.

(c) Allocation Recommendations and Implementation.—Before allocating or providing tradeable allowances under subsection (a) and within 24 months after the date of enactment of this Act, the Secretary shall submit the determinations under subsection (a) to the Senate Committee on Environment and Public Works, the House of Representatives Committee on Science, and the House of Representatives Committee on Energy and Commerce. The Secretary’s determinations under paragraph (1), including the allocations of tradeable allowances pursuant to that determination, are deemed to be a major rule (as defined in section 551(2) of title 5, United States Code), and subject to the provisions of chapter 8 of that title.

SEC. 333. ALLOCATION OF TRADEABLE ALLOWANCES.

(a) In General.—Beginning with calendar year 2010 and after taking into account any initial allocations under section 334, the Administrator shall—

(1) allocate to each covered sector that section’s allotments determined by the Administrator under section 332 (adjusted for any such initial allocations) and the allocation to the Climate Change Credit Corporation established under section 351

(2) allocate to the Climate Change Credit Corporation established under section 351 the tradeable allowances allocable to that Corporation.

(b) Intrasectoral Allocations.—The Administrator shall, by regulation, establish a process for the allocation of tradeable allowances under this section, without cost to covered entities, that—

(1) encourages investments that increase the efficiency of the processes that produce greenhouse gas emissions;

(2) minimizes the costs to the government of allocating the tradeable allowances;

(3) not penalize a covered entity for emissions reductions made before 2010 and recognized by the data taking into account any initial allocations under section 334;

(4) provide sufficient allocation for new entrants into the sector.

(c) Point Source Allocation.—The Administrator shall allocate the tradeable allowances for the electric power, industrial, and commercial sectors to the entities owning or controlling the point sources of greenhouse gas emissions within that sector.

(d) Hydrofluorocarbons, Perfluorocarbons, and Sulfur Hexafluoride.—The Administrator shall allocate the tradeable allowances for producers or importers of hydrofluorocarbons, perfluorocarbons, or sulfur hexafluoride to such producers or importers.

(e) Special Rule for Allocation Within the Transportation Sector.—The Administrator shall allocate the tradeable allowances for the transportation sector to petrochemicals or importers of petroleum products that will be used as fuel for transportation.

(f) Allocations to Rural Electric Cooperatives.—For the purposes of this section, a rural electric cooperative that is owned or operated by a rural electric cooperative, the Administrator shall allocate each year, at no cost, allowances in an amount equal to the product of greenhouse gas emissions of cash such unit in 2000, plus an amount equal to the average emissions growth expected for all such units. The allocations shall be offset from the allowances allocated to the Climate Change Credit Corporation.
SEC. 334. ENSURING TARGET ADEQUACY.

(a) In General.—Beginning 2 years after the date of enactment of this Act, the Under Secretary of Commerce for Oceans and Atmosphere shall review the allowances established by section 331 as no less frequently than biennially—

(1) to re-evaluate the levels established by that section after taking into account the best available scientific data and the most current scientific and technical information available, and

(2) to re-evaluate the economic and public health impacts of specific concentrations of greenhouse gases, to determine whether the allowances established by subsection (a) continue to be consistent with the object of the United Nations Framework Convention on Climate Change of stabilizing levels of greenhouse gas emissions at a level that will prevent dangerous anthropogenic interference with the climate system.

(b) Review of 2010 Levels.—The Under Secretary shall specifically review in 2008 the level established under section 331(a)(1), and transmit, a report on his reviews, together with any recommendations, including legislative recommendations, for modification of the National Greenhouse Gas Database on Commerce, Science, and Transportation, the Senate Committee on Environment and Public Works, the House of Representatives Committee on Science, and the House of Representatives Committee on Energy and Commerce.

SEC. 335. INITIAL ALLOCATIONS FOR EARLY PARTICIPATION AND ACCELERATED PARTICIPATION.

Before making any allocations under section 333, the Administrator shall allocate—

(1) a quantity equal to the amount of tradeable allowances equivalent to the amount of greenhouse gas emissions reductions registered by that covered entity in the National Greenhouse Gas Database established under section 331

(A) the covered entity has registered to use the registered reduction in the year of allocation;

(B) the reduction was registered prior to 2010; and

(C) the Administrator retires the unique serial number assigned to the reduction under subsection (a)(1); and

(2) to any covered entity that has entered into an accelerated participation agreement under section 336, such tradeable allowances as the Administrator determines to be appropriate under that section.

SEC. 336. BONUS FOR ACCELERATED PARTICIPATION.

(a) In General.—If a covered entity executes an agreement with the Administrator under which it agrees to reduce its level of greenhouse gas emissions to a level no greater than the level of its greenhouse gas emissions for calendar year 1990 by the year 2010, then, for the 6-year period beginning with calendar year 2010, the Administrator shall—

(1) reduce by 5 years the tradeable allowances allocated to that entity when allocating allowances under section 331 in order to recognize the additional emissions reductions that will be required of the covered entity;

(2) allow that entity to satisfy 20 percent of its requirements under section 301 by—

(A) submitting tradeable allowances from another covered entity in greenhouse gas emissions under the conditions described in section 312(b)(1);

(B) submitting a net increase in greenhouse gas emissions registered in the National Greenhouse Gas Database established under section 201, and as adjusted by the appropriate sequestration discount rate established under section 308; and

(C) submitting a greenhouse gas emission reduction (other than a registered net increase in sequestration) that was registered in the National Greenhouse Gas Database by a person that is not a covered entity;

(b) Termination.—An entity that executes an agreement described in subsection (a) may terminate the agreement at any time.

(c) Failure to Meet Commitment.—If an entity that executed the agreement described in subsection (a) fails to achieve the level of reductions to which it committed by calendar year 2010—

(1) its requirements under section 301 shall be increased by the amount of any tradeable allowances provided to it under subsection (a)(1); and

(2) any tradeable allowances submitted thereafter shall be counted first against the increase in those requirements.

Subtitle C—Climate Change Credit Corporation

SEC. 335. ESTABLISHMENT.

(a) In General.—The Climate Change Credit Corporation is established as a non-profit corporation without stock. The Corporation shall not be considered to be an agency or establishment of the United States Government.

(b) Applicable Laws.—The Corporation shall be subject to the provisions of this title and, to the extent consistent with this title, to the District of Columbia Business Corporation Act.

(c) Board of Directors.—The Corporation shall have a board of directors of 5 individuals whom the Corporation elects, of whom 1 shall be elected annually by the board to serve as chairman. No more than 3 of the 5 members of the board serving at any time may be affiliated with the same political party. The members of the board shall be appointed by the President of the United States, by and with the advice and consent of the Senate and shall serve for terms of 5 years.

SEC. 334. ENSURING TARGET ADEQUACY.

(a) In General.—The Climate Change Credit Corporation is established as a non-profit corporation without stock. The Corporation shall not be considered to be an agency or establishment of the United States Government.

(b) Applicable Laws.—The Corporation shall be subject to the provisions of this title and, to the extent consistent with this title, to the District of Columbia Business Corporation Act.

(c) Board of Directors.—The Corporation shall have a board of directors of 5 individuals whom the Corporation elects, of whom 1 shall be elected annually by the board to serve as chairman. No more than 3 of the 5 members of the board serving at any time may be affiliated with the same political party. The members of the board shall be appointed by the President of the United States, by and with the advice and consent of the Senate and shall serve for terms of 5 years.

SEC. 352. PURPOSES AND FUNCTIONS.

(a) Trading.—The Corporation—

(1) shall receive and manage tradeable allowances allocated to it under section 333(a)(2); and

(2) shall buy and sell tradeable allowances, whether allocated to it under that section or obtained by purchase, trade, or donation from other entities; but

(3) may not retire tradeable allowances unused.

(b) Use of Tradeable Allowances and Proceeds.—

(1) In General.—The Corporation shall use the tradeable allowances, and proceeds derived from its trading activities in tradeable allowances, to promote by consumers as a result of the greenhouse gas reduction requirements of this Act. The reductions—

(A) may be obtained by buy-down, subsidy, negotiation of discounts, consumer rebates, or otherwise;

(B) shall be, as nearly as possible, equitably distributed across all regions of the United States; and

(C) may include arrangements for preferential treatment of consumers who can least afford any such increased costs.

(2) Transition Assistance to Dislocated Workers and Communities.—The Corporation shall allocate any proceeds derived from its trading activities in tradeable allowances to provide transition assistance to dislocated workers and communities. Transition assistance may take the form of—

(A) grants to employers, employer associations, and representatives of employees—

(i) to provide workforce assistance, and employment services to dislocated workers; and

(ii) to make income maintenance and needs-related payments to dislocated workers; and

(B) grants to State and local governments to assist communities in attracting new employers or providing essential local government services.

(3) Phase-out of Transition Assistance.—The percentage allocated by the Corporation under paragraph (2)—

(A) shall be 20 percent for 2010;

(B) shall be reduced by 2 percentage points each year thereafter; and

(C) may not be reduced below zero.

(4) Technology Deployment Programs.—The Corporation shall establish and carry out a program, through direct grants, revolving loan programs, or other financial measures, to provide incentives for greenhouse gas emissions reductions or net increases in greenhouse gas sequestration on agricultural lands. The program shall include incentives for—

(i) production of wind energy on agricultural lands;

(ii) agricultural management practices that achieve verified, incremental increases in net carbon sequestration, in accordance with the requirements established by the Administrator under section 323; or

(iii) production of renewable fuels that, after consideration of the energy needed to produce such fuels, result in a net reduction in greenhouse gas emissions from other entities; but

(5) Emissions from Forestry Projects.—The Corporation shall award grants to States and local governments to assist communities in attracting new employers or providing essential local government services.

Subtitle D—Sequestration Accounting; Penalties

SEC. 371. SEQUESTRATION ACCOUNTING.

(a) Sequestration Accounting.—If a covered entity uses a registered net increase in sequestration to satisfy the requirements of section 301 for any year, that covered entity shall submit information to the Administrator that allows the Administrator to determine, using the methods and standards established under this Act, whether that net increase in sequestration still exists. Unless the Administrator determines that the net increase in sequestration continues to exist, the covered entity shall offset any loss of sequestration against additional tradeable allowances of equivalent amount in the calendar year following that determination.

(b) Regulations Required.—The Secretary of Commerce, acting through the Under Secretary of Commerce for Science and Technology, in coordination with the Secretary of Agriculture, the Secretary of Energy, and the Administrator, shall establish the sequestration accounting rules for all classes of sequestration projects.
(c) **CRITERIA FOR REGULATIONS.**—In issuing regulations under this section, the Secretary shall use the following criteria:

(1) If the range of possible amounts of net increase in sequestration for a particular class of sequestration project is not more than 10 percent of the median of that range, the amount of sequestration awarded shall be equal to the median value of that range.

(2) If the range of possible amounts of net increase in sequestration for a particular class of sequestration project is more than 10 percent of the median of that range, the amount of sequestration awarded shall be equal to the fifth percentile of that range.

(3) The Secretary shall include procedures for accounting for potential leakage from sequestration projects and for ensuring that any registered increase in sequestration is in addition to that which would have occurred if this Act had not been enacted.

(4) **UPDATES.**—The Secretary shall update the sequestration accounting rules for every class of sequestration project at least once every 5 years.

**SEC. 372. PENALTIES.**

Any covered entity that fails to meet the requirements of section 301 for a year shall be liable to a penalty, payable to the Administrator, equal to thrice the market value (determined as of the last day of the year in issue) of the tradable allowances that would be necessary for that covered entity to meet those requirements on the date of the emission that resulted in the violation.

**NOTICES OF HEARINGS/MEETINGS**

**COMMITTEE ON ENERGY AND NATURAL RESOURCES**

Mr. DOMENICI. Mr. President, I would like to announce for the information of the Senate and the public that the following hearing has been scheduled before the Committee on Energy and Natural Resources:

The hearing will be held on Tuesday, July 13, at 10 a.m. in room SD-366 of the Dirksen Senate Office Building in Washington, DC.

The purpose of the hearing is to receive testimony regarding the role of nuclear power in national energy policy.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send two copies of their testimony to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510–6555.

For further information, please contact Patrick McInerney at 202–224–7545.

**SUBCOMMITTEE ON NATIONAL PARKS**

Mr. THOMAS. Mr. President, I would like to announce for the information of the Senate and the public that the following hearing has been scheduled before the Subcommittee on National Parks of the Committee on Energy and Natural Resources:

The hearing will be held on Thursday, July 15, 2004, at 2:30 p.m. in room SD-366 of the Dirksen Senate Office Building in Washington, DC.

The purpose of the hearing is to receive testimony on the following bills:

S. 2571, to limit the royalty on soda ash; S. 2553, to reauthorize and amend the National Geologic Mapping Act of 1992; H.R. 1189, to increase the waiver requirement for certain local matching requirements for grants provided to American Samoa, Guam, the Virgin Islands, or the Commonwealth of the Northern Mariana Islands, and for other purposes; and H.R. 2010, to protect the voting rights of members of the Armed Services in elections for the Delegate representing the District of Columbia in the United States House of Representatives, and for other purposes.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send two copies of their testimony to the Committee on Energy and Natural Resources, United States Senate, SD–364 Dirksen Senate Office Building, Washington, DC 20510–6590.

For further information, please contact Tom Lillie at (202) 224–5161 or Sarah Creachbaum at (202) 224–6293.

**PRIVILEGES OF THE FLOOR**

Mr. HATCH. Mr. President, I ask unanimous consent that floor privileges be extended to the following staffers for the duration of debate on S. 2062: Harold Kim, Kevin O’Scannlain, Ryan Triplette, Brendan Dunn, Levi Smythe, and Kevin Madigan from the Judiciary Committee.

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

**APPOINTMENT**

The PRESIDING OFFICER. The Chair announces the following appointment made by the Democratic Leader during the adjournment: Pursuant to Public Law 105–18, on behalf of the Democratic Leader, the appointment of Clare M. Cotton of Massachusetts to serve as a member of the National Commission on the cost of Higher Education on June 30, 2004.

**THE CALENDAR**

**NATIONAL AIRBORNE DAY**

**NATIONAL HEALTH CENTER WEEK**

**NATIONAL ATTENTION DEFICIT DISORDER AWARENESS DAY**

Mr. GRASSLEY. Mr. President, I ask unanimous consent the Senate proceed to immediate consideration of Calendar Nos. 585, 586, and 587, en bloc.

The assistant legislative clerk read as follows:

A resolution (S. Res. 322) designating August 16, 2004 as “National Airborne Day.”

A resolution (S. Res. 357) designating the week of August 8 through August 14, 2004, as “National Health Center Week.”

A resolution (S. Res. 370) designating September 7, 2004, as “National Attention Deficit Disorder Awareness Day.”

There being no objection, the Senate proceeded to consider the resolutions en bloc.

Mr. GRASSLEY. I ask unanimous consent the resolutions be agreed to, the preamble be agreed to, and the motions to reconsider be laid on the table, all en bloc.

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