

**SA 4734.** Mr. LAUTENBERG submitted an amendment intended to be proposed by him to the bill S. 3711, to enhance the energy independence and security of the United States by providing for exploration, development, and production activities for mineral resources in the Gulf of Mexico, and for other purposes; which was ordered to lie on the table; as follows:

Amend the title so as to read: "Lee R. Raymond Oil Profitability Act."

**SA 4736.** Mr. BIDEN submitted an amendment intended to be proposed to amendment SA 4713 proposed by Mr. FRIST to the bill S. 3711, to enhance the energy independence and security of the United States by providing for exploration, development, and production activities for mineral resources in the Gulf of Mexico, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . REPEAL OF 2005 ENERGY ACT FOSSIL FUEL ENERGY TAX INCENTIVES.**

(a) REPEAL.—The provisions of, and the amendments made by, subtitle B of title XIII of the Energy Policy Act of 2005 are repealed and the Internal Revenue Code of 1986 shall be applied and administered as if such provisions and amendments had never been enacted.

(b) EFFECTIVE DATE.—This section shall take effect as if the provisions described in subsection (a) had never been included in the Energy Policy Act of 2005.

**SA 4737.** Mr. DAYTON submitted an amendment intended to be proposed by him to the bill S. 3711, to enhance the energy independence and security of the United States by providing for exploration, development, and production activities for mineral resources in the Gulf of Mexico, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . RENEWABLE FUELS PROMOTION.**

(a) PROHIBITION ON RESTRICTION OF INSTALLATION OF RENEWABLE FUEL PUMPS.—

(1) IN GENERAL.—Title I of the Petroleum Marketing Practices Act (15 U.S.C. 2801 et seq.) is amended by adding at the end the following:

**"SEC. 107. PROHIBITION ON RESTRICTION OF INSTALLATION OF RENEWABLE FUEL PUMPS.**

"(a) DEFINITION OF FRANCHISE-RELATED DOCUMENT.—In this section, the term 'franchise-related document' means—

"(1) a franchise under this Act; and  
 "(2) any other contract or directive of a franchisor relating to terms or conditions of the sale of fuel by a franchisee.

"(b) PROHIBITIONS.—  
 "(1) IN GENERAL.—Notwithstanding any provision of a franchise-related document in effect on the date of enactment of this section, no franchisee or affiliate of a franchisee shall be restricted from—

"(A) installing on the marketing premises of the franchisee a renewable fuel pump;

"(B) converting an existing tank and pump on the marketing premises of the franchisee for renewable fuel use;

"(C) advertising (including through the use of signage or logos) the sale of any renewable fuel; or

"(D) selling renewable fuel in any specified area on the marketing premises of the franchisee (including any area in which a name or logo of a franchisor or any other entity appears).

"(2) ENFORCEMENT.—Any restriction described in paragraph (1) that is contained in a franchise-related document and in effect on the date of enactment of this section—

"(A) shall be considered to be null and void as of that date; and

"(B) shall not be enforced under section 105.

"(c) EXCEPTION TO 3-GRADE REQUIREMENT.—No franchise-related document that requires that 3 grades of gasoline be sold by the applicable franchisee shall prevent the franchisee from selling a renewable fuel in lieu of 1 grade of gasoline."

(2) CONFORMING AMENDMENTS.—

(A) IN GENERAL.—Section 101(13) of the Petroleum Marketing Practices Act (15 U.S.C. 2801(13)) is amended by adjusting the indentation of subparagraph (C) appropriately.

(B) TABLE OF CONTENTS.—The table of contents of the Petroleum Marketing Practices Act (15 U.S.C. 2801 note) is amended—

(i) by inserting after the item relating to section 106 the following:

"Sec. 107. Prohibition on restriction of installation of renewable fuel pumps.";

and

(ii) by striking the item relating to section 202 and inserting the following:

"Sec. 202. Automotive fuel rating testing and disclosure requirements."

(b) REFUELING.—The Energy Policy Act of 1992 is amended by inserting after section 304 (42 U.S.C. 13213) the following:

**"SEC. 304A. FEDERAL FLEET FUELING CENTERS.**

"(a) IN GENERAL.—Not later than January 1, 2008, the appropriate Federal agency shall install not less than 1 renewable fuel pump at every Federal fleet fueling center in the United States.

"(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as are necessary to carry out this section."

(c) REPORT.—Not later than October 31 of each year beginning after the date of enactment of this Act, the President shall submit to Congress a report that describes the progress of the agencies of the Federal government (including the Executive Office of the President) in complying with—

(1) the Energy Policy Act of 1992 (42 U.S.C. 13201 et seq.);

(2) Executive Order 13149 (65 Fed. Reg. 24595); relating to greening the government through Federal fleet and transportation efficiency); and

(3) the Federal fleet fueling center requirement under section 304A of the Energy Policy Act of 1992 (as added by subsection (b)).

**SA 4738.** Mr. KYL (for himself and Mr. DEWINE) submitted an amendment intended to be proposed by him to the bill S. 3711, to enhance the energy independence and security of the United States by providing for exploration, development, and production activities for mineral resources in the Gulf of Mexico, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . ROYALTY RELIEF FOR PRODUCTION OF OIL AND GAS.**

(a) PRICE THRESHOLDS.—Notwithstanding any other provision of law, the Secretary shall place limitations based on market

price on the royalty relief granted under any lease for the production of oil or natural gas on Federal land (including submerged land) entered into by the Secretary on or after the date of enactment of this Act.

(b) CLARIFICATION OF AUTHORITY TO IMPOSE PRICE THRESHOLDS FOR CERTAIN LEASE SALES.—Congress reaffirms the authority of the Secretary under section 8(a)(1)(H) of the Outer Continental Shelf Lands Act (43 U.S.C. 1337(a)(1)(H)) to vary, based on the price of production from a lease, the suspension of royalties under any lease subject to section 304 of the Outer Continental Shelf Deep Water Royalty Relief Act (Public Law 104-58; 43 U.S.C. 1337 note).

**AUTHORITY FOR COMMITTEES TO MEET**

**COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY**

Mr. DeMINT. Mr. President, I ask unanimous consent that the Subcommittee on Forestry, Conservation, and Rural Revitalization of the Committee on Agriculture, Nutrition and Forestry be authorized to conduct a hearing during the session of the Senate on July 27, 2006, at 10 a.m. in SR-328A, Russell Senate Office Building. The purpose of this subcommittee hearing will be to conduct an oversight hearing on the U.S. Department of Agriculture use of technical service providers.

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

**COMMITTEE ON ARMED SERVICES**

Mr. DeMINT. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on July 27, 2006, at 10 a.m., in open session to consider the following nomination: Lieutenant General James T. Conway, USMC, for appointment to the grade of General and to be Commandant of the Marine Corps.

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

**COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION**

Mr. DeMINT. Mr. President, I ask unanimous consent that the Senate Committee on Commerce, Science, and Transportation meet to consider the following nominations on Thursday, July 27, 2006, at 11 a.m.:

Charles Nottingham to be a Member of the Surface Transportation Board; Robert Sumwalt to be a Member of the National Transportation Safety Board; Nathaniel Wienecke to be Assistant Secretary for Legislative and Intergovernmental Affairs, Department of Commerce; Jay Cohen to be Under Secretary for Science and Technology, Department of Homeland Security; and Sean Connaughton to be Administrator of the Maritime Administration, Department of Transportation.

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

**COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS**

Mr. DeMINT. Mr. President, I ask unanimous consent that on Thursday, July 27th, 2006, at 9:30 a.m. the Committee on Environment and Public

Works be authorized to hold a hearing to discuss the Stafford Act: A Path Forward for the Nation's Emergency Preparedness and Response System.

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

COMMITTEE ON FINANCE

Mr. DEMINT. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session on Thursday, July 27, 2006, at 10 a.m. in 215 Dirksen Senate Office Building, to review and make recommendations on proposed legislation implementing the U.S.-Peru Trade Promotion Agreement, and to consider favorably reporting S. 3495, to authorize the extension of nondiscriminatory treatment (normal trade relations treatment) to the products of Vietnam.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. DEMINT. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Thursday, July 27, 2006, at 9:30 a.m. to hold a nominations hearing.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. DEMINT. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Thursday, July 27, 2006, at 2:30 p.m. to hold a nominations hearing.

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

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. DEMINT. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to hold a hearing during the session of the Senate on Thursday, July 27, 2006, at 10 a.m. in SD-430.

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

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. DEMINT. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet on Thursday, July 27, 2006, at 10 a.m. for a business meeting to consider pending committee business.

Agenda

Legislation

1. S. 2590, Federal Funding Accountability and Transparency Act of 2006;

2. S. , Post-Katrina Emergency Management Reform Act of 2006;

3. S. 1838, Federal and District of Columbia Government Real Property Act of 2005;

4. S. 3492, Federal Workforce Performance Appraisal and Management Improvement Act of 2006;

5. S. 3584, Federal Supervisor Training Act of 2006.

Post Office Naming Bills

1. S. 3613, to designate the facility of the USPS located at 2951 New York Highway 43 in Averill Park, New York, as the "Major George Quamo Post Office Building;"

2. H.R. 4246, to designate the facility of the USPS located at 8135 Forest Lane in Dallas, Texas, as the "Dr. Robert E. Price Post Office Building;"

3. H.R. 5104, to designate the facility of the USPS located at 1750 16th Street South in St. Petersburg, Florida, as the "Morris W. Milton Post Office;"

4. H.R. 5169, to designate the facility of the USPS located at 1310 Highway 64 NW in Ramsey, Indiana, as the "Wilfred Edward 'Cousin Willie' Sieg, Sr. Post Office;"

5. H.R. 5540, to designate the facility of the USPS located at 217 Southeast 2nd Street in Dimmitt, Texas, as the "Sergeant Jacob Dan Dones Post Office."

Post Office Naming Bills—Tentative

1. H.R. 4646, to designate the facility of the U.S. Postal Service located at 7320 Reseda Boulevard in Reseda, California, as the "Coach John Wooden Post Office Building;"

2. S. 2555, to designate the facility of the U.S. Postal Service located at 2633 11th Street in Rock Island, Illinois, as the "Lane Evans Post Office Building;"

3. S. 2719/H.R. 5107, to designate the facility of the U.S. Postal Service located at 1400 West Jordan Street in Pensacola, Florida, as the "Earl D. Hutto Post Office Building."

Nominations

1. Paul A. Denett to be Administrator for Federal Procurement Policy, Office of Management and Budget;

2. The Honorable Anna Blackburne-Rigsby to be Associate Judge, District of Columbia Court of Appeals;

3. Phyllis D. Thompson to be Associate Judge, District of Columbia Court of Appeals;

4. Jennifer M. Anderson to be Associate Judge, Superior Court of the District of Columbia;

5. The Honorable Mickey D. Barnett to be Governor, U.S. Postal Service;

6. Katherine C. Tobin to be Governor, U.S. Postal Service;

7. Ellen C. Williams to be Governor, U.S. Postal Service.

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

COMMITTEE ON THE JUDICIARY

Mr. DEMINT. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet to conduct a markup on Thursday, July 27, 2006, at 10:45 a.m. in Senate Dirksen Building Room 226.

Tentative Agenda

I. Nominations

Kimberly Ann Moore, to be U.S. Circuit Judge for the Federal Circuit; Frances M. Tydingco-Gatewood, to be Judge for the District Court of Guam; Steven G. Bradbury, to be an Assistant

Attorney General for the Office of Legal Counsel; R. Alexander Acosta, to be U.S. Attorney for the Southern District of Florida.

II. Bills

S. 2453, National Security Surveillance Act of 2006, Specter;

S. 2455, Terrorist Surveillance Act of 2006, DeWine, Graham;

S. 2468, A bill to provide standing for civil actions for declaratory and injunctive relief to persons who refrain from electronic communications through fear of being subject to warrantless electronic surveillance for foreign intelligence purposes, and for other purposes, Schumer;

S. 3001, Foreign Intelligence Surveillance Improvement and Enhancement Act of 2006, Specter, Feinstein;

S. 2831, Free Flow of Information Act of 2006, Lugar, Specter, Graham, Schumer, Biden, Grassley;

S. 155, Gang Prevention and Effective Deterrence Act of 2005, Feinstein, Hatch, Grassley, Cornyn, Kyl, Specter;

S. 1845, Circuit Court of Appeals Restructuring and Modernization Act of 2005, Ensign, Kyl;

S. 2679, Unsolved Civil Rights Crime Act, Talent, DeWine, Cornyn.

III. Matters

Subpoenas Relating to ABA Reports.

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

COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP

Mr. DEMINT. Mr. President, I ask unanimous consent that the Committee on Small Business and Entrepreneurship be authorized to meet during the session of the Senate for a markup on "The Small Business Reauthorization and Improvements Act of 2006," on Thursday, July 27, 2006, beginning at 10 a.m., in room 428A of the Russell Senate Office Building.

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

COMMITTEE ON VETERANS' AFFAIRS

Mr. DEMINT. Mr. President, I ask unanimous consent that the Committee on Veterans' Affairs be authorized to meet during the session of the Senate on Thursday, July 27, 2006, to hold a hearing to consider the nominations of Patrick W. Dunne to be Assistant Secretary for Policy & Planning and Thomas E. Harvey to be Assistant Secretary for Congressional Affairs, Department of Veterans' Affairs. The hearing will take place in room 418 of the Russell Senate Office Building at 10 a.m.

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

COMMITTEE ON VETERANS' AFFAIRS

Mr. DEMINT. Mr. President, I ask unanimous consent that the Committee on Veterans' Affairs be authorized to meet during the session of the Senate on Thursday, July 27, 2006, to hold a markup to consider the nominations of Patrick W. Dunne to be Assistant Secretary for Policy & Planning and Thomas E. Harvey to be Assistant

Secretary for Congressional Affairs, Department of Veterans' Affairs.

The meeting will take place in the Reception Room off the Senate floor in the Capitol following the first rollcall of the Senate after 1 p.m.

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

SELECT COMMITTEE ON INTELLIGENCE

Mr. DEMINT. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on July 27, 2006, at 2:30 p.m., to hold a closed meeting.

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

SPECIAL COMMITTEE ON AGING

Mr. DEMINT. Mr. President, I ask unanimous consent that the Special Committee on Aging be authorized to meet tomorrow, July 27, 2006, from 10 a.m.–1 p.m. in Dirksen 106 for the purpose of conducting a hearing.

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

SUBCOMMITTEE ON FEDERAL FINANCIAL MANAGEMENT, GOVERNMENT INFORMATION, AND INTERNATIONAL SECURITY

Mr. DEMINT. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs' Subcommittee on Federal Financial Management, Government Information, and International Security be authorized to meet on Thursday, July 27, 2006, at 2:30 p.m., for a hearing regarding "Responsible Resource Management at the Nation's Health Access Agency".

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

SUBCOMMITTEE ON TERRORISM, TECHNOLOGY, AND HOMELAND SECURITY

Mr. DEMINT. Mr. President, I ask unanimous consent that the Committee on the Judiciary Subcommittee on Terrorism, Technology and Homeland Security be authorized to meet to conduct a hearing on "Detecting Smuggled Nuclear Weapons" on Thursday, July 27, 2006, at 2:30 p.m. in Dirksen 226. The witness list will be provided when it becomes available.

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

SUBCOMMITTEE ON WATER AND POWER

Mr. DEMINT. Mr. President, I ask unanimous consent that the Subcommittee on Water and Power of the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on Thursday, July 27, 2006, at 2:30 p.m.

The purpose of the hearing is to receive testimony on S. 3638, to encourage the Secretary of the Interior to participate in projects to plan, design, and construct water supply projects and to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to encourage the design, planning, and construction of projects to treat impaired surface water, reclaim, and reuse impaired groundwater, and provide brine disposal in the State of California; S. 3639, to amend

the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the Prado Basin Natural Treatment System Project, to authorize the Secretary to carry out a program to assist agencies in projects to construct regional brine lines in California, to authorize the Secretary to participate in the Lower Chino Dairy Area Desalination Demonstration and Reclamations Project, and for other purposes; H.R. 2341, to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the design, planning, and construction of a project to reclaim and reuse wastewater within and outside of the service area of the City of Austin Water and Wastewater Utility, Texas; and H.R. 3418, to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the central Texas water recycling and reuse project, and for other purposes.

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

PRIVILEGES OF THE FLOOR

Mr. BINGAMAN. I ask unanimous consent that Ana Romero Jurrison and Lesley Henderson, interns in my office, be permitted privileges of the floor during the consideration of S. 3711.

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

Mr. BROWBACK. Mr. President, thank you very much. First, I want to do a housekeeping piece of business. I ask unanimous consent that Kristina Rolph, a staffer with the Energy Committee, be granted floor privileges for the consideration of S. 3711.

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

Mr. PRYOR. Mr. President, I ask unanimous consent that during the debate on S. 3711, Amy Jasperson and David Mitchell, fellows in the office of Senator BILL NELSON, be granted the privilege of the floor.

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

CONGRATULATING SPELMAN COLLEGE ON ITS 125TH ANNIVERSARY

Mr. ISAKSON. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 541 which was submitted earlier today.

The ACTING PRESIDENT pro tempore. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 541) congratulating Spelman College upon its 125th anniversary.

There being no objection, the Senate proceeded to consider the resolution.

Mr. ISAKSON. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed

to, and the motion to reconsider be laid upon the table.

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

The resolution (S. Res. 541) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 541

Whereas, in 1881, Spelman College was established by Sophia B. Packard and Harriet E. Giles, school teachers and Baptist missionaries, in Atlanta, Georgia, for the purpose of educating African-American women and girls;

Whereas as a result of the benevolence of John D. Rockefeller, Sr., and Laura Spelman Rockefeller, the name of the institution was changed from "Atlanta Baptist Female Seminary" to "Spelman Seminary" in honor of the Spelman family;

Whereas the curriculum expanded to include high school and college classes, and the seminary conferred its first high school diplomas in 1887, and its first college degrees in 1901;

Whereas in 1924, Spelman Seminary officially became Spelman College and grew to become a leading undergraduate institution for African-American women;

Whereas Spelman College was ranked among the top 75 Best Liberal Arts Colleges according to U.S. News & World Report, 2005 edition;

Whereas the Association of Medical Colleges ranks Spelman College fifth among undergraduate programs for African-American students accepted to medical school, and Spelman is 1 of 6 institutions designated by the National Science Foundation and the National Aeronautics and Space Administration as a Model Institution for Excellence in undergraduate science and math education;

Whereas Spelman's ninth President, Beverly Daniel Tatum, has initiated a strategic plan for Spelman ("Spelman ALIVE") that includes 5 goals: Academic excellence, Leadership development, Improving the infrastructure, Visibility of accomplishments of the campus community, and Exemplary customer service, all designed to create a vision for Spelman of "Nothing Less Than the Best"; and

Whereas Spelman College has prepared more than 6 generations of African American women to reach the highest levels of academic, community, and professional achievement: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates Spelman College on 125th anniversary; and

(2) commends the President of Spelman College, Dr. Beverly Daniel Tatum, and the administration, faculty, staff, students, and alumnae of the College for their outstanding achievements and contribution to African American education, history, and culture.

Mr. ISAKSON. Mr. President, I am pleased to rise today and be joined by my fellow Senator from Georgia, Senator CHAMBLISS, in recognition of the 125th anniversary of Spelman College.

Spelman College is a historically Black college in the State of Georgia and a part of the Atlanta University complex which is the largest consortium of historically Black universities and colleges in the United States of America.

The resolution congratulates the student body, the faculty, the founders, and in particular Dr. Beverly Daniel