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House of Representatives

The House was not in session today. Its next meeting will be held on Tuesday, June 3, 2008, at 2 p.m.

Senate

MONDAY, JUNE 2, 2008

The Senate met at 2:01 p.m. and was called to order by the Honorable JIM WEBB, a Senator from the Commonwealth of Virginia.

PRAYER

The PRESIDING OFFICER. Today's opening prayer will be offered by guest Chaplain CDR Buck Underwood, U.S. Navy Chaplain Corps.

The guest Chaplain offered the following prayer:

Let us pray.

Father, we look to You as the author of truth, knowing that in You nothing is hidden. We thank You that we live under Your grace and mercy. We pray for our lawmakers and the entire Senate family, asking that You send the spirit of truth, that truth might be spoken in love, and that the works of their hands and the words of their mouths might honor You. Bless those You have raised up and placed in this body.

Thank You, Father, for blessing our Nation with abundant life, health, and resources which enable us to bless the entire world. Allow wisdom to prevail, that our Senators may be good stewards of Your blessings now and in the years ahead. Guide and equip the Members of this great institution so they may govern and live with integrity and honor.

With respect to all faiths present, I pray in the Name of my Lord and Saviour, Jesus Christ. Amen.

PLEDGE OF ALLEGIANCE

The Honorable JIM WEBB led the Pledge of Allegiance, as follows:

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

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

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, June 2, 2008.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JIM WEBB, a Senator from the Commonwealth of Virginia, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

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

RECOGNITION OF THE MAJORITY LEADER

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

NATIVE AMERICAN HOUSING ASSISTANCE

AMENDMENT NO. 4820, AS MODIFIED

Mr. REID. Mr. President, I ask unanimous consent that amendment No. 4820 be modified with the changes at the desk, notwithstanding passage of S. 2062.

The ACTING PRESIDENT pro tempore. Is there objection?

Without objection, it is so ordered.

The amendment (No. 4820), as modified, is as follows:

On page 15, line 8, insert ''the demonstration program under'' after ''guarantees under''.

On page 19, strike lines 1 through 13 and insert the following:

''(c) APPLICABILITY.—The provisions of paragraph (2) of subsection (a) regarding binding commitments for the remaining useful life of property shall not apply to a family or household member who subsequently takes ownership of a homeownership unit.''.

On page 22, line 9, insert ''in accordance with section 202'' after ''infrastructure''.

On page 29, strike line 18 and insert the following:

''(iv) any other legal impediment.

''(E) Subparagraphs (A) through (D) shall not apply to any claim arising from a formula current assisted stock calculation or count involving an Indian housing block grant allocation for any fiscal year through fiscal year 2008, if a civil action relating to the claim is filed by not later than 45 days after the date of enactment of this subparagraph.''.

On page 32, strike line 18 and insert the following:

''(a) AUTHORITY.—

(1) IN GENERAL.—Subject to paragraph (2), to the extent and in such

On page 33, between lines 5 and 6, insert the following:

''(2) LIMITATION.—The Secretary may guarantee, or make commitments to guarantee, under paragraph (1) the notes or obligations of not more than 4 Indian tribes or tribally designated housing entities located in each Department of Housing and Urban Development Office of Native American Programs region.

On page 36, line 12, strike ''shall'' and insert ''may''.

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

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On page 37, lines 5 and 6, strike ''such sums as are necessary'' and insert ''$1,000,000''.

Beginning on page 39, strike line 1 and all that follows through page 41, line 14.

Beginning on page 42, strike line 8 and all that follows through page 43, line 21.

SCHEDULE

Mr. REID. Mr. President, today there will be a period of morning business following the remarks of Senator MCCONNELL and myself. Following morning business, the Senate will resume the motion to proceed to S. 3036, the Lieberman-Warner Climate Security Act of 2008.

ORDER OF PROCEDURE

I now ask unanimous consent that when the Senate resumes consideration of the motion to proceed to S. 3036 following morning business, the time until 4:30 be equally divided and controlled between the two leaders or their designees.

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

Mr. REID. Mr. President, under a previous order, the time from 4:30 to 5:30 is equally divided. At 5:30, the Senate will proceed to a cloture vote on the motion to proceed to the climate change legislation.

I note the absence of a quorum.

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

The assistant legislative clerk proceeded to call the roll.

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

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

RECOGNITION OF THE MINORITY LEADER

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

CLIMATE SECURITY

Mr. MCCONNELL. Mr. President, I very much appreciate that the majority leader has generously allowed me to go ahead and make my remarks because I have a meeting.

Having spent most of the past week in Kentucky, I can say with a pretty high level of confidence that the single most important issue to the people of my State is the fact that they are paying about twice as much for a gallon of gasoline as they were at this time last year. I am also fairly confident that Kentuckians aren't alone in their frustration. Gas prices are, without a doubt, the single most pressing issue for Americans at this moment. That is why it is so hard to comprehend the majority's decision to move to a bill at the start of the summer driving season that would raise the price of gas by as much as $1.40 a gallon, home electricity bills by 44 percent, and natural gas prices by about 20 percent.

Now, of all times, is not the time to be increasing the burden on American consumers. Now is the time to be considering overdue legislation that would send gas prices down, not up. Now is the time to be considering and approving legislation that would allow Americans to increase energy production within our own borders and to accelerate the process of moving to clean nuclear energy. Now is the time to do something about $4-a-gallon gasoline, not something that would give us $6-a-gallon gas down the road. So the timing of this bill could not be worse, and the substance is just as bad.

Let's be clear on something at the outset of this debate: The Senate supports reducing carbon emissions. Just last year, we took a serious bipartisan step to increase fuel economy standards in cars and trucks, increase the use of renewable fuels, and expand research into advanced technologies to reduce pollution and stress on our environment. But in everything we have done, we have kept a couple of nonnegotiable principles in mind: First, any legislation that reduces carbon emissions can't kill U.S. jobs, and second, any legislation in this area must promote—promote—innovation here at home.

This legislation fails both of those tests miserably. If passed, it would have a devastating impact on the U.S. economy. It is at its heart a stealth and giant tax on virtually every aspect of industrial and consumer life. It would result in massive job losses. It seeks to radically alter consumer behavior without any measurable benefit to the environment in return. Overall, it is expected to result in GDP losses totaling as much as $2.9 trillion by 2050. If our economy were running on all cylinders, this bill would be terrible economically. At a time when the economy is struggling, when the price of gas, food, and power bills is skyrocketing, this giant tax would be an unbearable new burden for Americans to bear.

The Senate has already expressed its willingness to cut carbon emissions, and this Congress has acted in a bipartisan way to reduce greenhouse gases by tightening automobile fuel economy standards and by requiring increased use of alternative fuels in last year's Energy bill. But moving forward, we should agree, with gas prices as high as they are now, that any further action in this area must protect American consumers and American jobs. This means investing in new, clean energy technologies, including clean coal technologies, which can capture and store carbon emissions. This means encouraging the construction of new zero-emission nuclear powerplants and ensuring continued domestic sources of enriched uranium. It means developing countries must also participate, countries such as India and China, which already exceed the United States in greenhouse gas emissions.

Legislation that fails to address clean coal technologies would have a disproportionately negative economic impact on States such as Kentucky that rely on coal-fired powerplants. According to one study, this bill would eliminate nearly 55,000 jobs in my State alone and cost the average Kentucky household more than $6,000 a year. This is an unthinkable economic burden to lay on the citizens of my State, especially when developing nations such as India and China wouldn't be held to the same standards. The impact of this climate tax is too great to bear for Kentuckians and for the rest of the country.

At a time when Americans are struggling to pay their bills and when the price of gas seems to be rising higher and higher every day, the majority is showing itself to be laughably out of touch by moving to a bill that would raise the price of gas even higher.

This proposed climate tax legislation would be a bad idea even if its impact were beyond dispute. The fact that experts tell us its actual impact on reducing global temperatures is hardly measurable—and will be negligible if China and India do not approve similar measures—makes the wisdom of moving to it at this time even more questionable. Why would we raise the price of gas, the cost of electricity, the cost of food, and put the brakes on our economy when it will be all for nothing if China and India aren't willing to do the same? And who exactly expects these developing nations to take similar action to slow their economic growth and raise prices for their consumers? No one expects that. No one seriously anticipates that they will approve anything similar to this legislation, which means that for American consumers, the Boxer bill is all cost and no benefit.

There is a better way to move forward. Climate change is a serious issue, and we should continue taking action to address it, as we did in last year's Energy bill. But the way to proceed is to invest in clean energy technologies that allow us to reduce greenhouse gas emissions without harming our economy, sending jobs overseas, and raising energy prices across the board for U.S. workers, families, farmers, and truckers. Republicans are eager to begin this debate, and we will have amendments that protect consumers from the price increases and job losses in the Boxer substitute.

Some of the problems with this bill have been explored in a number of excellent articles over the past few days. I note in particular an article by George Will entitled ''Carbon's Power Brokers''; an article by Charles Krauthammer entitled ''Carbon Chastity''; an editorial in today's Wall Street Journal entitled ''Cap and Spend''; a column by Robert Samuelson; and an article in today's New York Post by Jerry Taylor entitled ''Solving Pump Pain.''

Mr. President, I ask unanimous consent to have all five articles printed in the RECORD at this point.

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

[From Real Clear Politics, June 1, 2008]

CARBON'S POWER BROKERS

(By George Will)

WASHINGTON.—An unprecedentedly radical government grab for control of the American economy will be debated this week when the Senate considers saving the planet by means of a cap-and-trade system to ration carbon emissions. The plan is co-authored (with John Warner) by Joe Lieberman, an ardent supporter of John McCain, who supports Lieberman's legislation and recently spoke about ''the central facts of rising temperatures, rising waters and all the endless troubles that global warming will bring.''

Speaking of endless troubles, ''cap-and-trade'' comes cloaked in reassuring rhetoric about the government merely creating a market, but government actually would create a scarcity so government could sell what it has made scarce. The Wall Street Journal underestimates cap-and-trade's perniciousness when it says the scheme would create a new right (''allowances'') to produce carbon dioxide and would put a price on the right. Actually, because freedom is the silence of the law, that right has always existed in the absence of prohibitions. With cap-and-trade, government would create a right for itself—an extraordinarily lucrative right to ration Americans' exercise of their traditional rights.

Businesses with unused emission allowances could sell their surpluses to businesses that exceed their allowances. The more expensive and constraining the allowances, the more money government would gain.

If carbon emissions are the planetary menace that the political class suddenly says they are, why not a straightforward tax on fossil fuels based on each fuel's carbon content? This would have none of the enormous administrative costs of the baroque cap-and-trade regime. And a carbon tax would avoid the uncertainties inseparable from cap-and-trade's government allocation of emission permits sector by sector, industry by industry. So a carbon tax would be a clear and candid incentive to adopt energy-saving and carbon-minimizing technologies. That is the problem,

A carbon tax would be too clear and candid for political comfort. It would clearly be what cap-and-trade deviously is, a tax, but one with a known cost. Therefore, taxpayers would demand a commensurate reduction of other taxes. Cap-and-trade—government auctioning permits for businesses to continue to do business—is a huge tax hidden in a bureaucratic labyrinth of opaque permit transactions.

The proper price of permits for carbon emissions should reflect the future warming costs of current emissions. That is bound to be a guess based on computer models built on guesses. Lieberman guesses that the market value of all permits would be ''about $7 trillion by 2050.'' Will that staggering sum pay for a $7 trillion reduction of other taxes? Not exactly.

It would go to a Climate Change Credit Corp., which Lieberman calls ''a private-public entity'' that, operating outside the budget process, would invest ''in many things.'' This would be industrial policy, aka socialism, on a grand scale—government picking winners and losers, all of whom will have powerful incentives to invest in lobbyists to influence government's thousands of new wealth-allocating decisions.

Lieberman's legislation also would create a Carbon Market Efficiency Board empowered to ''provide allowances and alter demands'' in response to ''an impact that is much more onerous'' than expected. And Lieberman says that if a foreign company selling a product in America ''enjoys a price advantage over an American competitor'' because the American firm has had to comply with the cap-and-trade regime, ''we will impose a fee'' on the foreign company ''to equalize the price.'' Protectionism-masquerading-as-environmentalism will thicken the unsavory entanglement of commercial life and political life.

McCain, who supports Lieberman's unprecedented expansion of government's regulatory reach, is the scourge of all lobbyists (other than those employed by his campaign). But cap-and-trade would be a bonanza for K Street, the lobbyists' habitat, because it would vastly deepen and broaden the upside benefits and downside risks that the government's choices mean for businesses.

McCain, the political hygienist, is eager to reduce the amount of money in politics. But cap-and-trade, by hugely increasing the amount of politics in the allocation of money, would guarantee a surge of money into politics.

Regarding McCain's ''central facts,'' the U.N.'s World Meteorological Organization, which helped establish the Intergovernmental Panel on Climate Change—co-winner, with Al Gore, of the Nobel Prize—says global temperatures have not risen in a decade. So Congress might be arriving late at the save-the-planet party. Better late than never? No. When government, ever eager to expand its grip on the governed and their wealth, manufactures hysteria as an excuse for doing so, then: better never.

[From the Washington Post, May 30, 2008]

CARBON CHASTITY—THE FIRST COMMANDMENT OF THE CHURCH OF THE ENVIRONMENT

(By Charles Krauthammer)

I'm not a global warming believer. I'm not a global warming denier. I'm a global warming agnostic who believes instinctively that it can't be very good to pump lots of CO_2 into the atmosphere but is equally convinced that those who presume to know exactly where that leads are talking through their hats.

Predictions of catastrophe depend on models. Models depend on assumptions about complex planetary systems—from ocean currents to cloud formation—that no one fully understands. Which is why the models are inherently flawed and forever changing. The doomsday scenarios posit a cascade of events, each with a certain probability. The multiple improbability of their simultaneous occurrence renders all such predictions entirely speculative.

Yet on the basis of this speculation, environmental activists, attended by compliant scientists and opportunistic politicians, are advocating radical economic and social regulation. ''The largest threat to freedom, democracy, the market economy and prosperity,'' warns Czech President Vaclav Klaus, ''is no longer socialism. It is, instead, the ambitious, arrogant, unscrupulous ideology of environmentalism.''

If you doubt the arrogance, you haven't seen that Newsweek cover story that declared the global warming debate over. Consider: If Newton's laws of motion could, after 200 years of unfailing experimental and experiential confirmation, be overthrown, it requires religious fervor to believe that global warming—infinitely more untested, complex and speculative—is a closed issue.

But declaring it closed has its rewards. It not only dismisses skeptics as the running dogs of reaction, i.e., of Exxon, Cheney and now Klaus. By fiat, it also hugely re-empowers the intellectual left.

For a century, an ambitious, arrogant, unscrupulous knowledge class—social planners, scientists, intellectuals, experts and their left-wing political allies—arrogated to themselves the right to rule either in the name of the oppressed working class (communism) or, in its more benign form, by virtue of their superior expertise in achieving the highest social progress by means of state planning (socialism).

Two decades ago, however, socialism and communism died rudely, then were buried forever by the empirical demonstration of the superiority of market capitalism everywhere from Thatcher's England to Deng's China, where just the partial abolition of socialism lifted more people out of poverty more rapidly than ever in human history.

Just as the ash heap of history beckoned, the intellectual left was handed the ultimate salvation: environmentalism. Now the experts will regulate your life not in the name of the proletariat or Fabian socialism but—even better—in the name of Earth itself.

Environmentalists are Gaia's priests, instructing us in her proper service and casting out those who refuse to genuflect. (See Newsweek above.) And having proclaimed the ultimate commandment—carbon chastity—they are preparing the supporting canonical legislation that will tell you how much you can travel, what kind of light you will read by, and at what temperature you may set your bedroom thermostat.

Only Monday, a British parliamentary committee proposed that every citizen be required to carry a carbon card that must be presented, under penalty of law, when buying gasoline, taking an airplane or using electricity. The card contains your yearly carbon ration to be drawn down with every purchase, every trip, every swipe.

There's no greater social power than the power to ration. And, other than rationing food, there is no greater instrument of social control than rationing energy, the currency of just about everything one does and uses in an advanced society.

So what does the global warming agnostic propose as an alternative? First, more research—untainted and reliable—to determine (a) whether the carbon footprint of man is or is not lost among the massive natural forces (from sunspot activity to ocean currents) that affect climate, and (b) if the human effect is indeed significant, whether the planetary climate system has the homeostatic mechanisms (like the feedback loops in the human body, for example) with which to compensate.

Second, reduce our carbon footprint in the interim by doing the doable, rather than the economically ruinous and socially destructive. The most obvious step is a major move to nuclear power, which to the atmosphere is the cleanest of the clean.

But your would-be masters have foreseen this contingency. The Church of the Environment promulgates secondary dogmas as well. One of these is a strict nuclear taboo.

Rather convenient, is it not? Take this major coal-substituting fix off the table, and we will be rationing all the more. Guess who does the rationing.

[From the Wall Street Journal, June 2, 2008]

CAP AND SPEND

As the Senate opens debate on its mammoth carbon regulation program this week, the phrase of the hour is ''cap and trade.'' This sounds innocuous enough. But anyone who looks at the legislative details will quickly see that a better description is cap and spend. This is easily the largest income redistribution scheme since the income tax.

Sponsored by Joe Lieberman and John Warner, the bill would put a cap on carbon

emissions that gets lowered every year. But to ease the pain and allow for economic adjustment, the bill would dole out ''allowances'' under the cap that would stand for the right to emit greenhouse gases. Senator Barbara Boxer has introduced a package of manager's amendments that mandates total carbon reductions of 66% by 2050, while earmarking the allowances.

When cap and trade has been used in the past, such as to reduce acid rain, the allowances were usually distributed for free. A major difference this time is that the allowances will be auctioned off to covered businesses, which means imposing an upfront tax before the trade half of cap and trade even begins. It also means a gigantic revenue windfall for Congress.

Ms. Boxer expects to scoop up auction revenues of some $3.32 trillion by 2050. Yes, that's trillion. Her friends in Congress are already salivating over this new pot of gold. The way Congress works, the most vicious floor fights won't be over whether this is a useful tax to create, but over who gets what portion of the spoils. In a conference call with reporters last Thursday, Massachusetts Senator John Kerry explained that he was disturbed by the effects of global warming on ''crustaceans'' and so would be pursuing changes to ensure that New England lobsters benefit from some of the loot.

Of course most of the money will go to human constituencies, especially those with the most political clout. In the Boxer plan, revenues are allocated down to the last dime over the next half-century. Thus $802 billion would go for ''relief' for low-income taxpayers, to offset the higher cost of lighting homes or driving cars. Ms. Boxer will judge if you earn too much to qualify.

There's also $190 billion to fund training for ''green-collar jobs,'' which are supposed to replace the jobs that will be lost in carbon-emitting industries. Another $288 billion would go to ''wildlife adaptation,'' whatever that means, and another $237 billion to the states for the same goal. Some $342 billion would be spent on international aid, $171 billion for mass transit, and untold billions for alternative energy and research—and we're just starting.

Ms. Boxer would only auction about half of the carbon allowances; she reserves the rest for politically favored supplicants. These groups might be Indian tribes (big campaign donors!), or states rewarded for ''taking the lead'' on emissions reductions like Ms. Boxer's California. Those lucky winners would be able to sell those allowances for cash. The Senator estimates that the value of the handouts totals $3.42 trillion. For those keeping track, that's more than $6.7 trillion in revenue handouts so far.

The bill also tries to buy off businesses that might otherwise try to defeat the legislation. Thus carbon-heavy manufacturers like steel and cement will get $213 billion ''to help them adjust,'' while fossil-fuel utilities will get $307 billion in ''transition assistance.'' No less than $34 billion is headed to oil refiners. Given that all of these folks have powerful Senate friends, they will probably extract a larger ransom if cap and trade ever does become law.

If Congress is really going to impose this carbon tax in the name of saving mankind, the least it should do is forego all of this political largesse. In return for this new tax, Congress should cut taxes elsewhere to make the bill revenue neutral. A ''tax swap'' would offset the deadweight taxes that impede growth and reduce employment. All the more so because even the cap-and-trade friendly Environmental Protection Agency estimates that the bill would reduce GDP between $1 trillion and $2.8 trillion by 2050.

Most liberal economists favor using the money to reduce the payroll tax. That has the disadvantage politically of adding Social Security into the debate. A cleaner tax swap would compensate for the new tax on business by cutting taxes on investment—such as slashing the 35% U.S. corporate rate that is the second highest in the developed world. Then there's the 2001 and 2003 tax cuts, which are set to expire in 2010 and would raise the overall tax burden by $2.8 trillion over the next decade. Democrats who want to raise taxes on capital gains and dividends are proposing a double tax wallop by embracing Warner-Lieberman-Boxer.

All of this helps explain why so many in Congress are so enamored of ''doing something'' about global warming. They would lay claim to a vast new chunk of the private economy and enhance their own political power.

[From the Washington Post, June 2, 2008]

JUST CALL IT ''CAP-AND-TAX''

(By Robert J. Samuelson)

We'll have to discard the old adage ''Everyone talks about the weather, but no one does anything about it.'' It is inoperative in this era of global warming, because the whole point of controlling greenhouse gas emissions is to do something about the weather. This promises to be hard and perhaps futile, but there are good and bad ways of attempting it. One of the bad ways is cap-and-trade. Unfortunately, it's the darling of environmental groups and their political allies.

The chief political virtue of cap-and-trade—a complex scheme to reduce greenhouse gases—is its complexity. This allows its environmental supporters to shape public perceptions in essentially deceptive ways. Cap-and-trade would act as a tax, but it's not described as a tax. It would regulate economic activity, but it's promoted as a ''free market'' mechanism. Finally, it would trigger a tidal wave of influence-peddling, as lobbyists scrambled to exploit the system for different industries and localities. This would undermine whatever abstract advantages the system has.

The Senate is scheduled to begin debating a cap-and-trade proposal today, and although it's unlikely to pass, the concept will return because all the major presidential candidates support it. Cap-and-trade extends the long government tradition of proclaiming lofty goals that are impossible to achieve. We've had ''wars'' against poverty, cancer and drugs, but poverty, cancer and drugs remain. President Bush called his landmark education law No Child Left Behind rather than the more plausible Few Children Left Behind.

Carbon-based fuels (oil, coal, natural gas) provide about 85 percent of U.S. energy and generate most greenhouse gases. So, the simplest way to stop these emissions is to regulate them out of existence. Naturally, that's what cap-and-trade does. Companies could emit greenhouse gases only if they had annual ''allowances''—quotas—issued by the government. The allowances would gradually decline. That's the ''cap.'' Companies (utilities, oil refineries) that needed extra allowances could buy them from companies willing to sell. That's the ''trade.''

In one bill, the 2030 cap on greenhouse gases would be 35 percent below the 2005 level and 44 percent below the level projected without any restrictions. By 2050, U.S. greenhouse gases would be rapidly vanishing. Even better, their disappearance would allegedly be painless. Reviewing five economic models, the Environmental Defense Fund asserts that the cuts can be achieved ''without significant adverse consequences to the economy.'' Fuel prices would rise, but because people would use less energy, the impact on household budgets would be modest.

This is mostly make-believe. If we suppress emissions, we also suppress today's energy sources, and because the economy needs energy, we suppress the economy. The models magically assume smooth transitions. If coal is reduced, then conservation or non-fossil-fuel sources will take its place. But in the real world, if coal-fired power plants are canceled (as many were last year), wind or nuclear won't automatically substitute. If the supply of electricity doesn't keep pace with demand, brownouts or blackouts will result. The models don't predict real-world consequences. Of course, they didn't forecast $135-a-barrel oil.

As emission cuts deepened, the danger of disruptions would mount. Population increases alone raise energy demand. From 2006 to 2030, the U.S. population will grow 22 percent (to 366 million) and the number of housing units 25 percent (to 141 million), the Energy Information Administration projects. The idea that higher fuel prices will be offset mostly by lower consumption is, at best, optimistic. The Congressional Budget Office has estimated that a 15 percent cut of emissions would raise average household energy costs by almost $1,300 a year.

That's how cap-and-trade would tax most Americans. As ''allowances'' became scarcer, their price would rise, and the extra cost would be passed along to customers. Meanwhile, government would expand enormously. It could sell the allowances and spend the proceeds; or it could give them away, providing a windfall to recipients. The Senate proposal does both to the tune of about $1 trillion from 2012 to 2018. Beneficiaries would include farmers, Indian tribes, new technology companies, utilities and states. Call this ''environmental pork,'' and it would just be a start. The program's potential to confer subsidies and preferential treatment would stimulate a lobbying frenzy. Think of today's farm programs—and multiply by 10.

Unless we find cost-effective ways of reducing the role of fossil fuels, a cap-and-trade system will ultimately break down. It wouldn't permit satisfactory economic growth. But if we're going to try to stimulate new technologies through price, let's do it honestly. A straightforward tax on carbon would favor alternative fuels and conservation just as much as cap-and-trade but without the rigid emission limits. A tax is more visible and understandable. If environmentalists still prefer an allowance system, let's call it by its proper name: cap-and-tax.

[From the New York Post, June 2, 2008]

SOLVING PUMP PAIN

(By Jerry Taylor)

Skyrocketing energy prices are hammering Americans.

Five years ago this week, gasoline cost an average of $1.43 a gallon at the pump; this week, it's $3.94. And home electricity averaged 5.43 cents per kilowatt-hour in 2003; it was up to 10.31 cents in December.

The underlying cause, of course, is that oil, coal and natural-gas prices have all gone berserk—with no relief in sight.

What to do?

Individually, of course, most of us will start conserving—people are already driving less, buying more fuel-efficient cars, etc. We'll keep on finding ways to save as prices stay high.

Should the government mandate even more conservation? No, ''too much'' conservation is as economically harmful as ''too little.'' Just consider the economic harm that would be delivered by, say, capping speed limits at 30 miles per hour, or banning recreational long-distance travel. Both would save gobs of energy—but at the cost of doing more harm than good.

The only thing government should do on this front is ensure that prices are ''right''—that is, that they reflect total costs. That's mainly an issue for electricity, where retail power prices typically bear little relation to wholesale prices. State governments need to encourage real-time pricing of electricity—so that consumers will get the signal to, for example, run the clothes dryer at night, when power is cheaper.

(Incidentally, those who argue that gas and diesel prices don't reflect important ''external'' environmental and national-security costs are simply wrong—at best, those added costs are trivial on a per-gallon basis.)

But there's a fair bit to do on the supply side. Congress could take four positive steps—if it really wants to bring prices down.

Open up key areas for oil and gas exploration and development. Washington has declared the Arctic National Wildlife Refuge and 85 percent of the outer continental shelf off-limits. It's absurd for our politicians to fulminate about the need for more oil production from OPEC when they won't lift a finger to increase oil production here at home.

That said, it will take years to get these fields on-line (all the more reason to start now!)—and they'll do more for natural-gas prices than for oil.

By the time those new fields would be producing, global oil production will probably be about 100 million barrels per day. Optimistically, the fields would yield about 3 million more barrels a day—for a long-run cut in the price of crude of about 3 percent.

But U.S. natural-gas reserves are almost certainly far greater—and gas prices are highly sensitive to regional (rather than global) supply and demand issues, so we'd likely see far greater reductions in electricity prices.

Open up the West to oil-shale development. The United States has three times more petroleum locked up in shale rock than Saudi Arabia has in all its proved reserves. But this U.S. oil is costly to extract. Oil prices need to be at about $95 a barrel to allow a reasonable profit from extracting oil from Rocky Mountain shale.

Well, it's probably profitable now, there's undoubtedly great investor interest in harnessing shale. Only problem: It's mostly on federal land; Washington has so far said, ''Hands off!''

Environmentalists object to both these first two ideas—insisting that the wilderness that would be despoiled by energy extraction is worth more than the energy itself. That's nonsense—faith masquerading as fact.

How much something is worth is determined by how much people are willing to pay for it. If these lands were auctioned off, energy companies (the market representatives of energy consumers) would outbid environmentalists for virtually all of them.

Empty out the Strategic Petroleum Reserve. This now holds 700 million barrels of oil; draining it could add add up to 4.3 billion barrels of crude a day to the market for about five months. That's nothing to sneeze at—it's about half of what the Saudis now pump and almost twice what Kuwait puts on the market.

At the very least, this would bring gasoline prices down. And if the theories of a speculator-created ''oil bubble'' are true (I doubt they are), it would pop the bubble and send prices tumbling.

What of the national-security risk? Another myth. As long as we're willing to pay market prices for crude oil, we can have all the oil we want—embargo or no embargo.

A real U.S. physical shortage is impossible unless a) all international oil actors refused to do business with us—which won't happen, or b) a foreign navy stopped oil shipments to U.S. ports—which is the U.S. Navy is more than competent to prevent.

Opening this spigot now also means a $70 billion windfall for the U.S. Treasury.

Suspend (or end) federal rules that force refiners to use only low-sulfur oil to make gasoline and diesel. This is easily the best short-term fix for high gas prices.

Refiners were once relatively free to use heavy crude to make transportation fuel. Today, environmental regulations make it difficult and costly. And there's actually a (relative) glut of heavy crude right now.

Light-crude oil markets are incredibly tight, with no real excess production capacity. Heavy-crude markets are robust, with plenty of crude going unsold for lack of buyers.

Suspending low-sulfur rules would bring those heavy crudes into the transportation fuels. Oil economist Phil Verleger says it could well send gasoline and diesel prices plummeting.

Mr. MCCONNELL. It is my expectation that once we get on the bill, the majority will allow for amendments, and I expect there will be a rather robust debate on the merits of this climate tax legislation. I know many of my Members are anxious to begin the debate.

Again, I thank the majority leader for the opportunity to go first today. I appreciate it very much.

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

CLIMATE SECURITY

Mr. REID. Mr. President, there are lots of different stories around the country and around the world as to why people feel so strongly about the environment. My story I think is similar to others but just in a different context.

As most everyone knows by now, I grew up in a little mining town in southern Nevada—very arid, no water anyplace around. Had it not been for the discovery of gold, there would have been no Searchlight. To get water in Searchlight, you had to go deep into the bowels of the earth—500 feet, sometimes deeper than that.

I didn't travel much at all as a boy. I was a teenager before I went 50 miles to a place called Needles, CA. But three or four times during the time I was growing up, we would travel out of Searchlight right over the California border, about 20-some-odd miles from Searchlight, of course all on dirt roads, to see a freak of nature: these mountains, volcanic black mountains, out of the side of which gushed water. It was called Piute Springs, Fort Piute.

The reason we called it Fort Piute is during the Civil War, the U.S. Government built a military outpost there. When I was a boy growing up, you could see these big rocks they had built and spent 8 or 9 months building this place, and it still had the holes where soldiers could stick out their guns.

For a young boy, this was about as good as it gets—to go up into that fort and pretend you were one of the soldiers looking out one of those little windows. You had to stand on something they had down there to get high enough that you could do that. Even though that was a wonder, what was in that spring was even more wondrous. So in a place like Searchlight, where there was no water anyplace, and you could not grow trees—because it was rocky—even if you had water, gushing out of this mountain was a spring that ran for a couple of miles. As it came out of the mountain, it created all kinds of lush greenery. It is hard to comprehend, but even there—I read about them—they had lily pods, these big green things with flowers on them, floating around in the water. And they had these things—I don't know what they are called, but they are long and shaped like a hot dog; you break them open and white stuff comes out of them. I don't know what they are called, but you could see them, too.

You could take a rock and throw it down in that ditch, which sometimes was half as deep as this room we are in—the Senate Chamber—and it would sound like an airplane taking off. It was birds, birds—hundreds and hundreds of birds.

My wife was born in Southern California. I think it is no secret that she was never impressed with Searchlight when we were going to high school. When we went away to college and law school—back here is where we went to law school—I told her about that place. Without in any way prejudging her thoughts, I am confident she didn't believe what I was telling her about this lush place not far from Searchlight. It was the thing people dream of. But after we had children, I took her to Paiute Springs. What a disappointment. During the time I had been gone, people had vandalized the fort and knocked down most of the big rocks. The foundation was still there, but you were lucky to find it that high. They set fire to the trees. The water from the spring was still coming, but it had been trashed. There was garbage all over and it was such a disappointment. That is the day I became an environmentalist. We have to protect the wonders of nature, and Paiute Springs is a wonder. It is a freak of nature. How in the world in this arid volcanic rock formation up in those mountains could water possibly be coming out? I have focused on that, and we have spent taxpayer dollars in the last few years improving Paiute Springs, making it more accessible, and making needed repairs to the damage that has been done to it over these many years. There are wonderful stories about Paiute Springs. I guess that is why I feel so strongly about what we are doing here today.

We are going to vote on a motion to invoke cloture on the motion to proceed to S. 3036, the Lieberman-Warner Climate Security Act. I have to say that I am stunned by my friend, the distinguished Republican leader, who said he was surprised we would move to

this bill now because it might have an impact on gas prices. We all know gas prices are awfully high. In fact, they have gone up more than 250 percent since the Republicans took over the White House 7½ years ago.

What the Republican leader didn't say is that the Energy Information Administration's projections for this climate bill might cause energy prices to increase over the next 25 years. He didn't mention that energy consumers will get an $800 billion tax cut to offset these gradual cost increases. I guess none of us should be surprised that the Republicans have actually already initiated a filibuster on a motion to proceed to this legislation.

Now, they will say that later today we are all going to vote for it. If that is the case, we should have been on this bill now—we should be on it now. We should not have to wait until 30 hours after we vote tonight. I hope they will let us go to the bill in the morning. But if the past is prolog, then they are going to eat up and waste 30 hours—30 hours that will start running this afternoon about 5:50, and will expire around midnight tomorrow night. This is what they have been doing for a year and almost six months.

It is a disappointment that they are adding to their all-time record of filibusters, 71. This is too bad. My friend, the distinguished Republican leader, said this bill makes it so that we, the majority, are laughably—that is his word—out of touch. With so many Americans suffering the consequences of the Bush economy and so much work for Congress to do, that statement is unfortunate. Should we wait until Tuesday? Of course not. We should be legislating. If there are efforts made to improve the legislation, fine, let them do it.

Blocking legislation, as they have done time and time again, is their right. But what is the point? What is the purpose? Who does wasting 30 hours benefit?

I hope that during the debate, Senators will keep their remarks focused on the legislation before us or any specific reasons they have for objecting to proceeding to the bill itself. This is not directly a debate on gas prices. We have tried to do some legislating on that and we have been thwarted at every possible step. How? With Republican filibusters.

After the debate on the motion to proceed, of course, we will move to the bill. Senator BOXER will lay down a comprehensive substitute amendment with the full support of Senators WARNER and LIEBERMAN. The Senate will then proceed to the most comprehensive global warming legislation ever to come before any legislative body in the history of the world.

During consideration of this legislation, Senators will debate many subjects. But beyond all specific points of contention, one fact is indisputable: Global warming is real and it is caused mainly by manmade pollution.

The changes we see occurring all around us—drought, altered growing seasons, sea level rises, more intense precipitation and wildfires, storms that are shorter and more intense—are caused or worsened by the warming of the Earth.

Over the course of human civilization, and growing faster and faster since the Industrial Revolution, we have burned billions upon billions of tons of fossil fuels and thrown the waste carbon into the atmosphere.

We have taken carbon from the Earth and put it into the sky. That has caused the Earth to have a fever—a fever that is growing worse every day, not better. All of that excess carbon in the atmosphere far surpasses the atmosphere's natural ability to handle it.

We know now, with great certainty, that this process has caused average global temperatures to rise. Nobody can dispute that. It is making oceans more acidic and altering planetary biochemistry.

As the amount of carbon we put into the atmosphere continues to rise, the risk to our planet and way of life grows more and more dangerous.

Nevada is the driest State in the Union. Las Vegas' average yearly rainfall is 4 inches. My hometown of Searchlight—approximately 60 miles away—is a regular ''rain forest'' with 8 inches a year.

Our entire country and our entire planet face many risks due to global warming. But for arid States such as Nevada and the desert Southwest, the risk perhaps is the greatest.

The upper Colorado region saw better than average rainfall last year. We have been in at least a 10-year drought. This is the water that goes into the Colorado River. It is called the upper Colorado region. Last year, even though it was average rainfall, or a little above, not a single drop of that moisture got into the river. It all evaporated beforehand.

Nevada, like the entire West, is already seeing increased wildfires. Longer summers result in more dried-out fuels, which allow fires to ignite easier and spread faster. The wildfire season in the West is now 78 days longer than it was three decades ago. During that 78 extra days, there was more lightning, and the fuel is drier. The average duration of fires covering more than 2,500 acres has risen five times over. A fire of 2,500 acres is no big deal anymore. It used to be.

The world's leading climate researchers have concluded that if greenhouse gases continue to increase, the Southwest region faces longer and more intense droughts; still larger, more intense wildfires; more winter and spring flooding but reduced summer and fall runoff, with rivers in these seasons reduced to a trickle; more intense precipitation and storms when it rains, resulting in an increased flood risk; and longer and intense heat, with a correspondingly adverse impact on public health, particularly on the elderly.

I have focused only on the Southwest, but this is the way it is all over the country. I know more about the Southwest.

Hundreds, if not thousands, of American scientists tell us that the United States must begin making significant reductions by 2015 and reduce our emissions by 80 to 90 percent by 2050 if we hope to restore balance to the global climate system. That won't be easy. It could be the most significant challenge the world has ever faced.

Not every expert agrees on the quickest and most cost-effective path to get there, but all agree that the one thing we cannot afford is delay.

The bill before us is a positive and critical first step in a journey that will require innovation and cooperation both here and abroad.

This legislation addresses enormous challenges we face with long-term solutions that we leave our children, their children, and generations to come with a healthier, more livable planet.

The bill now before us does more than simply bring us closer to the worthy goal of protecting our environment. At a time Americans are losing their jobs and struggling to compete in the global marketplace, the Boxer-Warner-Lieberman bill is also about creating a new and powerful economic engine. It is about creating hundreds of thousands, if not millions, of high-paying permanent and sustainable jobs in our country. These jobs cannot be exported. It is about restoring our country's place as a global leader in technology and innovation. It is about ending our addiction to oil and our reliance on unfriendly, unstable regions from which it is imported.

Today we consume 21 million barrels of oil every day. That goes on tomorrow, the whole week, every week of the month, and every month of the year. That oil costs our Nation $2.7 billion each day. That is what we are paying for this oil. We import 65 percent or more of the oil we use. We are spending about a trillion dollars every year, which goes straight into the pockets of countries that don't have our best interests at heart—and that is an understatement.

The bill is also about creating a clean energy revolution by capping carbon pollution. A dwindling few continue to insist that global warming is a hoax—their word, not mine—and that it is not manmade, or that we should sit on our hands, stand by the status quo and wait for more evidence. They say let the marketplace take care of it. The marketplace has dug this hole we are in now and we are stuck in the hole. The marketplace has no roadmap to dig us out of this hole. These same people would have insisted in years past that cigarettes are OK; smoking or chewing is fine; there is no need to put seatbelts in cars; people have the right to make their own decisions; you don't need motorcycle helmets; certainly there is no reason to have speed limits anyplace at any time. These alarmists' and naysayers' time has passed.

Some say it is even cheaper to do nothing. Said a different way, they claim this is an entirely earthly cycle. Just wait and all will be well; our great Earth will correct it.

Some say we should wait until developing nations, such as China and India, take the lead. We heard the Republican leader say: Let them lead, not us. I say the United States, the greatest Nation in the history of the world, is obligated to lead, not to follow, on this most important issue of our time and perhaps of all time.

President Bush says: Let's bide our time until 2025. Is it cheaper to do nothing? Of course not. It is the opposite. The longer we wait, the more it will cost to solve this very difficult problem.

The Climate Security Act, the bill before us today, will cut taxes by $800 billion and finance the transition to clean alternative fuels by making polluters pay.

Let me talk a little bit about the sponsors of this legislation. This is bipartisan legislation. This is not some wild idea somebody came up with that sounds good. It is an idea where the two sponsors, Lieberman-Warner, a Democrat and a Republican, members of the Environment and Public Works Committee, got together and said: We need to do something about this situation.

They both have records for integrity and advocacy that are in the best keeping of the Senate. I don't always agree with Senator LIEBERMAN. As everyone knows, I think he has been wrong on the war, and I have told him that. Senator WARNER and I have disagreed on issues in the past. But I have great respect for both these fine legislators. Senator WARNER is a man who has made a difference in his 29½ years in the Senate. His advocacy is making a difference. So I admire and respect Senators LIEBERMAN and WARNER for their work on this legislation.

I talked about this legislation cutting taxes by $800 billion, and it finances the transition to clean alternative fuels by making polluters pay.

While we are investing in renewable fuels and renewing our environment, we will be investing in an entirely new industry—a high-tech, ''green collar'' economy—that will create jobs and develop the great companies of today and tomorrow.

Hundreds of thousands of new jobs in renewable energy have already been created by foresighted investors who see the need for clean energy that does not contribute to global warming. Millions more jobs can be created with the enactment of a strong cap-and-trade system that is in this legislation.

My State, Nevada, the Commonwealth of Virginia, the State of Alabama—those Senators present—are blessed with all kinds of good things in the environment. Specifically, though, Nevada, and most of our Nation, is blessed with an abundance of renewable energy resources that far exceed anything we would ever hope to get from fossil fuels.

Take, for example, solar energy. In the West, it is tremendously abundant. In most all of our country, it is abundant. It is on the verge of tremendous cost and efficiency breakthroughs.

It is not as if it has not been done in other places. Look what some of the Scandinavian countries have done with wind. They don't have a lot of Sun, but they have lots of wind, and they are creating huge numbers of jobs and lots of energy with their windmills.

There are people in the Midwestern part of the United States today who are farmers who are making more money from their windmills on their farms than they are from the crops they grow.

Solar energy, abundant in Nevada and the West, is on the verge of tremendous cost and efficiency breakthroughs. Geothermal energy can be found in Nevada, California, New Mexico, and other parts of the West. Wells can be drilled that harness the steam coming from the ground and turn it into productive energy. Wind energy can be effectively harnessed all across America.

We can break down the last barriers to the success of solar by enacting an effective cap-and-trade system that will level the playing field with dirty, polluting energy. We have to win the battle against dirty, polluting energy. Should we, as some say, wait for China and India to act? Of course not. Since when does America let other countries lead the way? It is our responsibility to forge the path other nations will follow. But beyond our moral responsibility is a tremendous opportunity for the green gold rush to take place here at home.

Should we wait until 2025, as President Bush would have us do? I don't think so. By 2025, our window of opportunity may well be closed. That is what the scientists tell us. The tipping point the scientists fear—the time at which the environmental impact of global warming becomes severe and irreversible—may have been reached by then, and our chance to create millions of new jobs, catalyze technology development, and keep investment in America will surely be lost. We must move forward. The path of delay, the path of wait and see—the chosen path of Bush and Cheney—ends in certain failure.

Let's withdraw our focus from oil and focus instead on solar, wind, geothermal, and biomass energies. We must not settle for failure. For 7½ years of the Bush administration we have come to expect it. We need to do better.

The Boxer-Warner-Lieberman bill is bipartisan in the truest sense. What better opportunity than to show the American people and the world the Senate is ready to move beyond partisanship to do the right thing. A time will come not far from now when a future generation will look back on us today. They will know what we know—that today global warming is real. Did we take the opportunity, did we accept the challenge to do something about it? That is what future generations are going to look back on. It is upon us to act now. We have to do it. The opportunity is here and we have to take it. That the future of our planet, our economy, and our security depend on choices we make now is without question.

I hope all my colleagues, Democrats and Republicans, will make responsible decisions now to make future generations safe, secure, prosperous, and proud.

I will finally say, my friend, the distinguished Republican leader, in citing his authority for doing nothing, said to read Charles Krauthammer. Everyone knows Charles Krauthammer is one of the most conservative columnists in America. The Wall Street Journal is not a sufficient authority to overrule the vast majority of scientists in America today—in the world today.

We are behind. Other countries are ahead of us. Great Britain and other countries around the world have done much more than we have done. We have a responsibility. Our Earth, I repeat, has a fever. The fever is going up, not down, and we have to bring that fever down. This legislation is our start to making our Earth well.

RESERVATION OF LEADER TIME

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

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to a period for the transaction of morning business for up to 1 hour, with Senators permitted to speak for up to 10 minutes each.

The Senator from Alabama.

CLIMATE SECURITY ACT

Mr. SESSIONS. Mr. President, I don't think, with all due respect to my good friend, the majority leader, who decided to bring up this bill, that discussing one of the most massive bills we have seen is a waste of time. I don't think 30 hours is too long. The Wall Street Journal, which he dismisses—I don't dismiss it—said:

> This is easily the largest income redistribution scheme since the income tax.

That was today's Wall Street Journal editorial. I wish to say, this is not a matter that should be lightly dealt with. Thirty hours is not enough. We need to spend a lot of time talking about what the provisions are in this legislation, what we can do, as the majority leader says—and I agree, there are a lot of things we can do and we can do now—but what we ought not to.

I have to defend my friend, Senator MITCH MCCONNELL, the Republican

leader, who objects to this legislation, and his statement that the Democratic leadership is out of touch. I have been traveling my State. I travel it a lot. I talk with a lot of people, and I hear one point: People are concerned about gasoline prices and energy prices. They know it is hurting their family budgets. Families are paying $50, $100 a month more this year for the same number of gallons of gasoline they were paying 2 years ago.

Where is that money going? Sixty percent is going to foreign nations where our oil is coming from. We are transmitting from our Nation $500 billion a year in wealth to foreign countries to buy this oil. So we need to do something. This wealth transfer is the largest in the history of the world. We have never seen anything like it, and it is, in my view, impacting our economy adversely.

I certainly believe we ought to do everything we can to create energy sources at home at reasonable prices and that we ought to seek to serve a lot of different interests.

I wish to respond to this sort of putdown of Mr. Charles Krauthammer. I think he is a fabulous columnist, a brilliant man, and a commentator. I believe the Wall Street Journal is one of the most sophisticated editorial pages in the country. I read an article in the Washington Post, from Mr. Robert Samuelson, pointing out the flaws in the legislation that is before us today. Patrick Michaels, in the Washington Times, and others are talking about the difficulty with this legislation. It is not a good idea, and it should not be done in this fashion, in my opinion.

We must be good stewards over this marvelous Earth over which we have dominion. It is also true that energy is a powerful force for good in the world. It has been estimated that in countries where electricity is readily available, the lifespan of the citizens are twice that in places where it is not. Electricity energy is the fabulous entity that has provided for the marvelous expansion of our lives, the quality of our lives, the health of our children and families, and without it, we would not be the people we are today. We would be still be hauling water in buckets from the spring.

It makes no sense that we would see this in any other light than as a good thing—how we can create more of it, cleaner, with less adverse impact on the environment and less adverse impact on our economy—and is something we ought to do.

Many are convinced and cite a great deal of scientific evidence that the world is warming and the time is short and the danger is great. But I think few would dispute the immensity of the Earth and the complexity of forces that are at work in our climate. So the warming experts have developed the most astounding, complex computer models to study and explain these forces and to monitor the warming trends that have been occurring for some decades, although apparently not the last 10 years. These computer models predict a continually abnormal warming trend in the long run. Many of our best scientists are convinced these computer models are fact, though others have questioned the extent of their accuracy of expected rise in temperatures and the negative consequences if it were to rise.

In a recent article by a senior fellow at Cato, Patrick Michaels, he noted there are some legitimate questions. I say this because I think there is certainly a majority view that we are, by emitting particularly carbon dioxide, warming our planet and that can have adverse consequences. But he made these points a couple of days ago. One point he made was that it is certain that the Earth has not warmed since 1998. That was a warm year, a very warm year. And it hasn't warmed since 2001 either. So it raises some questions.

Another study he quoted was published in Nature magazine by Noah Keenlyside of Germany's Leipzig Institute of Marine Science in which he predicts no additional global warming ''over the next decade.'' So the question is, if we haven't had any in the last 10 years, and he is predicting another decade in the future, it suggests that we need to be thoughtful about how we handle this program; that we need to reduce greenhouse gases, reduce pollution, and we need to take strong steps, which I would support, but we need to do it in a thoughtful way.

Should we take action? Absolutely. Should it be a purely marketplace solution? I don't think so. I don't think we have a purely marketplace economy with regard to energy today. I believe government policies can impact what happens in the energy world, and I think there are things that we as a nation can do. So I would say, yes, I propose that we see and agree upon actions that can be taken now that will make a positive difference. And we can do that, I am convinced, in a way that does not drive up unnecessarily the burden on families or that mother who is trying to take care of her children and fill the gas tank and add another $1.50 a gallon.

By the way, that $1.50 a gallon increase on gasoline as a result of this cap-and-trade bill was an analysis done by the Environmental Protection Agency—our own EPA—a group that certainly has earned its reputation for being a fierce advocate for the environment. The National Association of Manufacturers also has scored it. They think it could be as much as $5 a gallon. And the Heritage Foundation has higher numbers than the EPA. So I don't know what it is, but I will tell you that on top of the rise in prices we have already seen, this legislation would drive up prices further. Not a single study suggests or says anything other than it will drive up the price of fuel on the American consumer.

Now, I will be frank with you. I participated in a hearing a couple of years ago in the Energy Committee on the cap-and-trade system in Europe. It sounded like something we might consider. I was interested in the hearings. I had believed that the sulfur dioxide emission cap and trade had worked in the United States and that this might work too. But after hearing the Europeans and business people and experts, I came away from that hearing in the Energy Committee very troubled.

Then, just a few weeks ago, we had another hearing on the economic cost of it, and it was very troubling indeed. So I have concluded that those are not the right steps. This kind of legislation is not the right step for us to take. I do not believe we should go down this road with this cap-and-trade proposal.

I want to note parenthetically, Mr. President, that the Environment and Public Works Committee that reported this bill to the floor never had a hearing, never had a hearing on how the trillions of dollars in cost that this bill will impose on working Americans and on businesses in this country will impact our economy. They never discussed that.

So I thank Senator BINGAMAN, the Democratic chairman of the Energy Committee, for at least having one hearing, with a few government experts who ran some of the numbers and pointed out the cost that could occur from this legislation.

So I have concluded that the cap-and-trade program is not going to work. It just will not work. It will create more lobbyists than ants in our country. It will, without doubt, sharply raise the cost of gasoline and electricity in America. It will make American businesses less competitive in the world, and it will surely damage our economy. It will also be, as everyone who looks at it will admit, a secret, sneaky tax. It is a tax of about $7 trillion on the American people, with the money going to some sort of funds and unelected persons to be spent in ways that we are not able to know right now how it will all be spent.

George Will, writing in the Washington Post on Sunday, called it ''a huge tax hidden in a bureaucratic labyrinth of opaque permit transactions.''

Now, is he an extremist? He is good with words, I will admit. I think that is maybe too kind for this legislation. In reality there is an element of power about it, and money. If the persons who propose this—at least those from the outside, particularly, who are advocating it—can overwhelm us at this point and overwhelm our common sense and our natural sense of caution, it may be that Congress will then turn over to them virtual control over the greatest engine of human progress the world has ever seen, and that is the American economy.

If this cap and trade becomes law, there will be politics, campaign contributions, corruption, promises, and lobbyists—yes, many lobbyists. It is

perfectly natural. When the Congress takes control of large segments of the productive capacity of our Nation and commences to pass legislation, and bureaucrats begin to issue tens of thousands of regulations, the Congress will then be picking winners and losers. And businesses, union members, workers, cities, counties, States—special interests—all do not want to be losers. They want to be winners. So they must exercise, therefore, their right to petition Congress concerning a host of matters they had heretofore never considered to be a matter they would hear from Washington about. But now they have to be engaged.

I can go on, but you can see the picture, and it is not a pretty sight. So I have decided this is not the right way to go forward to deal with the challenges that we face. It would be a calamity, I am convinced, to impose this process on the American economy and the American people. So I urge those who are listening today to pay close attention because those masters of the universe are at it again. They are ignoring the legitimate needs of the middle class and the poor for low-cost, clean energy. They think they can just repeal the law of supply and demand if we turn this economy over to them; that they can create energy and produce technological breakthroughs just by passing a law or by simply putting pretty words on a piece of paper. It is not going to work that way.

The ones who bear this cost will not be the Nobel prize winners living in huge mansions but people who drive their cars and trucks to work every day, who fight our wars, who contribute to their churches and other noble causes, and raise their children right. They are the ones who will pay this cost. So I propose we get away from this concept. It has not worked well in Europe.

Scientific American, last November-December, did a fabulous study. This premier scientific journal, which believes in global warming, says we ought to take strong action. You know what they say about it? From memory, my best recollection of the quote is:

> A simple tax is the best way to deal with this problem. But because politicians don't have guts to impose a tax on carbon, what they are going to do is pass this cap-and-trade legislation, and it will be a below-the-radar-screen tax. And as a result, it causes many, many problems in implementation.

They pointed out those, one after another, in that important piece. So I propose we look for things that work by getting busy now, accelerating into production the ideas that may take us further and faster than we could proceed without government policy. In my view, common ground can be occupied on a need to deal with important issues along with global warming.

I think we need to deal with national security—our dependence on foreign oil. We need to continue to reduce pollution. We need to make sure we do not drive up cost and imperil our economy. We need to reduce CO_2 global warming gases. We ought to focus on all those issues, not just one, and we should take actions that will work by promoting hybrid automobiles, which we have done. We have promoted ethanol, and that has jump-started that industry. We can proceed to producing hydrogen fuel cells. We are not there yet, but it is possible.

What about diesel automobiles? They get 35 or 40 percent better gas mileage. Conservation across the board should be a new ethic in this country as far as I am concerned. Wind, biofuels, especially cellulosic fuels can be beneficial, and I personally have seen that. We need more American production of natural gas. Natural gas is much cleaner than coal, and geothermal. But most particularly, I would note we are not going to reach our global warming goals, as Prime Minister Brown in Great Britain announced recently, without nuclear power. He reversed their policy and said they are going to add five new nuclear plants.

We haven't built a nuclear plant in this country in 30 years. Nuclear emits no CO_2. It is economically more productive and not more expensive than other sources of energy. It emits no pollution into the atmosphere, and it certainly is an American-made product that provides for our independence from foreign intervention. We must do that. Any legislation that does not deal or does not enhance nuclear power—and this one does not—is not going to help us solve this problem.

So I would propose that we create an Apollo program, as we did in 8 years when we were planning on going to the Moon. My friend, Senator ALEXANDER from Tennessee, proposes a Manhattan project—well, OK—in which we move in quick order on a host of actions that could actually help us meet our global warming and our energy independence and our economy's needs. We can do that.

Not a dime—not a dime—should unnecessarily be spent on bureaucrats, bean counters, technicians, regulators, lawsuits, or lobbyists. You think we would not have lawsuits with this legislation? The effort and money should be spent on doing what works, and doing that now, the things we know will work. I will support that.

I think we need a new department in the Department of Energy that will focus exclusively on implementing a historic, coordinated effort to bring forward the many improvements that can make us more energy independent and more secure; that will reduce pollution, strengthen—not damage—our economy, and quickly begin to reduce CO_2. I know that can be done.

I have been in Alabama this week traveling the State and taking a look at energy projects. Wood and switchgrass are being burned right now in a coal plant generating electricity. I saw a new clean diesel engine at the Mercedes plant that can get 35 to 40 percent better mileage than gasoline. The Europeans, by the way, have half their cars in diesel because it gets much better gas mileage. There is sustained work at the University of Alabama's Transportation Center on hybrids and plug-in hybrids. You plug in your car at night, at 11 p.m. to 5 a.m., and charge your battery from a nuclear powerplant emitting no emissions, and you can drive and commute back and forth to work without using a drop of oil.

That is the kind of thing that is within our grasp, that is not too far away, and we ought to look at it. Hydrogen fuel cells and other ideas were also presented at the university. Then, at Auburn University, I saw a transportable cellulosic gasification unit that will be brought to Washington on June 19, and they are going to receive the top award in the Nation for that. Wood goes in one end, it is heated, and out comes gas or liquid fuel, and at a price we believe can be competitive. It is clean energy, American energy, reducing our dependence on foreign oil, and because it is from a plant—cellulose—it is not increasing the net CO_2 in the atmosphere.

I visited a small Christian school where students are working on algae as a source for gas for fuel. It has promise—trust me. I visited Huntsville, where, since 1984, they operate an incinerator to burn garbage for steam that operates the military's base at Redstone. This is proven. It is working. No other city in Alabama has such an incinerator. Another Alabama plan would take municipal waste and make ethanol from it. We were briefed on that. I visited the Jenkins Brick Company near Birmingham recently, and the heat they use comes from captured methane that comes off a landfill. So they are heating and cooking their brick with an energy source that, if leaked into the atmosphere, would be a particularly pernicious greenhouse gas. We have seen the collection, in Fairhope and Hoover and other places, of cooking oil for biodiesel instead of throwing it in the landfill. These are all actions that work.

I say let's forget this legislation, let's get busy doing things that will work. I and the American people are fed up with a dependence on foreign oil and the resulting high prices driven by the OPEC cartel that meets to decide how much they want to tax the American economy. They want to fight back. They are willing to take strong action now. But they are not understanding what this bill does. They do not expect the Congress to pass a bill that is going to cause them to pay even higher prices; that is going to create a huge bureaucracy with more regulations, lawsuits, lobbyists, and trillions of new taxes going to people who are not accountable to the American people—and they should not.

Snuffy Smith, the old cartoon guy who, in my youth, lived up in the mountains—he was a pretty good ethanol maker himself; maybe Senator

WEBB would know that neighborhood—used to say, ''Great balls of fire, time's a wastin'.'' I say time's a wastin'. Let's get busy now, but let's do the things that work. Let's not create a bureaucracy that will be counterproductive.

I yield the floor.

ORDER OF PROCEDURE

Mr. INHOFE. Mr. President, it is my understanding that the junior Senator from California is going to want to yield back the morning business time, I suppose, and get on with the bill; is that correct?

Mrs. BOXER. Mr. President, I ask unanimous consent that the remaining morning business time be yielded back, and under the previous order, the Chair will report the motion to proceed to S. 3036.

Mr. INHOFE. Will the Senator yield for a question?

Mrs. BOXER. Sure.

Mr. INHOFE. I assume the Senator has an opening statement to make, and I do, too, on this legislation we are going to be going to. If you have an opening statement, Senator SPECTER would like to follow you and I would follow him. Is that an order that would be acceptable to the Senator?

Mrs. BOXER. I have to check because I have a number of Democratic Senators who wish to partake if we go to this. How much time will we have on this?

The ACTING PRESIDENT pro tempore. The time until 5:30 will be equally divided.

Mrs. BOXER. If the Senators could put a time certain on it, and I will be happy to put a time certain on my time?

Mr. SPECTER. Five minutes.

Mrs. BOXER. Five minutes? Great.

Mr. INHOFE. Twenty-five minutes.

Mrs. BOXER. I would have 25 minutes, to be followed by Senator SPECTER for 5, then followed by Senator INHOFE for 25, to be followed by Senator LIEBERMAN for 20.

I make that as a unanimous consent request.

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

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

CLIMATE SECURITY ACT OF 2008—MOTION TO PROCEED

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of the motion to proceed to S. 3036, which the clerk will report.

The assistant legislative clerk read as follows:

Motion to proceed to S. 3036, a bill to direct the Administrator of the Environmental Protection Agency to establish a program to decrease emissions of greenhouse gases, and for other purposes.

The ACTING PRESIDENT pro tempore. The Senator from California is recognized.

Mrs. BOXER. Mr. President, if you will let me know when I have gone 20 minutes, I will greatly appreciate it.

The ACTING PRESIDENT pro tempore. The Chair will so notify the Senator.

Mrs. BOXER. Mr. President, this is a historic day, not only for our country, but I think the world is watching us. It is because we have a pressing issue called global warming, climate change; you could call it either one. Scientists have told us that in fact we have a very small window right now within which to respond. But it is a historic day because for the first time we have what I call tripartisan legislation out of the Environment and Public Works Committee. It is the Boxer-Lieberman-Warner bill. It is a Democrat, it is an Independent, and it is a Republican. We have come together to say to our colleagues and to the American people: Finally, we are going to deal with this critical challenge.

I wish to take a moment to thank Senator REID for scheduling this matter. There were a lot of voices saying: Why do this now? Why do we have to do this now? I know, because I came to the Congress with HARRY REID, why he wants to do this now. Because it is, in fact, one of the greatest challenges of our generation and we have to respond with a landmark bill, it will take us a while. We must get started. We certainly hope our colleagues will vote to get started. If they do not vote to get started, they are going to have to explain why they have turned their backs on the world's leading scientists and on the Bush administration's own political appointees—such as the head of the CDC, who told us that we face real problems if we do not act, such as the vectors that will now live in warming waters. They will be turning their backs on the intelligence community and the military community, who have looked out in the future and have written papers—and this is the main reason JOHN WARNER is into this—telling us that if we do not act, we are going to see desperate refugees throughout the world. We are going to see droughts and floods worse than the ones we have seen. When refugees are moving because of rising waters, droughts, or floods, you are going to see wars develop in all parts of the world. That is why Senator REID said yes. He said yes to American leadership. That is what we want to say by moving to this bill and supporting it. We say yes to green jobs.

Because the President already said he is going to veto this bill if it passes, I have to say it is very interesting that one of the reasons he gave is that in one of the models, it shows that gas prices will go up 50 cents a gallon in 20 years. That would be 2 cents a year. In fact, if you look at the record of this administration—and they have done nothing to stop it—gas prices have gone up, under their watch, 250 percent. Just take a look at this chart—250 percent, from $1.47 to $3.94; 250 percent. This administration did nothing. Now when they come forward and they say we can't pass this bill because gas prices will go up, here is the truth.

The truth is, because we are going to get better fuel economy—because of a bill the President did sign, and we are glad he supported this part—you are going to be putting less fuel in your tank. So even if it is more per gallon, you are going to be getting better mileage, so you are not going to feel that 2 cents a year. And second, and this is key, it is fitting for this administration which has supported big oil and supported foreign oil and goes to the Middle East and holds hands with the leaders there and kisses them on the cheek and begs for oil—it is very fitting: They are still the voice of the status quo. They are still the voice for continuing our dependence on oil.

This is what has happened without a climate change bill. This is what has happened without a bill to fight global warming. We see this ridiculously impossible increase in costs, and then the administration does nothing about this but is scaring the people and saying they are going to get hit with higher prices.

Let me also address this. In this Boxer-Lieberman-Warner substitute that is before us, we have in there two things we didn't have in the Lieberman-Warner bill. One is a deficit reduction fund.

You can take down the chart now. It is too ugly to look at.

In the Boxer-Lieberman bill, we did not have a deficit reduction trust fund, and therefore people could have argued that this is going to be a terrible thing for us as we look out in the future. We put that in there, and CBO says our bill is deficit neutral.

We also have in this bill a very large piece—almost $1 trillion—of tax relief. So when we do see some increases in energy costs in the early years—electricity, for example—we can offset that because there will be tax relief and then there will be this consumer relief that will go through the utilities. They will give rebates immediately.

For those people who said: Oh, my goodness, we are moving forward with this and we need to make sure we can get off the track, I want to say thank you to Senators BINGAMAN and SPECTER who, in their bill, had created what I thought was a very important off-ramp. The one thing I didn't agree with them on was the price they pegged for the price of carbon because the business people I spoke to, including those in Silicon Valley, said: That is a mess. If the price is too low, then business will simply not invest. The Silicon Valley people and the investors from across this country—we had one at a press conference today who said he represented, I think, a $4 trillion fund,

said they are waiting to invest in new green technologies, in new jobs. They are waiting to do it. They are waiting for this legislation. But they will not do it unless we don't have an easy off-ramp, we have an off-ramp that can be used in circumstances that warrant it.

We have put the number between $22 and $30, which reflects the consensus of the labor groups as well as the environmental groups. We have tried to come together. We have tried to put this together in such a way that it essentially moves us forward, takes us where we have to go, and takes us there in a way that will mean the creation of millions of jobs.

Some of our colleagues will say this: Why do this now? We are in a recession. Precisely because we are in a recession is why we should be doing this. This bill is the first thing that brings us hope.

We sent a rebate check to people. I am really glad we did it. I voted for it. Guess what. We had no money to do that. We had to go into the red to do that. We had to go into deficit spending to send a rebate check. This bill gives us the funds to give relief to our consumers. This bill does that.

I compliment JUDD GREGG because I have had meetings with him, and this was his point. Mind you, he wants to give it all back to taxpayers. We use some of it for investments in these new technologies so we can swiftly move away from foreign oil and big oil, but it was JUDD GREGG—who I know was not a fan of our bill, again because of what I said—who gave us this idea and this notion that we could have these funds to return to our consumers.

I know Senator WARNER, who is on the floor now, has many contributions he is going to talk about in this bill. I will not go into details. But he also said it was important that the President has an ability to say: Wait a minute, this bill goes a little too far. We have to take a pause, a timeout. He has written it in such a way that I am very supportive of it because it balances the powers of the President and Congress. He will talk more about it.

Now that I see my two colleagues are on the floor—I have not had a chance to thank him on the Senate floor—I want to say to Senators LIEBERMAN and WARNER how much they mean to me—on this issue and also personally. I will not get overly emotional about it at all, but I will say this about Senator WARNER: Senator WARNER has a legacy that if he didn't do one more thing in the Senate, if he just decided to come by and say ''Hi'' to us for his last 6 or 8 months, it would have been enough. It would have been 10 times what most of us will achieve.

His legacy on national security is unparalleled; you know that and I know that. You have spoken to me about it. But when Senator WARNER came to me, since I am now chair of the EPW Committee—which is the deepest and greatest honor I have ever had—and he said: I have been doing a lot of thinking about this, BARBARA, and I think we have to move; we have to get America back into a leadership position; I have told JOE LIEBERMAN; he said he is going to work with us.

I knew at that moment we would, in fact, reach this day. Now, even reaching this day was not easy. When you read ''How a Bill Becomes a Law,'' and it says, you take it to the subcommittee, and the subcommittee approves it; you take it to the full committee, the full committee approves it; then you take it to the floor and the floor approves it, this was difficult for us to get through subcommittee and then to get through the full committee and now to take it to the floor. We know this is not easy. We know this is difficult. All great matters of the day are not easy. They take time. They take effort.

Landmark laws take effort. They do not happen overnight. But at moments such as these, when we are dealing with such a big issue, we should think back to our predecessors, when our predecessors in Congress saw rivers on fire from pollution or contaminated water that made us sick or filthy air that filled our lungs, and magnificent creatures such as the bald eagle close to extinction, Congress acted. We were not afraid. We were not afraid. We stepped to the plate and said: This is America, and our ingenuity can resolve these questions. We could have walked away. They could have walked away. But they did not walk away.

Now we are going to find out who is going to walk away from this and who is going to step to the plate. I think it is that important. The American people deserve to know who is willing to step to the plate.

Now, look, every bill means we have to compromise. Lord knows. I am looking at my friend, Senator WARNER, and smiling because I am thinking of the many times he said to me: Senator, I do not think I can go there with you.

Then he wanted something, and I said: Senator, I do not think I can go there with you. But we met halfway here. We met halfway. That is what we need to do in the Senate.

I wish to say that my colleagues in the Senate, including Senator WEBB, who is sitting in the chair, have allowed me into their lives, into their offices. We have talked for hours. I have heard their concerns. They have raised questions. In many cases, they have led us in a good direction to be stronger.

For example, in the case of Senator WEBB, he had many concerns. One of them happened to be what about the countries we trade with, are not they going to have an advantage? I cited the Bingaman-Specter bill again and said: We took something good from that bill. We took that part of Senator SPECTER that deals with saying, if countries come and want to bring in a lot of products into our Nation, and their countries are not doing anything about this, they are going to have buy allowances; they are going to have to do their part.

These are the kinds of things we hope to strengthen in this bill. Look, we have clear evidence, evidence that greenhouse gas pollution will cause our planet to heat up well beyond what is safe. We have to act. I do not want to do more than is necessary; I do not want to do less than is necessary. I am trying to find that ''just right'' spot.

I do agree with Senator WARNER that because we are looking out into the future, we have to give the Presidents now and in the future the ability to say: Let's take another look. We also have to continue to look to the scientists. Therefore, in our bill we say, the scientists should submit a report every few years. We need to see if we are doing too little or is it just right and adjust to it.

I think I mentioned this before. Senator REID deserves a lot of credit for bringing this bill forward. We have wasted time. Look, I blame myself. I blame myself. I did not grab the reins of this thing early enough in my career.

I have to say, Senator LIEBERMAN did. Senator MCCAIN raised the issue early on. I had some problems with their approach, and I did not engage. I admit this. This is the hardest thing for anyone to admit, for a Senator to say: I was wrong. I was wrong. I did not get it.

I have to give Al Gore and all the people who came before the committee when I got the gavel a year ago, a year and a half by now—and we said: You know, we are going to look at this thing. I did not have all the answers then. I had a lot of questions. We had the world's leading scientists, we had religious leaders, we had State leaders, we had Republicans, we had Democrats, we had businesses, we had mayors.

We had 25 full-blown hearings on this. Plus we had lunches and we had dinners where we invited in the scientists, the experts, people from Europe who have taken the lead, to ask them questions.

They made a lot of mistakes in the beginning. We were nervous about that. I remember one of the first times Senators LIEBERMAN and WARNER and I spoke was, we have to make sure that whatever bill we work on does not give rise to speculation and get-rich-quick schemes.

So we have been very careful to learn from the mistakes Europe has made. But when you cut it all up and you look at Great Britain, for example, a very small country compared to us, they have cut back carbon by 15 percent. In the same time, they have raised their gross domestic product by 45 percent. They have created 500,000 new jobs.

You do not have to go that far. Go to my State of California. We are in a terrible mess right now because of the housing crisis. We have so much of the foreclosure problem. We have a recession in housing and in construction. I was told unequivocally that because of

our global warming legislation we have there, 450 new solar businesses—and I am not even looking at nuclear and I am not looking at wind, I am looking at solar—450 companies have formed.

They are hiring many of the workers who are losing their jobs in the construction industry. So there are ways to do it that are wrong. There are ways to do it that are right. Now, today, you will hear from those who wish to kill this bill, kill it, kill it as dead as they can. They say it is too complicated, that we should do nothing and we should continue the status quo.

Well, the status quo is devastating, my friends. The scientists have told us that. The price of gas is off the charts. My friend, Senator LIEBERMAN, made this point beautifully at a press conference we had. The whole point of the bill is to get us off oil, is to unleash the genius of America so there are investments in alternatives, alternative fuel cars that get better fuel efficiency.

I will tell you this, knowing what I know from California, it is going to have a positive and beneficial effect; whereas, if we turn away out of fear, out of fear mongering, out of scare tactics, out of saying global warming is a hoax, it does not exist, look at scientist X, look at scientist Y.

You will hear it all on this floor. You will hear it all on this floor. But I remind you, there were people who said the world was flat, even when everyone knew it was not. There were people who said cigarettes did not cause cancer, when the rest of us knew they did. There are still people who say HIV does not cause AIDS. They are wrong. I can go on.

Oh, airbags, they will not save lives. Wrong. When you stand on the Senate floor, whether you are a Democrat or Republican, an Independent, whether you are short or tall or medium, whenever you challenge the status quo, watch out, folks, because the slings and arrows are going to be at your back, at your front, at your side.

I am ready. Why am I ready? I am ready because we have unbelievable bipartisanship on this bill. The quality of this partnership runs deep. LIEBERMAN and WARNER, LIEBERMAN and WARNER.

Mr. President, how much time do I have remaining?

The ACTING PRESIDENT pro tempore. The Senator has 5 minutes 15 seconds remaining.

Mrs. BOXER. Thank you very much. The bipartnership on this runs deep. I have mentioned Senators LIEBERMAN and WARNER. Every member of my committee on the Democratic side and even some on the Republican side who did not like the bill contributed to the debate. Colleagues all over the Senate helped us.

The Energy Committee helped us. I will tell you, I went into member's offices, and I got great ideas from many offices. I mentioned Senator GREGG gave me a great idea. He does not like this bill because he wants to give all the money back. He does not want to invest any of the money, but he gave me a great idea on the tax cut. We had Senators CANTWELL and MURRAY point out the importance of hydropower and how we could address that.

I could name colleague after colleague. Senator JOHN WARNER, who will be here for a lot of this debate, is a magnificent voice on this subject. I put him in the category of Al Gore on this subject. He knows what he is talking about. He helped so much without any credit. He put together business meetings, he put together dinners. He had people come over. We studied together. We studied with scientists. It was like going to school.

Senator KERRY, Senator CASEY. And I could go on with other colleagues. The fact is, I am not fearful of what is going to come at us starting soon because we have the facts on our side. We have a deep well of support from colleagues who know their stuff. There are 11 National Academies of Science that concluded climate change is real. The Nobel Prize-winning Intergovernmental Committee on Climate Change: Global warming is unequivocal. Human health impacts, children and the elderly vulnerable. I have lots of other information which I do not have the time to do.

I mentioned national security. National security. A report by the Center for Naval Analysis found that the United States could more frequently be drawn into situations of conflict to help provide stability before conditions worsen and are exploited by extremists. This is what Senator WARNER said so wisely.

So in summing up at this point, I urge my colleagues to vote yes to proceed. I do not know whether there is going to be a deliberate effort to try to stop us on this motion to proceed because I have not been informed. I can only say to colleagues: Do not be fearful because you have nothing to be fearful about.

I will tell you what there is to be fearful about: doing nothing, saying no, turning your back on the scientists, on the religious leaders who are with us, on the mayors, the Governors, on so many supporters who understand this. That would be dangerous because gas prices are shooting up to the sky. If we do not get off oil, that is our future.

With that bill, that is not our future. So if you want to be afraid, and that is your motive, to be afraid, you want to be afraid, vote no. If you want to start to address energy independence, clean energy, if you want to address the threats science says we face, vote yes on the motion to proceed. Let's get down to this and have a great debate in the Senate tradition. Because this issue definitely deserves to have that kind of debate.

The ACTING PRESIDENT pro tempore. The Senator from Virginia.

Mr. WARNER. Mr. President, could we have the Chair advise the body with regard to the existing time agreement. It would be my hope that I could follow Senator JOSEPH LIEBERMAN, since the two of us are the principal sponsors of this bill.

Mr. INHOFE. Mr. President, what I would like to do, we do have it locked in right now in terms of a UC. It would be Senator SPECTER next for 5 minutes, me for 25 minutes, and Senator LIEBERMAN for 20 minutes.

I will be managing the time in opposition. The time that has been requested from me is for Senator BOND to follow Senator LIEBERMAN. Then I am sure you would be on there.

Mr. WARNER. I will have to accept that.

Mrs. BOXER. Mr. President, I think I can resolve this. If my colleagues will wait a minute, can you tell me how much time remains on our side after Senator LIEBERMAN finishes?

The ACTING PRESIDENT pro tempore. Is Senator SPECTER speaking on the proponent or opponent side?

Mrs. BOXER. I think he got some time from Senator INHOFE.

Mr. SPECTER. Undecided.

Mr. INHOFE. He is our time.

Mrs. BOXER. Senator INHOFE said he is speaking on his time, which is fine either way. But I am trying to find out how much time remains.

The ACTING PRESIDENT pro tempore. After Senator LIEBERMAN speaks, there will be 29 minutes left.

Mrs. BOXER. May I give 2 minutes to Senator CARDIN following Senator LIEBERMAN and the remainder of the time to Senator WARNER?

Mr. LIEBERMAN. I propose that Senator WARNER and I divide the 20 minutes I have. I will take 10 and Senator WARNER can take 10. Then we will fill in after that. We have been in this together from the beginning and we are going to be on the boat at the end as well.

Mrs. BOXER. Is that all right with the Senator?

Mr. WARNER. I think that is most generous, but you take 15, I will take 5.

Mr. LIEBERMAN. I refuse the offer.

Mrs. BOXER. So it is 10 and 10.

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

Mrs. BOXER. After we hear from Senators SPECTER and INHOFE.

Mr. SPECTER. Mr. President, I thank my colleagues for squeezing me in for 5 minutes. I sought this time to talk very briefly about the Bingaman-Specter bill which is aimed at solving the problem of global warming but is somewhat more moderate than the Warner-Lieberman bill.

I will take a few seconds on a personal note. I have had quite a few people take a look at me today and ask me how I am. On C–SPAN 2, some people may notice I am a little pale, a little thin, and a little bald. I feel better than I look. I have gone through this chemotherapy for Hodgkin's once, and I am optimistic about doing it again. But I agree with Senator BOXER that this is an historic day, and I wanted to be here at the outset of this debate.

I have long been concerned about the problem of global warming, and I congratulate Senator MCCAIN and Senator LIEBERMAN for what they did several years ago and what Senator WARNER and Senator LIEBERMAN are doing now. I think it is vital that we move ahead on this issue, and I intend to vote yes on the motion to proceed. It is my hope that in this debate we can reconcile many of the interests. Warner-Lieberman and Bingaman-Specter have a lot of similarities, but there are significant differences. I believe it is going to be difficult to get 60 votes to impose cloture so that this bill can move ahead. Senator BINGAMAN and I started a long time ago, 18 months ago, in January of 2007, with a draft bill. We were ready for introduction July 11, 2007, and assembled a large group of labor, business, industry, and environmentalists to support the bill which we have. I would like to see us attain the goals of Lieberman-Warner. I would like it very much. But for reasons which are detailed in my extensive written statement, I do not believe that is possible.

On February 14 of this year, at the request of management and labor, I testified before the Finance Committee on the issue of what importers were going to have to do. Illustratively, China wants 30 years. Well, in 30 years there won't be a steel industry. We have to reconcile a great many conflicting interests. My State is a major coal State. One of the top experts on Capitol Hill on this subject, Tom Dower, worked months working through complex issues with labor and management and conservationists. The details of a very extensive analysis are set forth in my floor statement, but that is the essence of my approach today.

I ask unanimous consent that the full text of my statement be printed in the RECORD.

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

AMERICA'S CLIMATE SECURITY ACT

Mr. SPECTER. Mr. President, I seek recognition to discuss the Lieberman-Warner climate change bill, S. 2191/S. 3036, ''America's Climate Security Act of 2007.'' It is my intention to support cloture to end debate on the motion to proceed to this legislation, however I have concerns about the legislation some of which I will outline here.

Global climate change is potentially the greatest threat to mankind and our planet that our civilization has ever faced. The amount and quality of scientific data continue to improve our understanding of global climate change. This information points toward potentially severe ramifications for Earth's climate, ecosystems, and life as we know it. The most recent assessment in February 2007 by the Intergovernmental Panel on Climate Change (IPCC) concluded that ''most of the observed increase in globally averaged temperatures since the mid-20th century is very likely due to the observed increase in anthropogenic greenhouse gas concentrations.'' This 90% likelihood of human impact on the global climate adds to the compelling case that action to fight climate change is warranted.

Some skeptics of the human contribution to this global problem remain, however their voices grow more distant as more information comes to light and the realities that we face in terms of regulatory uncertainty around this issue have given rise to calls for action from the business community. Given past uncertainties, I have previously been unable to support legislative proposals which have threatened U.S. economic interests without meaningful environmental benefit. The Senate voted 95–0 in 1997 to overwhelmingly support the Byrd-Hagel resolution (S. Res. 98) rejecting the Kyoto protocol for its unequal treatment of developed and developing nations, as well as the potential serious harm to the U.S. economy. Subsequently, the Senate has twice voted on climate change legislation offered by Senators McCain and Lieberman—failing by votes of 43–55 in 2003 and 38–60 in 2005. As I stated on the Senate floor at the time, the McCain-Lieberman bill did not contain adequate protections for the U.S. economy, nor did it adequately address the global nature of the problem.

Given my commitment to finding a way for the U.S. to combat global warming, Senator Bingaman and I offered a Sense of the Senate amendment to the 2005 Energy Policy Act. An effort to set aside our amendment failed 54–43 and it was subsequently passed by voice vote. The resolution called for adoption of an economy-wide program that will slow, stop and reverse greenhouse gas emissions without harming the economy and that will encourage action by developing nations. Meeting these dual tests is a great challenge that I believe must be met not just to pass a bill into law, but to ensure the effort's long-term viability and support from the American people.

Following the 2005 debate, Senators Domenici and Bingaman as Chairman and Ranking Member, respectively, of the Senate Committee on Energy and Natural Resources issued white papers and held Committee sessions to debate the merits of various approaches to this issue.

In January 2007, Chairman Bingaman and I proposed a ''discussion draft'' of comprehensive legislation to address climate change. Between January and July, our staff held a series of public workshops for stakeholders and Senate, House, and Administration staff. Hundreds of people attended these sessions and hundreds more were involved in other meetings to provide comments, suggestions, and concerns. We heard from electricity generators, mining companies, transportation fuel refiners, natural gas producers, energy-intensive manufacturers, consumer groups, environmental organizations, conservationists, sportsmen, labor unions, faith-based organizations, and many others.

The culmination of this process was the introduction of the Bingaman-Specter ''Low Carbon Economy Act of 2007,'' S. 1766, on July 11, 2007. We held a memorable press conference in the Energy Committee hearing room in the Dirksen building flanked by key supporters of our bill from labor groups, energy companies, and conservation organizations. I was very pleased to stand with Richard Trumka (AFL-CIO), Cecil Roberts (Mineworkers), Bill Klinefelter (Steelworkers), John Rowe (Exelon), Jim Miller (PPL), Jim Rogers (Duke Energy), Jeff Sterba (PNM), Mike Morris (AEP), and David Crane (NRG Energy). We also greatly appreciated the support of 21 groups representing millions of hunters, anglers and other conservationists including Ducks Unlimited; Trout Unlimited; National Wild Turkey Federation; and Pheasants Forever. In addition to Senator Bingaman and I, our bipartisan cosponsors included Senators Akaka, Casey, Harkin, Murkowski, and Stevens.

The ''Low Carbon Economy Act'' creates a strong and credible approach to reduce U.S. greenhouse gas (GHG) emissions while protecting the U.S. economy and engaging developing countries. The Act creates a cap-and-trade program for U.S. GHG emissions that is modeled on the successful Acid Rain Program. By setting an annual target and allowing firms to buy, sell, and trade credits to achieve the target, the program is designed to elicit the most cost-effective reductions across the economy. The target is set to avoid harm to the economy and promote a gradual but decisive transition to new, low-carbon technologies.

The strategic targets of the Act are: Starting in 2012 reducing U.S. GHG emissions to 2006 levels by 2020 and 1990 levels by 2030. To limit economic uncertainty and price volatility, the government would allow firms to make a payment at a fixed price in lieu of submitting allowances. This fee, referred to in the bill as the ''Technology Accelerator Payment'' (TAP), starts at $12 per metric ton of CO_2-equivalent in the first year of the program and rises steadily each year thereafter at 5 percent above the rate of inflation. If technology improves rapidly and if additional GHG reduction policies are adopted, the TAP option will never be engaged. Conversely, if technology improves less rapidly than expected and program costs exceed predictions, companies could make a payment into the ''Energy Technology Deployment Fund'' at the TAP price, to cover a portion or all of their allowance submission requirement.

Under the Act, carbon dioxide (CO_2) emissions from petroleum and natural gas are regulated ''upstream''—that is, at or close to the point of fuel production. For these fuels, regulated entities are required to submit tradable allowances equal to the carbon content of fuels produced or processed at their facilities. Regulated entities that must submit allowances include: Petroleum refineries, natural gas processing facilities, fossil fuel importers, large coal-consuming facilities, and producers/importers of non-CO_2 GHGs. GHG emissions from coal are regulated ''downstream'' at the point of fuel consumption.

The proposal sets out a detailed methodology for distributing tradable emission allowances. At the beginning of the program in 2012, a majority (53 percent) of allowances are given out for free to the private sector. This amount is gradually reduced each year after the first five years of the program. In addition, 8 percent of allowances will be set aside annually to create incentives for carbon capture and storage to jump-start these critical technologies; 24 percent of total allowances will be auctioned by the government to generate much-needed revenue for the research, development, and deployment of low- and no-carbon technologies, to provide for climate change adaptation measures, and to provide assistance to low-income households; 5 percent of allowances are reserved to promote agricultural sequestration; and 1 percent of the allowances will reward companies that have undertaken ''early actions'' to reduce emissions before program implementation. Another 9 percent of the allowances are to be distributed directly to States which can use associated revenues at their discretion to address regional impacts, promote technology or energy efficiency, and enhance energy security.

To effectively engage developing countries, the Act would fund joint research and development partnerships and technology transfer programs similar to the Asia Pacific Partnership. The bill also calls for a Five-Year Review Process that provides an opportunity to reassess domestic action in light of efforts by our major trade partners (and relevant

scientific and technological developments). If by 2020 other countries are deemed to be making inadequate efforts, the President could recommend to Congress that products imported from such countries must be accompanied by allowances (from a separate reserve of allowances) sufficient to cover their embedded greenhouse-gas content. If there is sufficient international progress in reducing global greenhouse gas emissions, the President could recommend changes in the U.S. program designed to achieve further reductions (e.g., to at least 60 percent below 2006 levels by 2050).

There are many other provisions of this comprehensive legislation that help set the U.S. on the right track in taking meaningful steps to combat global climate change and put our trading partners on notice that we take this issue very seriously. Strong U.S. leadership will go a long way in moving the Nation and the world toward a cleaner and more sustainable future.

Much of the Lieberman-Warner bill tracks closely to the Bingaman-Specter bill. The two bills regulate the same entities (oil and natural gas producers; coal consumers; and non-CO_2 greenhouse gas producers) using the same approach—cap-and-trade. They both initially provide a free allocation of roughly three-quarters of available allowances for affected industries and special purposes, while selling the remaining quarter through a government auction, the proceeds of which are used for technology research, development, and deployment, as well as climate change adaptation and other purposes. Both bills transition many of the free allocations to auctions over time—thus providing an increasing price signal to affected industries that they must invest in new technologies.

While these provisions are similar, there are fundamental differences that cause me great concern. First, the emissions reductions ''targets'' or ''caps'' in Lieberman-Warner are very stringent and potentially unattainable without high cost. The bill begins in 2012 and would limit emissions to 2005 levels; it would require 19 percent below 2005 by 2020 (1990 levels); and 30 percent below 2005 levels by 2030.

The second crucial problem of the Lieberman-Warner bill is the lack of adequate cost control mechanisms like a Bingaman-Specter-style ''safety valve'' or price cap, particularly in the context that we are considering taking unilateral action on a global problem for which many of our trading partners are not. Theoretically, the costs of a cap-and-trade program will be manageable if optimistic assumptions about the availability of affordable low-carbon technologies prove correct, very meaningful improvements in energy efficiency and conservation are attained, and ample ''offsets'' or allowances from non-regulated entities like farmers are readily available. However, there is a great deal of uncertainty about all of these crucial elements.

Therefore, there must be some protection for the U.S. economy as a whole and various sectors that would have to shoulder the burden of higher than expected costs. It is for this reason that I believe any cap-and-trade program should include a ''safety valve'' or cap on the price of each ton emissions. Without such a protection, a series of risks remain including cost-sensitive industries moving production overseas as a result of higher energy prices in the U.S. that could not be passed through to consumers in a competitive market. It is worth noting that such production would likely move to countries that are not taking actions to reduce greenhouse gas emissions, so essentially making the problem worse. Other risks include raising energy costs in the transportation and electricity sectors to levels that could not be met by consumers, thus exacerbating the overwhelming situation in which many Americans already find themselves.

I understand Chairman Boxer has included a new cost control mechanism in her substitute bill that is modeled on suggestions from the Nicholas Institute at Duke University and the National Commission on Energy Policy, as well as the U.S. Climate Action Partnership. My staff participated in a number of meetings with the offices of Senators Boxer, Lieberman, Warner, Baucus, and Bingaman over the timeframe of January through April 2008 in an attempt to explore options to control costs. I am disappointed that Chairman Boxer decided to include these new cost containment auction provisions without first vetting their details with me and my staff. Upon review of the details provided in the substitute, it appears that a number of emission allowances (6 billion tons) would be borrowed from 2030–2050 and placed into a reserve fund that could be used to release into the market in the form of another auction. In 2012, the President would choose a price between $22 and $30 from which this additional auction of allowances would occur, and in subsequent years the auction starting price would rise 5 percent over inflation annually. While this is an interesting concept, it is entirely unclear to me what effect, if any, this would have on the cost of the program. It is clearly complicated and does not likely provide affected industries with the same level of certainty that is inherent in a safety valve with an established price. I believe the new cost containment provisions require extensive review and in the meantime, a safety valve should be added—the details of which should be open to discussion, debate, and analysis as well.

Some other concerns I have with the current bill involve the international competitiveness provisions that were first included in the Bingaman-Specter bill and were conceived by American Electric Power (AEP) and the International Brotherhood of Electrical Workers (IBEW). On February 14, 2008, I testified before the Senate Committee on Finance at a hearing on the international implications of climate legislation. I outlined my thoughts that the provisions in the Bingaman-Specter and Lieberman-Warner bill to require imports by the year 2020 to have credits to account for the carbon emitted in their production is consistent with trade law. The Boxer substitute has made some changes to these provisions, including moving forward the start date of import allowance purchases to 2014. While this and other provisions are welcome, I remain concerned that we still have not gotten this part of the legislation quite right. I intend to work with my colleagues and affected industries like steel, glass, iron, aluminum, cement, pulp, paper, chemicals, and industrial ceramics, to shore up these imperative provisions.

I also understand that certain emissions from industrial production were intended to be exempted because there is no alternative method of production. These ''process gas emissions'' provisions should be made very clear so as to remove any uncertainty by these industries. Without these protections, the competitiveness issues again might lead companies to shift production of energy-intensive products like steel to countries without emission standards.

Finally, as I review the Lieberman-Warner bill, I am concerned that it does not provide the essential pathway to the future of coal use and thereby protect consumers from the price impacts of a rapid shift from coal to natural gas for electricity consumption. The U.S. currently produces half of its electricity through the combustion of coal. While there is also a great deal of capacity to burn natural gas, the high price of natural gas leads most regions of the country to only use it at times of peak demand. However, if a price to carbon places natural gas in a competitive advantage relative to coal use, we could see immediate shifting to this resource which is also used as a feedstock or raw material in chemical and fertilizer production. Natural gas prices in recent years have experienced a great deal of volatility. Coal, by comparison, has been relatively stable and less expensive.

If our Nation hopes to meet its rising energy demand into the future and keep prices for consumers affordable, any climate change response will have to factor how to bridge to that point in the future when capture and storage or sequestration of carbon dioxide is commercially deployable and regulated to ensure the environmental integrity of pumping millions of tons of carbon dioxide underground. This technology will not only be a key to meeting domestic energy needs while protecting the environment, but is likely the most effective way we can influence the greenhouse gas emissions of developing countries like China and India that are heavily dependent on coal. Under all modeling scenarios of climate change legislation, carbon capture and storage is shown to be critical. Otherwise, we will have to greatly exceed all expectations for deployment of nuclear energy, renewable energy, efficiency, and conservation, as well as other low carbon technologies, all of which will already be called upon to shoulder a tremendous burden in shifting our economy from one that is carbon-based on low-carbon-based. I intend to work with my colleagues to ensure this clean future for coal use.

In conclusion, the Senate has a unique opportunity to pass our Nation's first comprehensive climate change response. While this is an extremely complicated issue, much work has been done to date and it now comes down to finding the right balance between limiting U.S. greenhouse gas emissions and protecting the U.S. economy. This is often the challenge of environmental policy and we have found the right approaches in the past—including the acid rain cap-and-trade program after which this legislation is modeled. I look forward to working with all of my Senate colleagues as this debate proceeds. I thank the presiding officer and yield the floor.

Mr. SPECTER. It is my hope that we will reconcile all these interests and move ahead, but I think it is very important that we not search for a goal we cannot attain and end up doing nothing. We know the maxim that the perfect is the destroyer of the good.

I thank my colleagues and yield the floor.

Mr. WARNER. Mr. President, if the Senator from Oklahoma will yield for a moment, I say to my colleague, we have served together now for 28 years in this body. I wish you well in this latest chapter, but I also commend you for the forthright manner with which you have always come forward in this body at any time. If there is an ounce of reduction in the tremendous energy you apply to your work here in the Senate, you acknowledge it, but always saying you will be back stronger than ever. I wish you well.

Mr. SPECTER. Mr. President, I thank my colleague for those remarks. I feel better than I look, which isn't necessarily saying a whole lot.

The ACTING PRESIDENT pro tempore. The Senator from Oklahoma.

Mr. INHOFE. Mr. President, I am going to have an opening statement. Let me say that my good friend Senator BOXER and I, the last time we had a major bill on the floor, were in agreement with each other having to do with the Water Resources Development Act and, prior to that, transportation reauthorization. On this, we very much disagree. She has every right to be wrong. I wish to also mention, since she commented about the possibility that the cloture vote might be tough, I don't think it will be because there are a lot of people who very much oppose this legislation who are going to vote for cloture, including some of the leadership on our side that is opposed to this bill. Although the vast majority of the scientists do not believe that man-made anthropogenic gases, CO_2, methane, are a major contributor to climate change, that is not a part of the debate of the Lieberman-Warner bill. If it were, it would take a lot more time than we will be able to devote. So we are not going to discuss that. That is for another day. As we begin the debate today, the climate legislation, I want to make a few points.

First, I wish to discuss what we as Republicans stand for, then talk briefly about the process of how we got to the debate and how we got the debate on the floor today, then, finally, discuss how we wish to see the floor debate progress over the coming days or perhaps the coming weeks, as some believe it might be.

First and foremost, we, as Republicans, believe any legislation that attempts to address climate change must protect American families and must protect U.S. workers. It has to maintain global fairness and, finally, offer clean energy solutions. Unfortunately, this bill, the Climate Security Act of 2008, which, it is my understanding, is what it is called now since this has been an amendment or a substitute that we are considering, fails on all of these counts.

We believe any climate legislation must offer clean energy solutions. Substantial investment must be made in new clean energy technologies which would generate more energy efficiently by producing less carbon without the Government picking winners and losers. It makes good business sense to produce energy more efficiently, and American companies are at the forefront of developing these new technologies. We support investments in solar, wind, hydro, geothermal, and other innovative technologies, but we must be careful not to interfere in the free market system or we might stifle new innovations. Any approach that addresses climate change must incorporate more emission-free nuclear power. We are on the verge of a nuclear renaissance in this country, and it is key to our long-term domestic energy independence. We have to address the remaining issues that hinder the construction of new nuclear plants such as loan guarantees, waste, and regulatory certainty. Senator DOMENICI, the greatest champion the nuclear industry has ever had, is retiring at the end of this year. I can think of no greater honor to him than to make his renaissance a reality, the renaissance of nuclear energy.

Coal is our most abundant energy source. It must be a part of any solution. We must invest in clean coal technologies in order to increase our energy security. While we are continuing to explore carbon capture and storage, we cannot hold the future use of coal hostage to this one technological feat. Senator BYRD has been a tireless advocate for greater use of coal, and I know Senator VOINOVICH and Senator BARRASSO on the committee have been championing its use.

We need to promote natural gas. Increasing supplies of natural gas are needed in order to compensate for fuel switching which could harm America's industrial base and export jobs. We know that fuel switching is taking place right now. We have an almost limitless supply of natural gas available, and we have proven we can develop this important resource in an environmentally friendly way. I wish to see us build upon Senator WARNER's past work and open up more of the offshore resources which would be absolutely necessary for us to capture this natural gas.

We must seriously consider how climate legislation will impact economic competitiveness. Emissions are a global issue which should be addressed globally, not unilaterally. All major emitting countries, including developing nations, must participate in order for any U.S. program to produce meaningful reductions in atmospheric concentrations of greenhouse gases. Today China emits more carbon dioxide than we do. That divide is only going to grow because 2 years ago we produced more than they did. China is increasing their number of coal-fired generating plants by two each week. The Kyoto treaty expires next year, and any future treaties should include developing nations. Any action has to provide real protections for the American economy and jobs. American jobs should not go overseas where environmental laws are less strict and emissions increase. If the United States were to act unilaterally, manufacturing facilities will go overseas, because they have to go where the energy is. We know that. That is where the energy regulations or emission regulations are more lax. This will result in more emissions at the industrial source and more emissions in transporting products back to the United States.

Let me repeat that. In the event we acted unilaterally and we had a cap-and-trade system that ended up reducing emissions of CO_2, then companies that would be the losers in this program would merely move to China or India or down to Mexico. There they don't have any emission requirements. So it would actually have the effect of increasing the amount of CO_2 in the atmosphere. Any action has to provide real protections for the American economy and jobs. We must protect American families. Any action should not raise the cost of gasoline or energy to American families, particularly for the low income and elderly who are most susceptible to energy costs. Those who make $20,000 a year spend one-third or more of their income on energy. We can't turn our back on less fortunate people. We have to carefully consider the policy tools used to enact any climate legislation. Any solution must not include slush funds controlled by Federal bureaucracies used to reward political friends. The climate solution should not require an overhaul of our economy, and those decisions should not be made by nameless bureaucrats rewarding friends or pet projects.

Senator CORKER has examined this legislation carefully and has outlined over 45 new programs created by this bill. As the Wall Street Journal said last week:

> This bill would impose the most extensive government reorganization of the American economy since the 1930s.

We can't afford any tax increases either directly or indirectly. We must recognize that true innovation comes from the private sector. This bill will raise over $6.7 trillion from carbon sales and auctions primarily coming from consumers. In other words, consumers are going to be paying the $6.7 trillion. But it does direct $2.45 trillion back to consumers. So if all the transition assistance funding goes directly to consumers without the businesses or States keeping any of the funds to run their transition programs, which they are allowed to do, this means that over $4.2 trillion will be used to fund new government programs. The Senator from California referred twice in her opening remarks to Senator GREGG, complimenting him, saying he believes the only difference between the two of them is he wishes to send this back to the taxpayers rather than to have $4.2 trillion of new bureaucracies in this country. I agree with that. Any solution has to be national in scope without States or regions imposing duplicative or additional requirements on top of a Federal system. It will be impossible for American industry to remain competitive if different regions or States have additional climate programs on top of a Federal program.

Finally, any national program must contain a transparent, effective cost-control mechanism to avoid harm to the economy and job losses. There are many ideas out there which might work, including ideas from Senators BINGAMAN and SPECTER. Senator SPECTER just spoke. Simply borrowing credits from future years will only create a larger problem later on.

How we got here: Unfortunately, the bill we are discussing today violates all of these principles. It ignores the needs of American families. It jeopardizes the jobs of American workers. It does not

offer a global solution and, in fact, will increase global emissions. It does not promote good, clean energy solutions and, in fact, will make us even more dependent upon foreign sources of energy.

One of the chief problems with this legislation is that it was hastily considered by the Environment and Public Works Committee without the benefit of the appropriate legislative process, and a new version is now being considered on the Senate floor that we have had no hearings on whatsoever.

The chairman of the Environment Committee has stated—and you are going to hear again and again today and in the next few days and maybe the next few weeks—that the committee held over 20 hearings last year before proceeding to a substitute and a full committee markup. However, you must take a look at the type of hearings we held. Most of the hearings examined the potential impact of climate change 50 years in the future. My favorite example is a hearing held on May 24 last year: ''The Issue of the Potential Impacts of Global Warming on Recreation and the Recreation Industry.'' That was the name of the hearing. The apparent point of this hearing was to show that if there is no snow in 50 years, the skiing industry might suffer. Well, I think that is probably a reasonable statement, and I think it would. But the thing is, that did not really address a cap-and-trade system that we needed to study before coming to the floor.

Unfortunately, the list of issues unaddressed by this committee is longer than the actual list of hearings the chairman did hold. These topics, which were never explored by the committee prior to crafting the legislation, include how to draft a cap-and-trade system—how do you do it—how to allocate credits; how to design an auction system; how many credits to assign each industrial sector; how to structure the Carbon Market Efficiency Board; how to create a domestic offset program; what to do with international offsets; what the impacts would be on fuel switching; whether carbon capture and storage technologies will be available by 2030; whether the number of nuclear powerplants can be built in time to provide the necessary electricity; how the impact on the natural gas supply will affect other industries; how many jobs will be sent overseas; how much worldwide emissions will increase when U.S. jobs will be sent overseas; what the international provisions' impacts will be on trade and particularly exports; how to effectively contain costs through a transparent mechanism. The list goes on and on and on.

Contrast this committee process with the process currently underway in the House Committee on Energy and Commerce. Chairman DINGELL's committee, which has jurisdiction over climate change and environmental issues in the House, is pursuing the issue under a much more methodical and deliberative process, as any legislation of this magnitude demands. Acknowledging the complexity of the issues surrounding any mandatory greenhouse gas reduction policy, the committee has held a series of hearings and has released several white papers. The topics have included the fundamental aspects of greenhouse gas cap-and-trade policy, including the point of regulation and the benefits of auction versus allocation schemes; the interaction of climate change policy with other environmental laws such as the Clean Air Act, the Endangered Species Act, and the National Environmental Policy Act; State and Federal preemption issues; international competitiveness and how to engage the developing world; and technology barriers. These are only threshold issues, as each one lends itself to further examination. Now, that is what has been done over in the House of Representatives in Chairman DINGELL's committee, and he has made a lot of progress over there, and there are some things we should pay attention to. In fact, we plan to be using some of that on the floor here.

While the subcommittee did hold one legislative hearing prior to the markup and the full committee held three such hearings over a 2-week period before the full committee markup, all these hearings were held without the benefit of any economic or environmental analysis. The committee members had no idea what the impacts of this legislation would be when we considered the bill in December. We offered a number of amendments to protect workers, families, and to try to keep a check on energy prices. Almost all of them were defeated. But we were promised that our issues would be addressed before the bill reached the Senate floor. Well, that was last December.

On May 20, less than 2 weeks ago, the committee bill and report were finally filed after a more than 5-month delay. For a bill of this magnitude—and I remind my colleagues how the Wall Street Journal characterized it—I will repeat again—''this bill would impose the most extensive government reorganization of the American economy since the 1930s''—only allowing Senators to review the report for less than 2 weeks is highly troubling.

Even more troubling is that the same week, we all saw for the first time two more versions of the same bill. Later on May 20 a new version of the bill with a never before seen amendment was filed and held at the desk as a new bill, S. 3036, which is actually the version we will be voting on this evening.

Then finally, on Friday, May 23, a managers' substitute which completely rewrote the legislation was circulated to Members. I can only assume that once cloture is invoked—and it will be invoked—and we begin debating this bill, the substitute will be offered, which, of course, is something that has never been the subject of hearings, economic analysis, or an environmental benefits test.

Since the markup last December, we have had numerous economic modeling and analysis conducted by the EPA, the Energy Information Agency, and multiple private sector analyses. Unfortunately, the committee of jurisdiction, the Environment and Public Works Committee, never bothered to hold a single hearing on any of these economic reports.

I would like to point out that the Senate Energy and Natural Resources Committee held an economic hearing on our bill 2 weeks ago, and I applaud Chairman BINGAMAN for holding that important hearing. I will be quoting from that hearing from the Energy and Natural Resources Committee several times during the course of this debate.

So where are we today? We spent months holding impact hearings and then rushed through a few quickly scheduled legislative hearings and held a markup without any analysis of the bill. We then waited over 5 months before receiving yet two more drafts of the bill—the last version a mere 10 days ago. The Senate is now being asked to vote for cloture on a motion to proceed to a bill that was released 2 weeks ago.

Although I believe we really need to debate these issues on the Senate floor—and many of the Members who oppose the Lieberman-Warner bill are voting to proceed to it—I find it most difficult to vote to proceed to the largest tax increase in the history of America. The mechanics of this bill, the impacts, and the costs have never been fully debated, and they deserve to be. Proponents of this legislation have talked about how important this bill is and why we need to act. I believe this warrants a full debate.

In 1990, the Senate spent over 5 weeks debating the Clean Air Act amendments. I was serving in the House at that time. It went on and on and on. This bill goes much further than the Clean Air Act amendments in its impact on the American economy and jobs and our international competitiveness. It will do more to direct our energy policy for the next 50 years than either the Energy bill of 2007 or the Energy bill of 2005 combined. I hope the majority intends to provide enough time to fully debate this legislation and does not plan to rush it on and off the floor in an attempt to check a box.

Over the next few days, you will see a number of Republican amendments, which I believe will get bipartisan support, which will attempt to protect our workers, our families, our international competitiveness, and will promote clean energy solutions.

There have been many comments in the press, particularly from the chairman of the committee, that this bill will be pulled if any so-called weakening amendments are adopted. I hope we will have a constructive and open debate on this bill. There will be many amendments offered and, I hope, debated and voted upon.

This bill is the largest bill we will consider this Congress. In fact, it is probably the largest bill ever considered by the Senate in its impact on the economy and our entire way of life, and I hope the majority will give it the time it deserves.

But 2 weeks from now or whenever that vote does take place—keep in mind, tonight's vote at 5:30 is only a cloture vote on a motion to proceed. It is a procedural vote. It allows us to limit debate on the motion to proceed to the bill. But whenever the real vote comes or however long it takes to reach the final vote, it will be both interesting and informative to see how many Members of the Senate vote for the largest tax increase in the history of America.

Now, we will be talking about a number of things during the course of this debate. Some of this will be tonight, some of it will be over the next few days. We are anxious to do that. For our purposes today, we will be allocating time, and I would like to announce that after the time that is already under a unanimous consent agreement to go to Senators LIEBERMAN and WARNER, we will start going back and forth. I will be controlling the time for those who oppose the bill, and Senator BOXER or Senator LIEBERMAN will be handling the time for those who support it.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Connecticut.

Mr. LIEBERMAN. Mr. President, I thank the Chair.

Mr. President, I ask unanimous consent that at this point Senator CARDIN be recognized for up to 5 minutes. The reason for this request is Senator CARDIN has to preside at 4 o'clock. Then we would go back to the 20 minutes divided between Senator WARNER and myself. Then presumably there would be somebody the Senator from Oklahoma would designate to speak. We are happy to add 5 minutes to the Senator's time to make it equal.

Mr. INHOFE. Mr. President, that is all right so long as the allocation of time does not punish us.

I also ask unanimous consent to lock in, after your presentation, Senator BOND for 15 minutes.

Mr. LIEBERMAN. I thank the Senator.

The ACTING PRESIDENT pro tempore. Is there objection?

Without objection, it is so ordered.

The Senator from Maryland.

Mr. CARDIN. Mr. President, today America takes a major step forward in reasserting our leadership on the world stage. Upon enactment, the Lieberman-Warner Climate Security Act will be the most aggressive climate change bill in the world, slashing American greenhouse gas emissions by two-thirds by mid-century, putting America in the lead in reducing harmful emissions.

Let me begin by acknowledging the tremendous leadership of Senators LIEBERMAN, WARNER, and BOXER. They have worked tirelessly to take on this, the greatest challenge of our time. And they have done so with great intelligence, great skill, and a remarkable willingness to forge a consensus that meets our needs. I salute them. They are extraordinary public servants, and the Nation owes them an incalculable debt of thanks.

The Climate Security Act is truly historic.

The legislation will transform the American economy, positioning us to continue our global leadership for decades to come. Energy efficient, high-performance businesses will flourish here and serve as international leaders in ushering in sustainable economic growth around the world.

Retooling the American economy for the 21st century will put us in charge of our own energy supplies. Our current reliance on other countries, many of whom are not friendly to Americans or the values we cherish, puts us at unacceptable risks to disruptions in the fuel supply chain. This bill will put us on a path to energy independence and that is a path to improved national security.

Dramatically reducing greenhouse gas emissions is essential to the environmental health of our planet. This legislation goes further, providing billions of dollars in resources to plant forests, grow sustainable sources of biofuels, and protect and restore our most precious natural resources, such as the Chesapeake Bay.

The Lieberman-Warner Climate Security Act is good for our economy, critical for our national security, and essential for the health of our environment.

The bill will reassert American leadership among the nations of the world. And we will do it the way America has always done it—with ingenuity and hard work and leadership by example.

Global warming presents a real and present threat to our economy.

Four global warming impacts—hurricane damage, real estate losses, energy costs, and water costs—will drain billions of dollars annually from our economy. By the end of the century, the annual costs from these impacts alone will reach an estimated $1.9 trillion annually.

Clearly, these impacts would be devastating. Unfortunately, they are not the only adverse economic costs of doing nothing.

Rising food prices and global food shortages underscore the need for stable, ample, and environmentally sound agricultural practices. But climate change brings with it widespread droughts in some parts of the world, an increase in plant pests and diseases, and reduced crop yields. The drought that has persisted in Australia in recent years has had a devastating impact on the world price of wheat. Today's rising cost for a loaf of bread is a harbinger of the dramatic impacts on our food supply if we fail to act.

And it is not just crops that will suffer. In the Chesapeake Bay rising water temperatures are blamed for a dramatic loss of the most common underwater grass in the lower bay. Eelgrass, as it is called, simply cannot tolerate the warmer waters. That means crabs and other species have no habitat. Virginia and my home State of Maryland have just instituted dramatic reductions in the blue crab harvest next fall because of the falling numbers of crabs in the bay. Our multimillion dollar blue crab fishery is at risk—and at risk today—from global warming.

The good news is that the actions we take to reduce global warming will be good for our economy.

Through its innovative cap-and-trade system, the bill is designed to be self-financing, and there will be sufficient funds to also make a major contribution to debt reduction.

American businesses will see an unprecedented Federal investment in retooling for tomorrow.

In the first 10 years, the bill provides $61 billion for renewable energy. Wind, solar, geothermal and other zero- and low-carbon sources of power will get the boost they need to become an integral part of our energy distribution system. And to prepare for that capital investment, the bill also provides $18 billion over that same period for an Energy Efficiency and Renewable Energy Worker Training program. We will have both the infrastructure and trained workforce for a new energy sector.

In Frederick, MD, today we already have one of the world's leading solar energy operations. Companies such as BP Solar will have the resources they need to grow their businesses and the trained workforce to build, install, and operate a new generation of electricity-generating equipment.

Our core heavy industries will benefit from $138 billion by 2022. Those funds will help iron, steel, pulp, paper, cement, and other carbon-intensive industries with the assistance they need to remain competitive while they shift to cleaner energy sources.

Lehigh Cement's largest plant in America is located in Union Bridge, MD. The plant produces up to 2 million tons annually. The company will now have the resources it needs to become even more efficient—and more profitable—because of this transition assistance.

The bill contains provisions that will help American consumers make the transition to tomorrow's economy, too. More than $800 billion is reserved for tax credits and tax cuts that will make sure that during the transition average Americans don't have to bear the costs.

I am especially proud of a section of the bill I authored that will direct about $171 billion, over the life of the bill, to States and localities for public transit nationwide. About two-thirds of this money will go to support existing systems such as Washington Metro, MARC and MTA, while about 30 percent will help develop new systems that will take more and more cars off

our roads, cut dangerous emissions, ease congestion, and reduce our dependence on foreign energy sources, such as OPEC.

Today, too much of our national energy needs are supplied by other nations. Our reliance on foreign oil weakens our position in the world. Today, we are sending massive infusions of American dollars to oil-rich countries that don't share our values and are often active opponents of American foreign policy. We know that some of those petrodollars have been used to finance terrorists.

No entity relies on petroleum more than the American Department of Defense. We have a great strategic weakness with such a strong reliance on foreign oil.

My senior Senator, Senator MIKULSKI, and I have been working with Volvo-Mack Truck in Hagerstown, MD, to build prototype heavy-duty hybrid trucks for military use. These trucks will dramatically reduce their need for oil because of their increased fuel efficiency. They are also being tooled to handle a wide variety of biofuels. In the future, we envision fuel-efficient vehicles powered by home-grown biofuels.

The bill contains funding to support these prototypes, putting them into widespread use. Our military will benefit, along with the entire commercial sector of our economy.

Global warming threatens our national defense in another way. Naval Station Norfolk in Virginia is a keystone location for American Naval operations. But Norfolk is under grave threat because of rising sea level.

At a hearing before the Environment and Public Works Committee last summer, scientists told us that sea level rise has been higher in the Chesapeake Bay than worldwide because of a number of factors including land subsidence. Their best prediction is that we could see a 3-foot rise is water levels by the end of the century. Our critical national security infrastructure lies directly in the path of these rising waters.

Just 30 miles east from here in Annapolis, MD, the U.S. Naval Academy sits literally on the edge of the Severn River. The Academy has already seen damage from major storms. This is a story that is repeated up and down the coasts of America. Our military installations and assets are at risk. We need to act to protect them so that our Armed Forces can protect us.

While the Climate Security Act will have profound impacts on our economy and our national security, at its heart, this is an environmental bill. The bill was reported by the Environment and Public Works Committee. It amends the Clean Air Act. The Environmental Protection Agency is the central player.

The current administration has been painfully slow in recognizing the threats to the worldwide environment that runaway greenhouse gas emissions are causing. Begrudgingly, they are now accepting the fact that the impacts are huge and growing.

The legislation will reduce dangerous greenhouse gas emissions by over 70 percent from the 2,100 entities covered in the bill. Even with the uncovered segments of the economy included, the emissions are two-thirds below 2005 base levels. These are impressive cuts. I think we can do even better. The consensus scientific opinion in the world is that we must do better. Cuts of at least 80 percent are required, and I will support efforts on the floor to set that as our 2050 target.

Periodic reviews that are built into the bill will build the case, I believe, that we will need to do more to curb the most adverse environmental outcomes.

Cutting greenhouse gas emissions is essential to putting our global ecosystem back into balance. Doing so will have other direct health and environmental benefits. Bringing down CO_2 emissions will almost assuredly bring down nitrogen oxide, sulfur dioxide, and mercury emissions as well. The ozone code red days that are all too commonplace every summer will be reduced as we cut greenhouse gases. Similarly, the fish consumption advisories that every State faces because of widespread mercury contamination will gradually be lifted as mercury levels go down.

Although the bill modifies the Clean Air Act, we will see major benefits for our coastal areas, including the Chesapeake Bay. Rising water temperatures will abate. The bill also provides extensive funding to manage the adaptation that will be needed for our natural systems.

A National Wildlife Adaptation Strategy will direct funding to those areas most likely to be adversely affected by climate change and ocean acidification.

The Pittman-Robertson Wildlife Restoration Program and the Land and Water Conservation Fund are existing programs with strong State partnerships that have proven track records of effectiveness. Both will see major infusions of financial support: $185 billion for the Wildlife Restoration Program and another $52 billion for the Conservation Fund.

Annually, Maryland would be expected to receive an additional $52 million for these well-established programs.

The EPA, the Army Corps of Engineers, and NOAA will all have dedicated programs to protect and restore our fresh and estuarine water systems. The Chesapeake Bay is one of several water bodies specifically mentioned in the bill because of the value of the resources at risk and the need for priority funding.

The Forest Service and the Department of the Interior will have crucial roles to play as well. In all, the Federal investment in programs to protect natural resources will approach $300 billion over the life of the bill.

The time to act is now. There is no country in the world better positioned than the United States to undertake this historic challenge. We have the world's strongest economy. We are the international leaders in climate science. We have an extraordinary history of facing the gravest challenges facing mankind. I believe that America is ready to meet this change.

The time to act has long since passed. The time to catch up is now. I urge my colleagues to support the strongest possible Lieberman-Warner Climate Security Act. It is a challenge we can and must meet.

Mr. President, again, I acknowledge the tremendous leadership of Senators BOXER, LIEBERMAN, and WARNER in bringing forward this historic legislation. The Climate Security Act is truly historic. The legislation will transform the American economy, positioning us to continue our global leadership for decades to come. Energy-efficient, high-performance businesses will flourish here and serve as international leaders in ushering in sustainable economic growth around the world.

Retooling the American economy for the 21st century will put us in charge of our own energy supplies. Our current reliance on many other countries, many of which are not friendly to Americans or the values we cherish, puts us at unacceptable risks to disruptions in the fuel supply chain. This bill will put us on a path to energy independence, and that is a path to improved national security. This bill is important for national security. It is important for our economy, and it is certainly important for our environmental health.

The legislation goes further, providing billions of dollars in resources to plant forests, grow sustainable sources of biofuels, and protect and restore our most precious national resources, such as the Chesapeake Bay.

The Lieberman-Warner Climate Security Act is good for our economy, good for our national security, and good for our environmental health. The bill will reassert American leadership among the nations of the world, and we will do it the way America has always done it—with ingenuity, hard work, and leadership by example.

Clearly, we know the scientific information as to the dangers we face. The dangers we face are real, with extreme weather conditions, disruptions to our food supplies. We have seen this already. In my own State of Maryland, we have a problem today with the blue crab. The reason, quite frankly, is the waters of the Chesapeake Bay are just too warm for the seagrasses and juvenile crabs cannot survive. That is bad for our watermen. That is bad for our State. That is bad for our economy. I can give you another 100 examples in Maryland where science is telling us that global climate change is real, hurting our economy.

The good news is that action we take to reduce global warming will be good

for our economy. Through its innovative cap-and-trade system, the bill is designed to be self-financing, and there will be sufficient funds to also make major contributions to debt reduction. Because of the financing and investments in the legislation, it will help reduce our Government borrowing. It is good for our economy.

American businesses will see an unprecedented Federal investment in retooling for tomorrow. In the first 10 years, the bill provides $61 billion for renewable energy. Wind, solar, geothermal, and other zero- and low-carbon sources of power will get the boost they need to become an integral part of our energy distribution system. To prepare for that capital investment, the bill also provides $18 billion over that same period for an energy efficiency and renewable energy worker training program. We will have both the infrastructure and trained workforce for a new energy sector.

For our core heavy industries, they will benefit also. There will be $138 billion to help heavy industries. Those funds will help iron, steel, pulp, paper, cement, and other carbon-intensive industries with the assistance they need to remain competitive while they shift to cleaner energy sources.

LeHigh, the largest cement plant we have in America, is located in Union Bridge, MD. The plant produces up to 2 million tons annually. The company will now have the resources it needs to become even more efficient and more profitable because of this transition assistance.

I am especially proud of the section of the bill I helped author that will direct $171 billion over the life of the bill to States and localities for public transit nationwide. I wish to thank Senator BOXER for helping make this amendment a reality in this bill. About two-thirds of this money will go to supporting systems such as the Washington Metro, MARC, and MTA, while 30 percent will help develop new systems that will take more cars off the road. This legislation will make public transit convenient and economic.

The ACTING PRESIDENT pro tempore. The Senator's time has expired.

Mr. CARDIN. Mr. President, this bill is important for our country and for our future. I am proud to be a cosponsor. I urge my colleagues not only to vote to bring up this bill, but let's work out the amendments and let's pass it so that America can regain its leadership in the world on fighting the rising problems of greenhouse gases.

I yield the floor.

Mr. LIEBERMAN. Mr. President, I ask the Chair if I may be informed when 10 minutes has expired.

The ACTING PRESIDENT pro tempore. The Senator will be so notified.

Mr. LIEBERMAN. I thank the Chair.

For the first time in the history of the Senate or of the House, a comprehensive bill to curb global warming has reached the floor after having been reported favorably by the committee of jurisdiction. This has happened, in my opinion, because of two people. One is Senator WARNER, who joined the fight early on with me, to my great pleasure, and made this a bipartisan piece of legislation and was responsible for helping us get it out of the subcommittee and the full committee. The second person is Chairman BOXER, whose drive and persistence and legislative skill fashioned a majority within the committee and brings this bill to the floor with some momentum behind it.

The fact is, twice in the past—in 2003 and 2005—Senator MCCAIN and I brought a comprehensive climate measure to a vote in the full Senate, but we had to do it by amendment because in neither case did the Environment Committee report it out favorably. I will say that the amendment, as it is known, lost twice with a high vote total of 44. I am confident we are going to do a lot better than that in this consideration. So the bottom line is, this Climate Security Act has reached this point through the regular order, as we say in the Senate, having earned increasing and diverse political support along the way. I think that represents a tremendous step forward.

The Climate Security Act has a bipartisan list of cosponsors in addition to Senator WARNER and myself, including Senators COLEMAN, COLLINS, and DOLE, Senators CARDIN, CASEY, HARKIN, KLOBUCHAR, NELSON of Florida, SCHUMER, and WYDEN. Each of those Members contributed substantially to the bill while also helping garner support for it among other Senators and key constituencies. I cannot thank them enough for their help and for the trust they have placed in Senators WARNER, BOXER, and myself.

Senator WARNER and I introduced the Climate Security Act for a very simple but serious reason. It was to protect the environment, economy, and national security of the United States of America from the worst effects of man-made climate change.

Is it a problem, climate change? Well, just last week the Bush administration itself released a scientific report confirming that if we as a nation fail to take strong action now to cut our emissions of carbon dioxide and other greenhouse gases, then the resulting climate change will impose severe hardship on the American people.

The administration's Climate Change Science Report finds that over the next 25 to 50 years increased temperatures will result in slower economic growth and lower yields for staple crops such as corn, soybeans, wheat, and rice. That is slower growth of those crops and lower yields. Arid regions of the United States will face more frequent wildfires, which will be made worse as fire-resistant plants are replaced in the natural order by more combustible grasses.

In the American West, the mountain snows that provide a steady flow of water for irrigation and reservoirs will dwindle. Rainfall will come at times in amounts that will make it hard to manage. The sustained temperature increases will stress livestock, slowing their reproduction and growth rates, thereby decreasing their milk production and increasing the time to market for animal products.

Across the Nation, an increased frequency and severity of heat waves will lead to more illness and death, particularly among the young, the elderly, the frail, and the poor. The climactic changes will allow animal, water, and food-borne diseases to spread in the Nation or to emerge in areas where they have been limited or had not existed.

These are the findings of a report of the Bush administration.

Unfortunately, our failure to take any action to reduce or even stabilize our greenhouse gas emissions since the 1980s, when scientists first began to warn us about it, means that some part of the negative impacts described by this administration's Science Report are now inevitable. That is the reality. Greenhouse gases don't go up and dissipate; they accumulate. They are there now, and some consequences are inevitable. The scientific community tells us that we can still prevent the situation from reaching much worse, even catastrophic proportions, if we take the lead now in reducing emissions of greenhouse gases.

That is what this Climate Security Act would do. The bill, beginning in 2012—remember, that is not now, in 2012. So if we begin by passing this legislation now, we are going to have some time to work with it if people find reasons to fix it as we go along before it goes into effect. So beginning in 2012, this legislation would place a cap on the aggregate greenhouse gas emissions of the 2,100 facilities in America that are responsible for 85 percent of those emissions in this country. This is a very important point.

People out there may wonder: Oh, my God. Does this mean in my little business, in my factory, on my farm—am I going to have to start to fill out a lot of paperwork and get involved in this cap-and-trade business? No. This is an upstream piece of legislation. Only 2,100 facilities in America will be part of this cap-and-trade proposal. The bill would tighten the caps slowly and steadily, such that the aggregate emissions of those sources of greenhouse gases would be down to about 30 percent of the current level by 2050. That would be a substantial accomplishment.

Making conservative assumptions about actions by other nations; that is, assuming other nations, including the rising great economic powers such as China and India—frankly, don't do much. The administration, through another agency, has determined that the emissions reductions achieved by the Climate Security Act would prevent atmospheric greenhouse gas concentrations from reaching the level to which scientists ascribe a high risk of catastrophic impacts.

In other words, assuming that a lot of the other big nations don't do much of anything, this bill will make sure we fulfill our responsibility to protect our citizens. In fact, it would keep global emissions below the catastrophic level.

Now, some say it will cost money. It will cost money. But what is the cost? Remember, this sets up a system where money is raised through the auctioning of allowances. But that money, a lot of it—that is, a lot of the money that will be raised—is immediately reinvested in research and development of new energy technologies, in subsidies to protect people and businesses that are going to be most likely affected. We have to understand as we consider this bill that it will not only deal with the problem of global warming; this bill is the energy independence, energy security act that America, in its right mind, should have adopted 30 years ago. People have said we need a Manhattan Project; we need an Apollo Moon shot project to make America energy independent, to break our dependence on foreign oil. This legislation will invest more than six times the amount of money that the Apollo project and the Manhattan Project combined spent. We need to do it to free ourselves—free America—from dependence on foreign oil, from tyrants in places such as Iran and Venezuela.

Senator WARNER and I asked the Energy Information Agency—a section of the Department of Energy of this administration—what would be the cost of our legislation. They responded that the Climate Security Act's impact on the Nation's economic growth would be negligible. The fact is, under our bill they say America would continue to grow robustly until 2030, which is the period they measured, and would hit a level just 0.3 percent lower than under a business-as-usual scenario.

Mr. President, those are my opening comments. With great honor and gratitude, I yield to my friend and partner and cosponsor from Virginia.

Mr. WARNER. I thank my colleague. I will have further words about my colleague. The chairman of our committee, on behalf of the Senate as a whole, has some information which, certainly, I find very heartwarming. So I wish at this time to yield to the chairman on a matter that is unrelated to the pending legislation.

The PRESIDING OFFICER (Mr. CARDIN). The Senator from California is recognized.

Mrs. BOXER. Mr. President, I ask unanimous consent to read this e-mail and then to add 2 minutes to Senator WARNER's time.

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

SENATOR KENNEDY'S PROGRESS

Mrs. BOXER. This is the statement of Dr. Allan Freidman, who is Senator KENNEDY's surgeon:

I am pleased to report that Senator KENNEDY's surgery was successful and accomplished our goals. Senator KENNEDY was awake during the resection, and should therefore experience no permanent neurological effects from the surgery. The surgery lasted roughly three and a half hours and is just the first step in Senator KENNEDY's treatment plan. After a brief recuperation, he will begin targeted radiation at Massachusetts General Hospital and chemotherapy treatment. I hope that everyone will join us in praying for Senator KENNEDY to have an uneventful and robust recovery.

Mr. President, I share that with all of our colleagues. I think we should take just 10 seconds to think about the Kennedy family and pray for them—just 10 seconds.

Thank you so much.

I thank the, Senator from Virginia.

Mr. WARNER. Mr. President, I thank the distinguished chairman of our committee and our colleague and friend for bringing that to the attention of all Senators. I have been privileged to know Senator KENNEDY for many years. His brother and I were in law school together at the University of Virginia in 1949. I recall then meeting the Senator for the first time when he visited the campus on occasion. But he has been a very dear and valued friend, an absolute tower of strength in this body which he loves so much: the U.S. Senate. So I commend my colleague.

I also wish to thank my dear friend, Senator LIEBERMAN. We have been together on so many legislative measures through the many years we have been here together, particularly as it relates to national security. He is a pillar of strength in his own right on this bill and in many other ways. I admire the independence of the Senator. I admire his commitment, his fortitude, and the strength which he has been tested on so many times. He is a great credit to this Nation and this institution.

Mr. President, I was indeed brought to this moment as a consequence of national security measures as there are implications with regard to global climate changes.

I don't use the term ''warming'' because it is, to me, a complexity of different climate variations—not only temperature but weather patterns manifesting in drought, patterns manifesting in floods, patterns manifesting in hurricanes, and all sorts of other things, such as tornadoes.

I have had the privilege of living a little bit longer than most in this Chamber. Indeed, in my lifetime, I have never seen such a complexity and changes in weather. Certainly, the evidence seems to be compiling every day that human activity and increasing carbon dioxide emissions are the causes. It is now time to deal with that situation.

I belong to the school of thought in this debate that we simply cannot do nothing; we cannot constantly postpone. Senator LIEBERMAN and I, over a period of almost a year now, have put this bill together. It represents what we deem a consensus—I guess you would say a middle-of-the-road position. We could not satisfy all those who want stronger controls put in, more immediate corrections; nor could we satisfy those who sort of say let's wait and see. We felt we should put this together, bringing together the thoughts of so many of our colleagues. I would say that several dozen colleagues contributed to this bill. One is Senator SPECTER. In our bill, we relied on much of the good work included in Bingaman-Specter Low Carbon Economy Act.

Most significantly, our legislation includes provisions from their bill that protect U.S. manufacturers from competition with other countries not curbing emissions. Second, we also ''borrowed'' their idea for providing ''bonus allowances'' to facilities that adopt carbon capture and storage. This incentive is critical. The third point I will highlight is that we tried to provide the price certainty envisioned by their ''safety value'' by including a ''rainy day account'' of extra allowances that would be released to the market if a certain price point is hit. I thank those Senators for their very important contributions in improving this bill.

Mr. President, another reason I am drawn to working to address the issue of global climate change is that there is a great feeling all across America by people in small towns, large cities, and in State legislatures that we must move and move now; that we simply must do something. In my view, doing nothing is not an option. We simply must do something.

I believe the American people will be the final factor in this bill that is now about to be pending in the Senate, as to whether sufficient votes are garnered to send the bill eventually to the President after we have a conference, hopefully, with the House of Representatives, which I am certain, if this is passed by 60 votes here, the House will quickly put together their own thoughts—they have done a lot of work—and we will have a bill that will go to the President. That will be largely owing to the public, as they follow this debate and read about it, as they discuss it among themselves. They will send back a message to this institution that doing nothing is not an option. Do the best you can. In crafting this legislation, we have done the best we can. If my fellow Senators have ideas to further improve the legislation, I ask them to bring them forward.

I commend the distinguished ranking member. He pointed out that he will support going forward with this bill this afternoon and also that there should be a number of amendments, hopefully, to strengthen it from the perspective of the ranking member and a number of colleagues on this side of the aisle. Let's show the American public that this institution can work and address a complicated subject and try to reach common ground and understanding. To do nothing is not an option.

In the substitute amendment, we significantly improved the bill by giving the President of the United States emergency authority to modify any requirement of this bill in the event of a

national, economic or energy emergency. In addition, Senator LIEBERMAN, Senator CARPER and I will be offering an amendment with respect to nuclear power. I ask unanimous consent that this section of the substitute amendment, and my amendment with Senators LIEBERMAN and CARPER be printed in the RECORD following my remarks.

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

(See Exhibits 1 and 2.)

Mr. WARNER. Again, the first provision I refer to deals with the authority of the President of the United States. The Committee reported bill, I felt, did not give sufficient protections to the Nation for unforeseen things that could occur while this law is being met across the Nation. So we give to the President the authority to change any provision in this bill that he—or possibly she—deems appropriate. And then it is up to the Congress to determine whether they support what the President has done or not. I say that because we have drawn on a procedure that has been time tested by the Senate, and indeed the Congress, to give such power to the President regarding legislation. Supposing that, as a consequence of the legislation, it is shown it is damaging our ability to recover from what appears now to be a weakened economy? Then the President can readjust the timetable or the provision which he deems is contributing to that problem.

Now, we ask the power industry—most notably those segments of the industry dependent upon coal—coal is our largest natural resource of energy. This bill does not in any way try to damage coal. It, in fact, is a bill that will help that industry—our power industry—which requires coal as a source of energy for our daily needs. Give us time to explain to the coal industry how this is done. But if technology, in terms of capturing the CO_2, conveying, transporting it to a repository for sequestration—if that technology is not in place in a timely way, the President can step in and readjust the timetable.

If there are national security implications from this bill that the President deems harmful, he can readjust this bill. So there are more than adequate safety measures in here to protect this Nation, and the President has full authority to implement them.

The Warner-Lieberman-Carper amendment relates to nuclear power. We looked at this in the course of the deliberations in the committee, and at that time, it simply was not feasible to include provisions. The distinguished colleague from Oklahoma and others brought forward a number of provisions about nuclear power during the mark up, which we could not accept at that time for reasons I think are apparent to all. But I am happy to bring forth an amendment now, joined by my distinguished colleagues, Senator LIEBERMAN and CARPER, to look at the absolute essential requirement that we rely on nuclear power as a growing and a more important daily source of energy for this country.

Mr. President, I hope that when this debate has concluded, if it is shown that the proponents of this legislation have not met the majority requirements of this body as to what is to be done legislatively now—not in the future—to deal with this global climate change, then I hope that another legislative proposal will be brought forward via amendment, or perhaps even by a substitute bill, to replace ours. If it is the will of a majority to take that substitute, so be it. I hope I can support it. But to do nothing is not an option, Mr. President.

How much time do I have under the 10 minutes?

The PRESIDING OFFICER. One minute remains.

Mr. WARNER. I yield that back to my colleague from Connecticut to wrap up for the two of us—in 1 minute, 1 year's work.

EXHIBIT 1

Subtitle B—Presidential Emergency Declarations and Proclamations

SEC. 1711. EMERGENCY DECLARATION.

(a) IN GENERAL.—If the President determines that a national security, energy security, or economic security emergency exists, and that it is in the paramount interest of the United States to modify any requirement under this Act to minimize the effects of the emergency, the President may make an emergency declaration.

(b) CONSULTATION.—In making an emergency declaration under subsection (a), the President shall, to the maximum extent practicable, consult with and take into consideration any advice received from—

(1) the National Security Advisor;

(2) the Secretary of the Treasury;

(3) the Secretary of Energy;

(4) the Administrator;

(5) relevant committees of Congress; and

(6) the Board.

SEC. 1712. PRESIDENTIAL PROCLAMATION.

After making an emergency declaration under section 1711, the President shall declare by proclamation each action required to minimize the emergency.

SEC. 1713. CONGRESSIONAL RESCISSION OR MODIFICATION.

(a) TREATMENT OF PROCLAMATION.—A proclamation issued pursuant to section 1712 shall be considered to be a final action by the President.

(b) ACTION BY CONGRESS.—Congress shall rescind or modify a proclamation issued pursuant to section 1712, if necessary, not later than 30 days after the date of issuance of the proclamation.

SEC. 1714. REPORT TO FEDERAL AGENCIES.

Not later than 30 days after the date on which a proclamation issued pursuant to section 1712 takes effect, and every 30 days thereafter during the effective period of the proclamation, the President shall submit to the head of each appropriate Federal agency a report describing the actions required to be carried out by the proclamation.

SEC. 1715. TERMINATION.

(a) IN GENERAL.—Subject to subsection (b), a proclamation issued pursuant to section 1712 shall terminate on the date that is 180 days after the date on which the proclamation takes effect.

(b) EXTENSION.—The President may request an extension of a proclamation terminated under subsection (a), in accordance with the requirements of this subtitle.

(c) CONGRESSIONAL APPROVAL.—Congress shall approve or disapprove a request of the President under subsection (b) not later than 30 days after the date of receipt of the request.

SEC. 1716. PUBLIC COMMENT.

(a) IN GENERAL.—During the 30-day period beginning on the date on which a proclamation is issued pursuant to section 1712, the President shall accept public comments relating to the proclamation.

(b) RESPONSE.—Not later than 60 days after the date on which a proclamation is issued, the President shall respond to public comments received under subsection (a), including by providing an explanation of—

(1) the reasons for the relevant emergency declaration; and

(2) the actions required by the proclamation.

(c) NO IMPACT ON EFFECTIVE DATE.—Notwithstanding subsections (a) and (b), a proclamation under section 1712 shall take effect on the date on which the proclamation is issued.

SEC. 1717. PROHIBITION ON DELEGATION.

The President shall not delegate to any individual or entity the authority—

(1) to make a declaration under section 1711; or

(2) to issue a proclamation under section 1712.

Subtitle C—Administrative Procedure and Judicial Review

SEC. 1721. REGULATORY PROCEDURES.

(a) IN GENERAL.—Except as provided in subsection (b), any rule, requirement, regulation, method, standard, program, determination, or final agency action made or promulgated pursuant to this Act shall be subject to the regulatory procedures described in subchapter II of chapter 5 of title 5, United States Code.

(b) EXCEPTION.—Subsection (a) does not apply to the establishment or any allocation of emission allowances under this Act by the Administrator.

SEC. 1722. ENFORCEMENT.

(a) VIOLATIONS.—

(1) IN GENERAL.—It shall be unlawful for any owner or operator of a covered entity to violate any prohibition, requirement, or other provision of this Act (including a regulation promulgated pursuant to this Act).

EXHIBIT 2

On page 164, strike line 15 and insert the following:

(c) EDUCATION AND TRAINING.—For each

Beginning on page 181, strike line 1 and all that follows through page 183, line 3, and insert the following:

SEC. 536. EDUCATION AND TRAINING.

(a) DEFINITION OF APPLICABLE PERIOD.—In this section, the term ''applicable period'' means—

(1) each 5-year period during the period beginning on January 1, 2012, and ending on December 31, 2047; and

(2) the 3-year period beginning on January 1, 2048, and ending on December 31, 2050.

(b) NUCLEAR SCIENCE AND ENGINEERING EDUCATION.—For each applicable period, the Secretary of Energy shall use ⅓ of the amounts made available under section 534(c) for the calendar years in the applicable period to increase the number and amounts of nuclear science talent expansion grants and nuclear science competitiveness grants provided under section 5004 of the America COMPETES Act (42 U.S.C. 16532).

(c) NUCLEAR ENERGY TRADES TRAINING AND CERTIFICATION.—For each applicable period, the Secretary of Labor, in consultation with nuclear energy entities and organized labor, shall use ⅓ of the amounts made available under section 534(c) for the calendar years in

the applicable period to expand workforce training to meet the high demand for workers skilled in nuclear power plant construction and operation, including programs for—

(1) electrical craft certification;

(2) preapprenticeship career technical education for industrialized skilled crafts that are useful in the construction of nuclear power plants;

(3) community college and skill center training for nuclear power plant technicians;

(4) training of construction management personnel for nuclear power plant construction projects; and

(5) regional grants for integrated nuclear energy workforce development programs.

(d) CLIMATE CHANGE SCIENCE AND POLICY EDUCATION.—For each applicable period, the Secretary of Education shall use ⅓ of the amounts made available under section 534(c) for the calendar years in the applicable period to support climate change policy and science education in the United States.

On page 292, strike line 22 and insert the following:

SEC. 901. FINDINGS; SENSE OF SENATE.

(a) FINDINGS.—Congress finds that—

(1) more than 40 years of experience in the United States relating to commercial nuclear power plants have demonstrated that nuclear reactors can be operated safely;

(2) in 2007, nuclear power plants produced 19 percent of the electricity generated in the United States;

(3) nuclear power plants are the only baseload source of emission-free electric generation, emitting no greenhouse gases or criteria pollutants associated with acid rain, smog, or ozone;

(4) in 2007, nuclear power plants in the United States—

(A) avoided more than 692,000,000 metric tons of carbon dioxide emissions; and

(B) accounted for more than 73 percent of emission-free electric generation in the United States;

(5) a lifecycle emissions analysis by the International Energy Agency determined that nuclear power plants emit fewer greenhouse gases than wind energy, solar energy, and biomass on a per kilowatt-hour basis;

(6) construction of a new nuclear power plant is estimated to require between 1,400 and 1,800 jobs during a 4-year period, with peak employment reaching as many as 2,400 workers;

(7)(A) once operational, a new nuclear power plant is estimated to provide 400 to 600 full-time jobs for up to 60 years; and

(B) jobs at nuclear power plants pay, on average, 40 percent more than other jobs in surrounding communities;

(8) revitalization of a domestic manufacturing industry to provide nuclear components for new power plants that can be deployed in the United States and exported for use in global carbon reduction programs will provide thousands of new, high-paying jobs and contribute to economic growth in the United States;

(9) data of the Bureau of Labor Statistics demonstrate that it is safer to work in a nuclear power plant than to work in the real estate or financial sectors;

(10) while aggressive energy efficiency measures and an increased deployment of renewable generation can and should be taken, the United States will be unable to meet climate reduction goals without the construction of new nuclear power plants;

(11) modeling conducted by the Environmental Protection Agency and the Energy Information Administration demonstrate that emission reductions are greater, and compliance costs are lower, if nuclear power plants are used to provide a greater percentage of electricity;

(12) the United States has been a world leader in nuclear science; and

(13) institutions of higher education in the United States will play a critical role in advancing knowledge about the use and the safety of nuclear energy for the production of electricity.

(b) SENSE OF SENATE REGARDING USE OF FUNDS.—It is the Sense of the Senate that Congress should stimulate private sector investment in the manufacturing of nuclear project components in the United States, including through the financial incentives program established under this subtitle.

SEC. 902. DEFINITIONS.

On page 293, line 14, insert:

''(D) establishing procedures, programs and facilities to achieve ASME certification standards''

On page 294, strike line 10 and insert the following:

or low-carbon generation, including—

(A) a technology referred to in section 832(a); and

(B) nuclear power technology.

On page 294, line 11, strike ''**902**'' and insert ''**903**''.

On page 294, line 16, strike ''**903**'' and insert ''**904**''.

On page 297, line 5, strike ''**904**'' and insert ''**905**''.

On page 297, line 7, strike ''**903**'' and insert ''**904**''.

On page 297, line 10, strike ''**905**'' and insert ''**906**''.

On page 297, line 14, strike ''**904**'' and insert ''**905**''.

On page 297, line 18, strike ''**906**'' and insert ''**907**''.

On page 297, line 19, strike ''**906**'' and insert ''**907**''.

On page 298, line 4, strike ''**907**'' and insert ''**908**''.

On page 298, line 17, strike ''**909**'' and insert ''**910**''.

On page 299, line 16, strike ''**908**'' and insert ''**909**''.

On page 301, line 11, strike ''**909**'' and insert ''**910**''.

The PRESIDING OFFICER. The Senator from Connecticut is recognized.

Mr. LIEBERMAN. Mr. President, I thank my friend from Virginia. I thank him for an excellent statement. I think his point is well taken. Let's have a full and open debate and in the classic way and in the best Senate tradition. Let amendments come forward. We believe strongly that this problem is too real and too urgent to keep saying no, no, no.

We have come some distance in the Senate's consideration or discussion off the Senate floor about this. We are now at the place where almost nobody says this is not a problem, that climate change is not occurring; just about everybody agrees it is.

Now the question is, What do we do about it? We have tried to fashion—I like what Senator WARNER said—a balanced, kind of middle-of-the-road response to the problem of global warming. In dealing with global warming and climate change, there will also be the energy independence declaration program that America needs to secure our future. You cannot cut greenhouse gas emissions unless you cut dependence on oil, and most of that oil comes to America from abroad. This is an opportunity to deal with a big problem with a big solution and truly to secure and better the future of our country and its people.

I often say, when people ask why Senator WARNER decided to join in on this, that he responded with remarkable brevity for a Senator. He said two words: Science. Grandchildren.

The science speaks loudly that we have a problem. He wants to feel, on his watch, as we all should, that he did something to protect his grandchildren and all our grandchildren from that problem. That is what this legislation gives the Senate an opportunity to do.

I thank the Chair and yield the floor.

The PRESIDING OFFICER. The Senator from Missouri is recognized.

Mr. BOND. Mr. President, I commend my colleagues for their fine remarks about the need to cut carbon emissions. I agree with them on cutting carbon emissions. I think that is important. But I think it is timely that we have this discussion now about the cost of it because we should pursue cutting carbon emissions, but we cannot slash family budgets, knock farmers and workers out of jobs and out of productive revenue.

At a time when Americans are suffering record pain at the pump, high energy costs, a mortgage crisis, and a soft economy, I am very concerned about raising energy prices on our families and workers.

I just returned from a six-city energy tour in my State of Missouri. Did I learn something. From Joplin in the southwest of my State, to Palmyra in the northeast, families, businesses, farmers, and truckers are suffering from record-high prices. Drivers are fed up with gasoline prices approaching $4 and diesel prices even higher. One pump in Joplin is $4.75 for a gallon of diesel.

These truckers and small businesses are saying how they are struggling now. Some are being forced out of business and don't know how they are going to meet their fuel costs and still employ people and carry the goods we need to get to market. When they pay higher prices, we all pay higher prices for everything because transportation costs are a critical element. They are squeezing farmers already. Do we want to vote to make this misery much worse?

I fear that this bill, as currently drafted, will make our suffering families and workers much worse off. The sponsors of the substitute tell us this bill will raise, between now and 2050, over $6.735 trillion. I apologize that there are nine zeroes on the charts; so you have to have two panels to have all the zeroes in that trillion-dollar figure. It would not fit on one poster board. That is what this bill would cost. Do you know where that cost goes? Similar to lots of stuff, it rolls downhill. This would roll down on the consumers. They are the ones who will pay for it in energy prices—millions of families and workers across the Nation.

Now, some may claim they are trying to hit energy companies with the cost

of this program. Does anybody think energy companies will continue to produce if their costs go up this much? The first thing they do will be to pass it along to all of us, and we will feel it. Energy consumers and producers will have no other choice. That is because the technology to meet deep-and-fast carbon cuts, without massive economic disruptions, doesn't exist today; and as I talk to scientists in my State, as we look at projects on which we are working, they will not be ready for another 15 to 20 years.

We are working on some things that will work now. Biofuels is making a small dent—a small, small dent. We can expand that a little more. But even the advanced cellulosic ethanol processing is not economically feasible now. Thus, the impossible mandates of Lieberman-Warner will be a massive tax increase for all Americans.

To sum it up, cap and trade is a taxation, a massive taxation without technology. Cap and tax is what it was called in an article today.

The $6.7 trillion cost would hit my Missouri constituents particularly hard. Experts at the American Council for Capital Formation predict Missouri will lose 76,100 jobs by 2030 if we enact Lieberman-Warner. The average Missouri household will face a $6,852 extra cost per year. Energy cost for electricity will be 153 percent higher. Gasoline cost at the pump will be 140 percent higher.

The Lieberman-Warner bill, regrettably, has a particularly unfair and harsh impact on America's heartland. This chart shows how much bills will go up depending on where one lives. In the Northeast, it is 40 percent. In the Midwest, it is 137 percent. In the South, it is 104 percent. In the Great Plains, it is 113 percent. In Mountain/West, it is 87 percent. And the West Coast, not much. I mean no offense when I say that it is easy when you look at the chart to see that the primary proponents of this measure, in the Northeast and the far West—the pain will be focused primarily on the coal-dependent manufacturing jobs, heavy Midwest, South, and Great Plains.

Perhaps the most disturbing feature of this debate is that for all the pain on families and workers, for all of its $6.7 trillion pricetag, it will have no measurable impact on world temperatures. That is right; the Environmental Protection Agency estimates that if China and India do not institute similar plans to the same extent we do, as they have already told us they will not, this bill before us will have no measurable impact on world temperatures. That means $6.7 trillion in pain for American families and workers for no gain in global temperature lowering.

I will have more to say about this issue during this debate in the coming days. I also look forward to debating how we can cut carbon without cutting family budgets or worker payrolls. There is so much we can do to reduce carbon emissions by increasing nuclear power production, and we do need to get more nuclear power. Do we have the scientists, the engineers? No. Do we have the basic vats that are needed? No. We need to develop that industry in the United States. We need to do something about reprocessing spent fuel. Right now we are limited, we are constrained by our inability to get rid of spent nuclear fuel. We need to reprocess it and reduce it by 95 percent.

We need to expand coal technology, coal to liquid, coal gasification. These are very important. But what do we do with the carbon? That is why we are working on a project in southwest Missouri, for which I got an earmark 4 years ago, to try sequestration underground. Is it going to work? We don't know. That is why it is a demonstration project.

We need to expand our domestic manufacturing supply base for more advanced batteries to get more hybrid cars and trucks on the road. We worked with companies in Missouri to help them build better batteries. I would love to see the day when we have a full-size automobile, not a golf cart, that we can plug in at night when power demand is lowest, charge the battery, commute to work and back without ever having to stop at a gasoline pump. We are not there yet. We do not have the batteries.

We need more next-generation work on cellulosic biofuels. I was talking to the top scientists in Missouri on Wednesday. I was talking about biofuels. We have hundreds and hundreds of square acres with as much as 4,200 tons of green wood that need to be cleaned out of the forest to make it healthy.

I said: Congress, in its wisdom, has already mandated we produce 16 billion gallons of cellulosic ethanol by 2022. I said: By the way, how is the technology to convert wood to cellulosic ethanol?

They said: We are not there yet. We haven't found a means of converting wood to ethanol in an efficient, economically viable way.

I said: When do you expect it?

They said: We don't know.

I said: That is Congress; we passed a law saying you have to produce 16 billion barrels, and we forgot to ask the scientists when we were going to get that conversion.

We are working on it, but we are not there yet.

In each of these areas, I am proud to say that Missouri is leading the way to look for ways to reduce our carbon emissions. We want to do that. Set aside the arguments over the international impact and what the impact is. We will join with you in reducing carbon emissions, but, please, friends, let us develop the technology and not impose taxes when we put on caps without the technology. Caps without the technology is a $6.7 trillion tax increase.

We can all be leaders in clean energy for the future. We need to do so without ruining our economy, which this bill would do.

I look forward to discussing this issue in a constructive manner with all my colleagues in the coming week, and I assume in the months and years to come.

I yield the floor.

The PRESIDING OFFICER (Mrs. MCCASKILL). The Senator from Oklahoma.

Mr. INHOFE. Madam President, Senator DOMENICI is on his way, and I want to yield some time to him. He has been a real hero in our pursuing one of the forms we are going to have to have if we are ever going to run this great machine called America, and that is nuclear energy.

I was glad to hear the comments made by the Senator from Virginia who had complimentary things to say about nuclear energy and what is necessary if we are going to be able to continue to do this.

Before the Senator from Missouri leaves, he was referring to a chart that showed the increase in the price of gasoline. I don't know whether he still has that chart or if he has it in his notes. The Senator from Missouri went over it so fast. To me that is the focal point, at least in my State of Oklahoma.

Mr. BOND. The price of gasoline——

Mr. INHOFE. One hundred forty percent.

Mr. BOND. We said 140 percent. There are various figures that would add $1.44 to $1.45. This one is from the National Association of Manufacturers. I believe the EPA figures say $1.40, $1.45. I can tell the Senator that we are looking at significant increases in the price of gasoline. The low number would be $1.40, I believe, from the EPA.

Mr. INHOFE. Madam President, I ask the Senator from Missouri also to comment on the predictions as to what it would cost to the average household. In my presentation—and the Senator was in our caucus when we had a meeting—I had one chart that showed the United States. It showed how much it would cost an average household. My State, Oklahoma, and Texas were the largest hit. The increase for each family would be $3,300. Missouri was in the next tier down, which I think was around $2,800. That is something I think is very significant.

Mr. BOND. We have $6,852 on the average Missouri household. Our source for that is National Association of Manufacturers, March 13, 2008. Obviously, these costs are only estimates. When you realize that those States, such as Missouri, which depend on coal—and no telling what the grand czars will allocate, the unelected bureaucrats will allocate for coal production or utilities burning coal. They are right now $13 a ton on carbon emissions. I think some are trading three times that high in Europe. These numbers are all, at best, estimates. We can tell you that there is no way this won't have a significant impact.

Mr. INHOFE. I suggest to my friend from Missouri that I am sure Missouri

is not that different from Oklahoma and it is the major concern people have. That is all, when I go around the State, people are talking about now.

Many different economic studies show gasoline prices rising significantly under this bill. Madam President, $1.50 is just an estimated range. One of the Government EPA studies shows gasoline prices going up by $1.40. Another independent agency study, the independent Energy Information Administration, predicts it will go up by 41 cents a gallon to $1 a gallon by 2030.

As gasoline prices continue to rise and set new record highs every day, this bill would only keep prices rising. The Energy Information Administration study predicts that gasoline prices will increase anywhere from 41 cents per gallon to $1 per gallon by 2030.

We are waiting for a Senator. How much more time on the opposing side do we have at this point?

The PRESIDING OFFICER. There is 31 minutes.

Mr. WARNER. Madam President, before the Senator yields the floor, I wonder if I may ask him a question.

Mr. INHOFE. That will be fine on the time on the other side.

Mr. WARNER. Fine. Of course, whatever the case may be. Because our colleagues are listening to these statistics, I think we better with greater specificity explain from where those numbers are coming. The Senator made a comment about the possible increase in the cost of gas. But is that not over the life of the bill, which is 20 years?

Mr. INHOFE. No.

Mr. WARNER. It is not tomorrow or the next day.

Mr. INHOFE. I am talking about by 2020 and some of the figures used are by 2030. An article in The Hill, just the other day—of course, that was before we had our recess—said that the Senate debate after Memorial Day could add up to 50 cents to the price of a gallon of gasoline, according to the study. They didn't say the timeframe. That was one of the more objective groups.

Here is another one that talks about that. Investors Business Daily says the bill essentially limits how much gasoline and other fossil fuels Americans use.

Mr. WARNER. Madam President, I asked the question, but I will finish it up. Let's be candid, we are talking about a bill that is 20 years ahead of us. Look how much gas has risen, 26 increases in the past, I think, 90 days. It has nothing to do with this bill. This bill has all types of checks and balances that the President can move in and stop these provisions from being invoked if he is concerned.

I listened patiently to my colleague from Missouri: This is wrong, that is wrong, this is wrong. All right, folks, who is going to come forward in this Chamber and say this is what is right, here is the better approach? And let us be careful in the representation about these incredible increases and so forth. Give the time period and then contrast that to what has happened in the last 90 days, which has nothing to do with this bill—nothing.

What has an impact is if this bill eventually becomes law, then it will put in place the mechanism by which to relieve the crisis we are faced with today—these repeated 26 increases in the cost of gasoline.

I yield the floor.

Mrs. BOXER. Madam President, how much time remains on either side?

The PRESIDING OFFICER. There is 28 minutes 19 seconds for the opposition, and 18 minutes on your side.

Mrs. BOXER. I yield 5 minutes to Senator KLOBUCHAR, a wonderful member of our committee and, by the way, author of the carbon registry portion of the bill.

The PRESIDING OFFICER. The Senator from Minnesota.

Ms. KLOBUCHAR. Madam President, I thank Chairwoman BOXER for her great leadership of our committee.

Today, we begin a discussion of a historic opportunity—an opportunity to restore American leadership on something that is so critical for the future of our country and of the world.

I just came back, Madam President, from Minnesota, where I spent the last week. People are glad that spring is here, but I was surprised by the number of people who came and talked to me about the climate change issue. They knew this debate was coming. It is not just kids with penguin buttons anymore. It is hunters in Hibbing who have seen the changes to our wetlands, people who ice fish, and little city councils in places such as Lanesboro, MN, that changed out their light bulbs to save money. And it is business people in Duluth who have seen Lake Superior at historic lows over the last 80 years. People in our State are seeing the changes, and they are concerned about the changing weather patterns and the frequency of changing weather patterns—with tornadoes, with floods, and with fires.

Local communities all over this country are taking action. My State of Minnesota has one of the most aggressive renewable standards in this country. We don't view this as a partisan issue. We view this as a bipartisan issue. Everyone from our Republican Governor to our Democratic legislature to independent city councils all over the State want to see action on climate change from Washington.

Just a year or two ago this Senate was debating whether climate change existed, and now, finally, today, with a vote on this motion, we can start debating how to solve it. We had an event today where people from all over the country talked about the effect it had in their communities—global warming. Someone from Alaska joined us to describe the way climate change has affected whale populations and fishing traditions that support her community.

It actually made me think of my own State of Minnesota where fishing is very important. I would love to ask the Presiding Officer if she knew how much money we spend on bait and worms alone in Minnesota every year, but, of course, the rules prohibit her from answering. In fact, the answer is, in the State of Minnesota we spend $50 million a year alone on worms and bait. It gives you a sense of how important, in the land of 10,000 lakes, fishing and outdoor recreation is to the State.

A total of $1.8 billion every year is spent on angling alone. That is why everybody from snowmobilers to hunters, to people who fish, to everyday citizens, care about this issue in my State, and why it is so important to move forward on this legislation.

The other piece of interest is that our State is third in the country with wind. We see the potential for jobs. If we set the standards in this country, the investment will follow. Think of what happened when we raised the gas mileage standard years ago: we saved money. Now we are doing it again this year.

Think about when John F. Kennedy stood and challenged this country to put a man on the Moon. We won that space race, but we did more than that. By drawing that line in the sand, by saying this country was going to move forward, we produced endless amounts of technology just from that one moment we said we were going to put a man on the Moon.

We produced weather satellites, solar technology, digital wristwatches, ultrasound machines, laser surgery, infrared medical thermometers, programmable pacemakers, satellite TV broadcasts, high-density batteries, high-speed, long distance telephone service, automated insulin pumps, CAT scans, radiation blocking sunglasses, and my personal favorite, those little chocolate space sticks that my family used to take on camping trips in the 1970s.

That was all because someone in the Nation's Capital said we were going to move in a new direction; we were not going to let other countries be the first to put a man on the Moon; we were going to be first.

That is what we have the opportunity to do with this legislation. We have the opportunity to start moving and doing something about climate change. Many people around the world are waiting for us to act, to go first, as we have so many other times. Other countries have done things, but our country, the United States of America, making a statement on this matter, will make a difference for the rest of the world. We need to set our expectations high. We need to set our standards high. And we have to remember, while climate change is a challenge—and I don't believe it is any longer seriously disputed in terms of the science on global warming—it is also an opportunity.

I look forward to the debate that we will have in the coming days, and I thank Chairwoman BOXER again for her leadership.

Madam President, I yield the floor.

Mr. INHOFE. Madam President, I yield to the Senator from New Mexico whatever time he consumes.

Before I do that, I say to my good friend from New Mexico that I commented earlier on his being a real champion for nuclear energy, and the recognition that we can't resolve the process we have without a very bold nuclear program. And I would say this: We have over 30 applications now in the process, of people saying what they want to do. So I look at this, as I characterized it a few minutes ago, as a nuclear renaissance that is taking place, largely due to the efforts of the Senator from New Mexico.

Mr. DOMENICI. Madam President, has time been yielded to the Senator from New Mexico?

The PRESIDING OFFICER. Yes, whatever time the Senator shall consume.

Mr. DOMENICI. Let me comment on your observation. First, I thank you for indicating that I had something to do with the rise of nuclear power, which we are all glad to call a nuclear renaissance. I did have a lot to do with it, and I am very proud of that.

I think the Senator knows I will not be here very long because I have decided to retire after 36 years, and that means this January. But I am very confident that even leaving in that short time from now we have set the seeds for the nuclear renaissance. It will be in the world, not just in America. But it would always have been short of what it could be and should be if America was not part of this renaissance. If America wasn't a part, the world somehow would not feel right about nuclear. And since we started it, and then we unpropitiously stopped producing it and stopped all the leadership we had, we are starting anew. So there is great excitement in the American nuclear community, which is expanding dramatically.

Universities are establishing new nuclear physics courses. I think the Senator from Oklahoma knows that. We have put money in the energy and water bill, $10 million to $15 million a year, for universities to get started and bring them up where they were, and that is going to be very exciting. But have no doubt, since the United States knows how to produce the very best nuclear powerplants—the Nuclear Regulatory Commission is of the highest quality—they are not going to approve licenses unless they are absolutely certain of plant designs and that locations are absolutely the best. And that is going to take a little while.

We had, I think 33 or 34 is the number that are in the process of applying, with about 7 or 8 firmed up, completed, and all the process they need to submit being done. That is so exciting when you consider that in 20-plus years we had zero, not a single one, until we passed the Energy Policy Act. And the distinguished Senator from Oklahoma was not on the Energy Committee, but he was very helpful at every step as we produced this Energy Policy Act, which included, as everyone agrees, all of the ingredients to cause American nuclear power to have a renaissance, and it is doing that.

Now, there is no way we are going to effectively clean the CO_2 we produce in the use of power without nuclear power. It is the one big source of power that has no CO_2 emissions attached to it, so it is good we are moving there. But today we have a bill before us that has to be discussed, debated, and amended, as I see it, for such a long period of time for the American people and the Senators to understand its implications, that today I choose to just speak about one little part—the impact of this bill on oil and gas prices.

This is a bill that purports to put America on a path of producing less and less CO_2, but it has some real difficult hurdles to cross as we move there. In the meantime, there is no question that it has an impact on a lot of things, and we have to consider whether it is worth all the ramifications, considering what the bill will or will not do.

So, Madam President, let me remind Senators that we are all coming back from our home States. I am returning from my home State of New Mexico, where I visited constituents and listened to their concerns. In every town I visited, at every event I attended, and during every meeting, I took the same issue and put it before the people and discussed it with them. They asked the same questions over and over: How will Congress deal with the rising gas prices? I expect that most every Senator had similar experiences during his or her recent recess travels.

This morning, the price of gasoline was, on average, a record of $3.98. Now, I used an average, and I got that from an appropriate official. In many places it has already passed the $4 mark, but it averages $3.98. At the start of this Congress, the average was just $2.33, meaning the cost of gasoline has jumped by 70 percent in just 18 months.

Record gas prices are causing tremendous pain for Americans. In one recent survey, 40 percent of workers said the high price forced them to change the way they get to and from work. Many have stopped driving altogether. Public transit ridership is at an all-time high. Others have traded their vehicles in for smaller ones. But most importantly, many are feeling the impact on the family budget. They are just feeling like they can't make it because they only have one way to go to work. They have to work, and if there are two workers in the family, when you add the price of gasoline to that, it becomes an expense they can hardly bear.

The impact is not limited to transportation. It affects nearly every aspect of American life and ripples throughout our economy. As fuel costs rise, as I indicated, family budgets are stretched. Millions have canceled vacation plans and cut down on shopping trips. For those living paycheck to paycheck, the price at the pump is the difference between being able to pay their bills on time and going into debt. Runaway energy costs also hurt our businesses, as evidenced by recent announcements from Ford Motors and American Airlines.

High gas prices even impact the quality of education that our children receive. A school district in Minnesota has already announced that schools will move to 4 days a week to avoid budget shortfalls. Schools in North Carolina are planning fewer field trips for their students, which are often among the most memorable experiences that our children can have.

As these examples illustrate, the consequences of high energy prices are widely felt, far-reaching, and difficult to overcome. We must take real steps to ensure that these are properly addressed and that we are not telling these same types of stories in the future.

After hearing our constituents plead for relief from high gas prices, it was my hope that Senators would rededicate themselves to reducing the cost of oil and gas. Instead, by bringing up a bill to establish a cap-and-trade regime, which we will hear much about in the ensuing days, the majority has chosen to go in the opposite direction from reducing gas prices or holding them steady for our constituents.

As the summer driving season begins, and oil prices remain at near all-time record highs, it is simply incredible that the first measure debated in this session will not be a bill to lower energy prices by producing more of our own energy but a bill that will, in fact, substantially increase energy costs.

By assigning a cost to the carbon content of traditional fuels, there is no question this bill will increase the cost of gasoline. According to EIA, gas prices could rise by 41 percent in the year 2030. The EPA places this figure as high as a $1.01 per gallon by the year 2030.

Every policy has a price, but as we continue to face record energy prices, the costs of this bill are simply unacceptable, no matter which version is up for debate. An economist at the Federal Reserve Bank of Dallas recently told the New York Times that:

> Every one-cent increase in gasoline means Americans pay $1.42 billion more a year for gas.

An absolutely incredible number. You wonder why the economy is being affected by these enormous price increases of gasoline and diesel fuel. At a time when they can least afford it, this will translate to even greater pain at the pump for consumers. At a time when the strength of our economy is already a serious concern, it will lower the bottom line of American business and jeopardize their global competitiveness.

When recesses end and we make our way back to Washington, it is our obligation to do our best to resolve the

concerns of our constituents. Right now we should be working to find a way to reduce energy prices. Instead, as we begin to debate a cap-and-trade regime which may not work, it is clear there is a fundamental disconnect between many in this Chamber and the American people who simply cannot afford to pay more for energy. As the Boxer bill proves, there is much Congress can do to raise these prices and we are setting about to do that.

I commend my colleagues for trying to tackle the task of reducing carbon emissions to address global climate change. However, the American people are facing higher costs and tough economic concerns. They are worried about their family budgets and about their jobs. This bill will make these worries greater and increase those costs even more.

I will be speaking at great length as we consider this bill in the coming days and I will speak of many other issues besides the one today, for there are many more. I speak of only one today which I think we should start with, and know what we are dealing with in terms of the side effects of legislation that is controversial. It is not only controversial but many are quite certain it will not do the job.

Mr. BYRD. Madam President, I am anxious to see action on this issue, but I keep asking myself, are we doing the right thing for the wrong reasons, or the wrong thing for the right reasons? Either way, I cannot support proceeding at this time. The Senate is not yet ready to consider this vastly important and highly complex legislation. It's ramifications are too unknown.

In December 2007, after several hearings and with written comments, the Environment and Public Works Committee reported S. 2191, America's Climate Security Act. It includes a hefty 334 pages of legislative text. Since then, a new bill has been drafted and placed on the Senate Legislative Calendar—S. 3036, the Lieberman-Warner Climate Security Act—which is what the Senate will consider if the motion to proceed is adopted. And yet another bill—a third bill—is expected to be offered as a substitute amendment by the chairman of the Environment and Public Works Committee. That bill includes 491 pages of legislative text. That is three bills, in 6 months, totaling 1,167 pages of legislative text. This new bill was circulated only days ago before the Memorial Day recess, and with an additional 157 pages that was not considered by the Environment and Public Works Committee—no hearings, no economic analysis.

In early April, after months of examination, the Congressional Budget Office produced a cost estimate on S. 2191, outlining the $1 trillion impact of that measure on the Federal budget, and the $90 billion annual impact on the private sector. Incidentally, this legislation would put hundreds of billions of dollars on automatic pilot, allocated by unelected, unaccountable boards, with little congressional oversight. However, no complete estimates exist for the substitute amendment that the Senate might consider. In addition, the Environmental Protection Agency and the Energy Information Administration at the Department of Energy have produced their economic analysis of S. 2191, outlining the impact of that legislation on different sectors of the economy. But, again, no complete estimates exist for the substitute amendment that the Senate might consider if it proceeds to the underlying bill.

Industry and environmental experts differ widely on how these bills will impact the American economy and energy prices. Without better independent analysis of the facts, there is little to prevent Senators from simply talking past one another. This being a presidential election year, the atmosphere is already highly charged. There is already too much political posturing on this complex, albeit popular, issue. This Chamber, the world's greatest deliberative body, must investigate further in order to render an informed decision. There are all kinds of parliamentary tactics that can be used on both sides of the aisle to limit debate and amendments on this bill, or to force votes on dangerous measures. The process can get out of hand very quickly and very easily.

I am haunted by another election year debate, when the Congress was rushed to judgement in voting for war in Iraq. And last year, it obviously did not adequately consider the consequences of a fuels mandate, which has contributed to international crisis and famine. In both cases, the result has been far different and far worse than what was thought and said at the time.

We must not be rushed to judgement on this vital issue. If not properly drafted, climate change legislation could bring unilateral devastation to critical sectors of the U.S. economy. It could cause massive increases in energy prices for American consumers. If not properly drafted, such legislation could well result in more harm than good.

The language of this measure is obviously still evolving, and the American people must know what is being asked of them before the Senate commits to mandatory emission caps. Otherwise, we cannot expect them to long endure the consequences that will surely follow. Without long-term public support, any effort to address this issue will eventually, and quite certainly, unravel.

Mr. LEVIN. Madam President, while I am willing to proceed to the climate security bill so that the Senate can debate and amend it, I am opposed to this bill in its present form. I am hopeful that the Senate will amend this bill and significantly improve it as we move forward.

Mr. INHOFE. Madam President, let me ask how much time is remaining on the opposing side?

The PRESIDING OFFICER (Ms. STABENOW). Just less than 16 minutes.

Mr. INHOFE. Madam President, I think it is the wish of the majority to have us use our time so Senator BOXER will have the remaining time, which is fine. I invite any Members who are around—I know several will want to speak tomorrow, but we do have time right now if they want to come down.

As I said in my opening remarks, this is not a discussion about science. That is something for another day. We have been talking about that now, the lack of science, for a number of years. I have to go back to then-Vice President Gore, who had a study done by a very prominent scientist—his name was Tom Wiggly. In this study, back when he was Vice President, he said: If we were to have all of the developed nations—not developing, not China, not Mexico, not India, but the developed nations—to sign on to, to ratify the Kyoto treaty and live by its emission requirements—of course they wouldn't do that anyway because the emission requirements are not complied with in some 15 Western European countries; only 2 are living within their emission requirements, but he said assuming all developed nations did sign on to Kyoto and live with the requirements, how much would it reduce the temperature in 50 years?

Do you know what his answer was after he did this massive study? Tom Wiggly, the scientist for Al Gore, said it would reduce the temperature by 7/100th of 1 degree Celsius. This is after all the economic pain.

I think what I might do is use a little of the time, if no other Members come down, to talk about how other people are looking at this. The Las Vegas Review Journal—I am hoping the leader of the Senate would be reading the Las Vegas Review Journal—said:

> Consumers are already struggling with gasoline approaching $5 a gallon and other utility costs that have been moving steadily higher for the past few years. New mandates placed on producers in the name of ''global warming'' will only make matters worse.

That was an editorial in the Las Vegas Review Journal a few days ago.

From the State of Ohio, The Plain Dealer—I know we are going to have Senator VOINOVICH taking a very active part in this debate. He is another one of the leaders bringing us into a renaissance for nuclear energy in America, which is desperately needed. I have to say, as we approach hopefully the solution—not having anything to do with this bill, but the energy crisis in America—I agree we need all sources. Oklahoma is very busy right now and very effective in their research on biomass—cellulosic biomass. Both the University of Oklahoma and Oklahoma State University, the Noble Foundation, are very active. We want that. It is not here now. That is better, to me, than the ethanol mandates that merely use up the market for corn to the extent that my livestock people in Oklahoma are paying a lot more now for feedstock

than they did. You won't have to do it with feedstock in the future because you will be able to do it with biomass and other forms. When it gets down to what the solution is to the energy crisis, we do need to have all these in the future: Wind, solar, and all that, when the technology is here. But right now we are 53 percent dependent on coal for our ability to run this machine called America.

As the Senator from Virginia stated, we will have to have coal as well as nuclear energy. Clean coal technology is out there. We have to keep that going. A lot of people fear this bill is going to put an end to coal.

The one ingredient we have to have, of course, is natural gas. That performs well. A lot comes from my State of Oklahoma. But one thing that will be necessary to pursue in the future is nuclear energy. Right now some countries such as France are 80 percent dependent upon nuclear energy. We are down around 20 percent. That is an area where we can do something.

Up in Ohio, The Plain Dealer newspaper, in their editorial, said:

> The bill, as conceived, will just bore new holes into an already battered economy.

In Pittsburgh, the Pittsburgh Tribune-Review:

> If there indeed is a second Great Depression to come, this will be the government measure that guarantees it arrives with a devastating gut punch.

That was an editorial called ''The Climate Security Act? Reject The Ignorami'' in the Pittsburgh Tribune-Review.

San Francisco Chronicle—this is kind of interesting—from the State of California:

> The Senate debate on the climate bill probably will focus on its impact on energy prices and the economy, which in the short run could be considered significant.

The Associated Press recently said:

> With gasoline at $4 a gallon and home heating and cooling costs soaring, it is getting harder to sell a bill that would transform the country's energy industries and—as critics will argue—cause energy prices to rise even more.

The Wall Street Journal—there are a couple of them. I quoted already from the Wall Street Journal. This one was a few days ago.

> This is easily the largest income redistribution scheme since the income tax.

I think it is interesting when people realize what we are talking about here is redistributing the wealth from the people who are the poorest, very poorest people. A CBO report found recently, quoting from that report:

> Most of the cost of meeting a cap on CO_2 emissions would be borne by consumers who would face persistently higher prices for products such as electricity and gasoline. Those price increases would be regressive in that poorer households would bear a larger burden relative to their income than wealthier households.

We are going to hear from the chairman of the committee stating, I am sure, in the future: We are taking care of that because we are redistributing some of the $6.7 trillion, redistributing $800 billion of that to some of the poorer families.

Wait a minute, that is $1 out of $8. That is not a very good deal.

I think there are so many reports that talk about how devastating this is going to be to all of America but particularly those individuals, the elderly and poor people, because these are the ones who are spending a large portion of their spendable income on energy. It is very appropriate I think to say this is easily the largest income redistribution scheme since the income tax.

The New York Post:

> The only thing that will cool is the United States economy.

Talking about this bill.

> In effect, the bill would impose an average of more than $80 billion in new energy taxes every year.

That is the New York Post, entitled ''Cap-&-Trade: Why It's Tax & Spend,'' of June 2.

Robert Samuelson:

> . . . let's call it by its proper name: cap and tax.

George Will:

> Speaking of endless troubles, ''cap-and-trade'' comes cloaked in reassuring rhetoric about the government merely creating a market, but the government would actually create a scarcity so government could sell what it had made scarce.

This is a rather interesting thing. I recommend this. It was published in the Washington Post under ''Carbon's Power Brokers.''

Charles Krauthammer had several good editorials. He said:

> There is no greater social power than the power to ration. And other than rationing food, there is no greater instrument of social control than rationing energy, the currency of just about everything one does and uses in an advanced society.

That was Charles Krauthammer, ''Carbon Chastity,'' an editorial in the Washington Post on May 30.

There was a very good one, another from the Wall Street Journal that I have already quoted here. This is a different one than I quoted a minute ago. The Boxer climate tax bill:

> . . . would impose the most extensive government reorganization of the American economy since the 1930s.

Investors Business Daily—this is something in an op-ed piece, an editorial piece they had on May 29:

> The bill essentially limits the amount of gasoline and other fossil fuels Americans can use, as Klaus puts it—

referring to the President of the Czech Republic—

> in the name of the planet. A study by Charles River Associates puts the cost (in terms of reduced household spending per year) of Senate bill 2191—

which is the Senate bill passed out of the committee

> —at $800 to $1,300 per household by 2015, rising to $1500 to $2,500 by 2050. Electricity prices could jump by 36 percent to 65 percent by 2015 and 80 percent to 125 percent by 2050.

This was an editorial in Investors Business Daily.

It is interesting, I was noticing when Senator BOND from Missouri was making his very well-stated remarks, the study he had showed it would be closer to $6,000 a household. I do know in my State of Oklahoma and in the State of Texas, of all the States that will have the highest increase in taxes, it will amount to a minimum of $3,300 per family.

As I go around my State of Oklahoma—and I am back there every weekend; I am never here in Washington on weekends—I talk to people. They stop and think about what they do with $3,300 a year—it is not just a lot of them want to have another pickup truck or a bass boat or other things, but most of them are having real problems right now meeting expenses. This will be something they wouldn't want to have to try to endure.

We have had quite a few of the editorial writers around the country talking about it. Several have talked about the raising of gas prices and the effect that would have. I think we are all aware of that. I think probably the biggest issue should be the job-killer issue. The Independent Energy Information Administration says the bill would result in a 9.5-percent drop in manufacturing output, and even higher energy costs. The fact that it would grow Government—stop and think about it. This is interesting. The figure the other side uses, the promoters of the bill, is $6.7 trillion.

Then they say some of this is going to be going back into the economy. It comes down to about $4.2 trillion—$4.2 trillion, and one of the basic disagreements Senator BOXER had with the Senator from New Hampshire was that he wanted to return that to the taxpayers as opposed to having Government programs. It appears there will be, hopefully, not a majority—in fact I don't think there will be a majority of people in this body who are going to put themselves in a position where they say we want to have a $4.2 trillion increase in the bureaucracy.

If there is anything that does not need to be increased, it is the bureaucracy in America. It frightened me to think about what types of governmental agencies there are, what, 45 new entities and agencies that would be provided by this bill? Tomorrow we are going to parade before you some charts to show the various increases in the size of the bureaucracy. It is going to be something that will be frightening to most people.

However, there is a mentality of many people in the Senate—I respect every Member of the Senate—that somehow you must increase the size and the magnitude and the authority and the power of Government to make things happen. That is not the way our forefathers thought it would be.

I would suggest to you that we want to look at this increase in Government, $4.2 trillion over this period of time, as something that would be devastating to this country and its economy.

I see that my time has expired, and the remainder of the time will be used by my chairman of the Environment and Public Works Committee, the junior Senator from California.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. I thank my colleague. Today we are going to vote on whether we want to continue the status quo when it comes to energy policy and when it comes to ignoring the great threat to our planet that scientists tell us is very serious.

Now, we can vote no, we can weaken this bill. It seems to me that is every Senator's right. But, frankly, this Senator and I know my colleagues who have worked so hard on this bill, Senators LIEBERMAN and WARNER, feel deep in our heart that this is a moment for us to come across party lines as we go back and remember we have tripartisan legislation, a Democrat, an Independent, and a Republican.

Again, we did not agree with each other on every detail. Lord knows we did not. But for the good of this country, for the good of the world, for the good of future generations, we came together.

I ask the Chair to let me know when there is 4 minutes remaining so it can be equally divided by these wonderful cosponsors. Would the Chair let me know when 4 minutes remains.

Let me take this little time I have to say I do not mind debating on the facts of our bill. But I have heard so much fiction that I had to go over to both Senators WARNER and LIEBERMAN and say: Did I hear them right? First of all, they are using numbers that are coming out of the air by groups that oppose our bill, that have no validity, that are not based on any modeling.

We have numbers based on modeling. Then I hear now the new thing. My dear friend Senator INHOFE—we are dear friends—says the Boxer tax bill. There is no tax in this bill. This bill is modeled on the acid rain bill, I say to my friend.

Polluters pay. This bill has one of the largest tax cuts in it that we have seen around this place in a very long time. It has a big piece of consumer relief. So I say to my friends, do not get up here and say: Boxer tax bill. Point to where there is a tax in this bill. There is no tax. I will point to where there is a tax cut and a set-aside, a huge one, almost $1 trillion, and a huge pot of almost $1 trillion in consumer relief which will be given, if necessary, to consumers if the cost of the electricity goes up.

So here we have a bill that takes care of our consumers, takes care of our taxpayers. Then we hear from Senator DOMENICI and Senator BOND: Oh, we cannot do this bill because oil prices, gas prices at the pump are going to go up.

They put out a number that they pull out of the air. The modeling shows, worst-case scenario, worst case, gas prices would go up 2 cents a gallon per year until 2030. By the way, the modeling that Senator LIEBERMAN has shows that the automobile fuel economy bill we passed will negate all that.

So this bill will bring no higher cost at the pump to our drivers. But let's look at what has happened under the last 7 years. Here is the status quo, folks. We have all lived it; now let's look at it. Gasoline prices have gone up 250 percent in the last 7 years. The source: U.S. Energy Information Administration. That is this administration's own energy department.

So without a global warming bill or a climate change bill, call it what you will, we have seen a 250-percent increase in the price of gas. What we do in our bill will get us off foreign oil, will get us off big oil, will lead to new technologies which will free us, will free us from these prices.

So those people who say: Do not vote for this bill because it is going to raise gas prices, only in a humpty-dumpty world, where you are over on your head could you come out with that. It makes no sense.

Let me show you the job growth that people are telling us we can expect from the Boxer-Lieberman-Warner bill. First of all, look at Great Britain. They have reduced their greenhouse gas emissions by 15 percent. They have grown their economy by 40 percent, and they have 500,000 jobs in the last 5 years in these new green technologies.

A report by the Apollo Alliance—that is a beautiful organization here in America—says this bill could create over 3 million new American jobs over a 10-year period, stimulating $1.4 trillion in new gross domestic product and producing over $280 billion in net energy savings.

We are going to get off foreign oil. I do not want to see a President have to run over to Saudi Arabia and hold hands with the Prince anymore. I am tired of that. It has to be the end of the status quo. This is an opportunity to do it.

Let's take a look. Job growth will follow strong legislation. In California—I mentioned this before—450 solar companies are now putting electricians and carpenters and plumbers to work where the construction industry is laying them off because of the housing crisis we are facing.

The top manufacturing States for solar are Ohio, Michigan, California, Tennessee, and Massachusetts. That comes from Solar Energy Industries. So we already are seeing it. Here is the labor support for the Climate Security Act. The Sheet Metal Workers, the Journeymen and Apprentices of Plumbing and Pipefitting, the United Union of Roofers, the International Brotherhood of Electrical Workers, the International Brotherhood of Teamsters, the International Association of Heat and Frost Insulators. And it goes on. The Building and Construction Trades Department of the AFL–CIO, the International Union of Operating Engineers, the brick layers, the elevator constructors. Why are they supporting this bill? These are the workers that my colleagues on the other side are scaring.

They are smart, they read the bill. They understand the many billions of dollars that are going to go into new technologies. And these technologies will heat our homes and they will cool our homes and they will run our cars and they will run our businesses.

The green jobs that will come are going to be jobs that can only be filled in America. Time is of the essence. Time is of the essence. Sir Nicholas Stern, former chief economist of the World Bank, found that by spending $1 now to address global warming we will save $5.

We know we cannot afford to wait. The time is now. People say: Why are you doing it before a Presidential election? Why this? Why that? This is above politics. This is above partisanship. If somebody told you, if somebody told you that if you brought your child to the supermarket on a very warm day and say it was your grandchild, because I know you are a proud grandma, and you said: Well, I have to run in there just for a minute, can I leave my child alone? Well, obviously you would never do it. The fact is, we would not lock our child in our hot car in front of a supermarket.

We cannot consign the next generation to a hot planet that is going to be inhospitable to our grandkids. We cannot do it. It is wrong. That is why we find Tony Blair saying: America must lead. He says the legislation sponsored by myself, JOE, and JOHN matters. It shows America will act. It will allow the United States to say to others: You must act. We are not going to sit around and wait for India and China. Since when do we do that? This is America.

I wish to go to the faith community. I think people ought to understand who is backing our bill. I see the Senator from North Dakota, who has been weighing this very strongly. The Evangelical Environmental Network and the Evangelical Climate Initiative, the U.S. Conference of Catholic Bishops, the National Council of Churches, the Religious Action Center of Reform Judaism, the Jewish Council for Public Affairs, the Interfaith Power and Light Campaign.

Let me close by saying why. All you have to do is read, read from the Scriptures, read from some of the great writings:

> See my handiwork, how beautiful and choice they are. Be careful not to ruin and destroy my world, for if you do ruin it, there is no one to repair it after you.

This is, it seems to me, the moral reason we must act. I thank you very much. I yield 2 minutes to the Senator from Connecticut and the remainder of the time to Senator WARNER.

Mr. LIEBERMAN. Madam President, the first thing I would say, in response to Senator BOXER's eloquent faith-based conclusion, is: Amen, Sister.

Secondly, in this last 2 or 3 hours that we have begun this very important debate you can see the different

arguments forming. There are serious arguments. They are important arguments. So I appeal to our colleagues on both sides of this issue, regardless of whether you have decided to support the bill, vote for cloture on the motion to proceed so we can finally have the kind of debate from which we will all learn and from which the American people will take some encouragement that we are dealing with this problem.

It is obvious that one of the main arguments, perhaps the main one, will be its cost. This is an important issue which we want to discuss. The part that I respectfully take issue with is those who call this a tax increase. It is not a tax increase.

Senator WARNER and I had some choices to make. One was to do nothing. We rejected that. I suppose if you still feel we should do nothing, that, of course, you will want to come out and argue for that.

But we decided we had to do something. We had three choices. One was a carbon tax. We rejected that. One, because we do not think it is viable here. Two, it does not guarantee that you are going to reduce carbon emissions.

Second, we had an old-fashioned command-and-control option; mandate that this happens, control everything. We rejected that as well because it is inflexible.

The third choice was a market-based choice. Set the general ground rules, mandate a reduction in the cap, and leave it to the market. The fees that are raised under this bill are voluntarily accepted by people who decide they need to buy allowances. This is not a tax increase. We rejected a tax increase.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Madam President, I am pleased to be here today for the opening debate on global climate change and the Lieberman-Warner Climate Security Act.

The issue of global climate change is a pressing one that has ramifications far beyond our imagination. It is my firm belief that we need to temporarily put aside what we do not know about climate change and its potential impacts and to focus instead on what we do know in order to begin to address this critical problem.

We know that the science is clear. Some might respectfully disagree, but they are in the minority. In fact, the science is so clear and the observations on the ground are so convincing that more than half of the States of this great Nation and more than 800 cities have taken the bull by the horns and have enacted or are working to enact legislation to reduce carbon emissions.

I am the strongest supporter of states rights and I commend these States for their vision and their leadership absent Federal action. But we cannot have a patchwork approach to addressing climate change. Federal leadership is now warranted in this case.

We know that allowing global climate change to go unchecked will result in increased threats to global security. In April 2007 the Center for Naval Analysis Corporation issued a report, ''National Security and the Threat of Climate Change,'' which detailed the numerous threats posed by climate change.

The report found that global climate change does pose a significant threat to America's national security. The extreme weather and ecological conditions associated with climate change have the potential to ''disrupt our way of life and to force changes in the way we keep ourselves safe and secure.''

Some of the destabilizing impacts described in the report include: reduced access to fresh water, impaired food production, human health emergencies, and displacement of people. These are hardships that the globe will have to face.

These serious implications of climate change will have security consequences for the United States. For example, there will be an increased potential for failed nations and growth of global terrorism.

Another serious implication of climate change is the mass migrations of people that are likely to occur. Lack of water and food will force the movement of people. In the United States, the rate of immigration from Mexico is likely to rise because the water situation in Mexico is already marginal and could worsen with less rainfall and more droughts.

In addition to these indirect risks to national security, there are also direct impacts on U.S. military systems, infrastructure and operations. Climate change will add stress to our weapons system, threaten U.S. bases throughout the world, and have a direct effect on military readiness. As stated in the CNA report:

> As military leaders, we know we cannot wait for certainty. Failing to act because a warning isn't precise is unacceptable.

We know that the fate of the copious coal resources within our borders hinges on Congress providing regulatory certainty. Have you seen the record of late? Permit after permit for coal-fired powerplant is being declined. In fact, 54 percent of coal capacity ordered since 2000 has been canceled or put on hold in the last 2 years, in part due to uncertainty about climate legislation. The way to ensuring coal remains a viable resource for the future and allowing coal to continue to provide more than half the power in the U.S. is to give regulatory certainty so that investors will once again finance the building of coal-fired powerplants.

With that said, I know that the coal industry doesn't support this bill. But we have done our best to provide more than the financial support the industry says is necessary to fund the technologies such as carbon capture and storage that are going to allow coal to remain viable. But inaction is not an option for our Nation, and it is not the best path forward for coal.

The concept of mandatory, by law, cap-and-trade is proven to work. Cap-and-trade harnesses the best of free market power and brings in industry, as partners, in solving the energy and emissions challenges in the future. With all due respect to those who support the carbon tax approach, I believe while the administration of such a new tax may be simpler, there is no guarantee you get the environmental benefit that consumers are paying for.

The very suggestion that there will be some huge increase in gas prices due to capping pollution is false. It is a scare tactic. Absent any program, gas prices have gone up about $1.10 this year alone. What the increases show is that the status quo of laws are not working.

The United States will be hostage to the price of oil until we reduce our demand—and a cap on carbon is the most effective step we can take toward that goal. This bill provides a very large incentive for the private sector to receive the investment so they can create improved and new alternative sources of energy. It funds advanced vehicle technology, efficient hybrid fleets, advanced biofuels and mass transit that will transform the transportation sector and reduce our dependence on oil.

Modeling suggests that the Act would reduce imports by 8 million barrels per day by 2025, more than the entire amount currently imported from OPEC. Overall, it reduces oil imports by up to 58 percent.

We also know that the cost of inaction is much more likely to hurt American families and the American way of life more than the potential costs of action.

Not addressing climate change is not going to keep energy bills low. Increased demand for energy will drive prices up, without the incentives for expanding the use of alternative energy sources or providing a safety net for consumers, as my bill would do.

I relish this opportunity to debate climate change legislation in the Senate. It is my hope that we will have robust debate. I want my colleagues, both those who agree with my bill and those who don't, to have ample opportunity to offer amendments. If we are going to be serious, serious consideration must be given to all members who want to have their say in this landmark debate.

In closing, I look forward to the time ahead spent on this bill, and I am available to address any questions, concerns, or issues my colleagues wish to raise with me.

Madam President, once again, I think as we debated this afternoon, the bill has been passed out, put on each desk. I hope that represents the majority of our colleagues will agree to letting this bill go forward, because it is not just the bill, it shows the American people we are doing their business.

We are trying, through a debate, well-intentioned individuals on both sides, to solve one of the most difficult problems ever facing America, our energy shortages, our increased prices of

energy, carbon emissions, how it has affected our environment, all those things.

Here it is. This is our joint effort, together with the chairman and members of the committee. If there is a better idea, bring it forward. This is the function which our Founding Fathers established this institution for. Bring forth our ideas and let us produce something and show the American people we can solve their problems.

Madam President, I ask unanimous consent that a letter from 20 different prominent, well-known industrial firms, confirming that this bill is necessary, be printed in the RECORD at this point.

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

DEAR SENATOR: The undersigned companies and organizations urge you to vote in favor of the Climate Security Act, S. 3036 (formerly S. 2191), which is expected to be considered by the full Senate beginning June 2. This is a very important vote on a bipartisan plan to address climate change. Prompt action on climate change is essential to protect America's economy, security, quality of life and natural environment.

The Climate Security Act, as revised in the manager's substitute amendment released last week, sets forth a sound overall framework for reducing America's emissions of greenhouse gases. Most notably, it establishes an emissions cap that steadily reduces greenhouse gas emissions from current levels at a rate of about 1.8% annually. The bill creates a flexible cap-and-trade system to achieve these reductions at lower cost by tapping the power of free markets. It includes an unprecedented national investment in zero- and low-carbon technologies, and includes important policies to advance energy efficiency and alternative energy sources. The bill provides assistance to small energy consumers, including low-income families, to ease the transition to a low-carbon economy. And the bill protects American industry to ease the transition to a cleaner future.

We all support the framework and approach contained in the Climate Security Act. However, we also recognize that there is continued work to be done to refine the details of the legislation through the amendment process in the Senate and as a bill is taken up in the House. Some of the undersigned groups have already communicated with you on amendments and will continue to do so and others may do so later.

However, we think it is notable and a testament to the work of the bill's sponsors and contributors that such a diverse group of interests are united on the following essential issue:

A ''yes'' vote for the Climate Security Act represents historic leadership to advance bipartisan solutions to climate change; a ''no'' vote will slow progress and maintain the status quo, which only increases the risks of unavoidable consequences and potentially greater economic costs that could result from the need for even steeper reductions in the future.

Sincerely,

Lee Califf, Director, Government Affairs, Alcoa.

Yvonne A. McIntyre, Vice President, Federal Legislative Affairs, Calpine Corporation.

Elizabeth Thompson, Legislative Director, Environmental Defense Action Fund.

Betsy Moler, Executive Vice President, Government and Environmental Affairs and Public Policy, Exelon Corporation.

Chris Bennett, Executive Vice President, FPL Group.

Ann R. Klee, Vice President, Corporate Environmental Programs, General Electric.

The Rev. Canon Sally G. Bingham, Founder and President, The Regeneration Project, Interfaith Power and Light Campaign.

Newton B. Jones, International President, The International Brotherhood of Boilermakers, Iron Ship Builders, Blacksmiths, Forgers, and Helpers.

Scott Kovarovics, Conservation Director, Izaak Walton League of America.

Thomas B. King, Executive Director of Electricity Distribution and Generation, National Grid.

Mark Wenzler, Director, Clean Air and Climate Programs, National Parks Conservation Association.

Jeremy Symons, Executive Director, Global Warming Program, National Wildlife Federation.

David Hawkins, Director of Climate Programs, Natural Resources Defense Council.

Steven Corneli, Vice President, Market and Climate Policy, NRG Energy, Inc.

Phyllis Cuttino, Director, US Global Warming Campaign, Pew Environment Group.

Melissa Lavinson, Director, Federal Environmental Affairs and Corporate Responsibility, PG&E Corporation.

Eric Svenson, VP of Environment, Health and Safety, Public Service Enterprise Group.

Steve Moyer, Vice President for Government Affairs, Trout Unlimited.

William P. Hite, General President, United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry of the United States and Canada.

The PRESIDING OFFICER. The Senator from Oklahoma is recognized.

Mr. INHOFE. I have 1 minute 50 seconds remaining?

The PRESIDING OFFICER. That is correct.

Mr. INHOFE. I have to do this pretty fast. Let me respond to some of the things the majority stated.

First of all, when they make the statement that this, talking about the price of gas, all this happened during the Republican administration, let me assure you this happened because of the Democrats in the Senate voting against any increase in supply.

Now, if anyone has any doubt about that, go to our Web site www.epw—that stands for Environment and Public Works—epw.senate.gov/minority. Look that up. You will see that I have documented the votes all the way back to the middle 1990s, when we have tried to increase our supply of energy or our refining capacity.

Secondly, the statements that this is not a tax bill, I would only read to you the total revenue generated through carbon sales auctions for consumers of power, heating, cooling, and gasoline: $6.7 trillion. That is their figure, not my figure.

The maximum potentially rebated to consumers would be $2.5 trillion. That leaves $4.2 trillion. If that is not a $4.2 trillion tax increase, I don't know what it is.

Thirdly, the fact that all labor seems to be for this. I suggest that Senators talk to the United Mine Workers, who are very much opposed to it, the United Auto Workers, who are opposed to it. As far as the various communities on the chart shown by the junior Senator from California, there are many of evangelical associations. We had a press conference. They all showed up. They are all very much opposed to this, and all these are Scripturally based.

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

Mr. INHOFE. Has all time expired?

The PRESIDING OFFICER. All time has expired.

CLOTURE MOTION

Under the previous order, pursuant to rule XXII, the clerk will report the motion to invoke cloture.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close the debate on the motion to proceed to Calendar No. 742, S. 3036, the Lieberman-Warner Climate Security Act of 2008.

Barbara Boxer, Richard Durbin, Byron L. Dorgan, Charles E. Schumer, Sheldon Whitehouse, Bill Nelson, Amy Klobuchar, Dianne Feinstein, Joseph Lieberman, Daniel K. Akaka, Christopher J. Dodd, Tom Harkin, Daniel K. Inouye, Max Baucus, Ron Wyden, Robert P. Casey, Jr., Harry Reid.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the motion to proceed to S. 3036, a bill to direct the Administrator of the Environmental Protection Agency to establish a program to decrease emissions of greenhouse gases, and for other purposes, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Montana (Mr. BAUCUS), the Senator from Delaware (Mr. BIDEN), the Senator from New York (Mrs. CLINTON), the Senator from Massachusetts (Mr. KENNEDY), the Senator from Louisiana (Ms. LANDRIEU), the Senator from New Jersey (Mr. LAUTENBERG), the Senator from Illinois (Mr. OBAMA), and the Senator from Oregon (Mr. WYDEN) are necessarily absent.

I further announce that, if present and voting, the Senator from Delaware (Mr. BIDEN) would vote ''yea.''

Mr. KYL. The following Senators are necessarily absent: the Senator from North Carolina (Mr. BURR), the Senator from Arizona (Mr. MCCAIN), the Senator from Alaska (Ms. MURKOWSKI), and the Senator from Mississippi (Mr. WICKER).

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

The yeas and nays resulted—yeas 74, nays 14, as follows:

[Rollcall Vote No. 141 Leg.]

YEAS—74

Akaka	Durbin	Murray
Alexander	Ensign	Nelson (FL)
Bayh	Feingold	Nelson (NE)
Bennett	Feinstein	Pryor
Bingaman	Graham	Reed
Bond	Grassley	Reid
Boxer	Gregg	Roberts
Brown	Hagel	Rockefeller
Brownback	Harkin	Salazar
Cantwell	Hutchison	Sanders
Cardin	Inouye	Schumer
Carper	Isakson	Smith
Casey	Johnson	Snowe
Chambliss	Kerry	Specter
Cochran	Klobuchar	Stabenow
Coleman	Kohl	Stevens
Collins	Leahy	Sununu
Conrad	Levin	Tester
Corker	Lieberman	Thune
Cornyn	Lincoln	Vitter
Crapo	Lugar	Voinovich
Dodd	Martinez	Warner
Dole	McCaskill	Webb
Domenici	Menendez	Whitehouse
Dorgan	Mikulski	

NAYS—14

Allard	Craig	Kyl
Barrasso	DeMint	McConnell
Bunning	Enzi	Sessions
Byrd	Hatch	Shelby
Coburn	Inhofe	

NOT VOTING—12

Baucus	Kennedy	Murkowski
Biden	Landrieu	Obama
Burr	Lautenberg	Wicker
Clinton	McCain	Wyden

The PRESIDING OFFICER. On this vote, the yeas are 74, the nays are 14. Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

Mr. LIEBERMAN. I move to reconsider the vote.

Mr. DORGAN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Mr. President, I do not see the ranking member on the floor, but I do see Senator MCCONNELL here. So if I could get Senator MCCONNELL's attention for a brief moment.

I understand from my colleagues on the other side that they do not intend to filibuster. So I would inquire, based on the vote we have just had, can we now agree that following morning business tomorrow we can begin consideration of the legislation?

I ask unanimous consent that following morning business on Tuesday, June 3, all postcloture time be yielded back, the motion to proceed be agreed to, and the Senate then proceed to the consideration of S. 3036.

The PRESIDING OFFICER. Is there objection?

The Senator from Arizona.

Mr. KYL. Mr. President, the Republican side certainly intends to use the full debate time and, therefore, I object.

The PRESIDING OFFICER. Objection is heard.

Mrs. BOXER. Mr. President, I wonder if I modified my request to provide that following the official Senate photograph on Tuesday, all postcloture time be yielded back, the motion to proceed be agreed to, and the Senate proceed to S. 3036.

The PRESIDING OFFICER. Is there objection?

Mr. KYL. Objection.

The PRESIDING OFFICER. Objection is heard.

The Senator from California.

Mrs. BOXER. Mr. President, let me say, I am a little disappointed. First, I thank my colleagues from the bottom of my heart, and I know Senator LIEBERMAN and Senator WARNER are very gratified by this vote. We are going to move forward. We are challenging the status quo. We want to get us off foreign oil. We want to begin to move toward energy independence and a clean and healthy environment and green jobs and all the rest. So this is a great start.

But I am a little disappointed we cannot move to begin the real debate which comes, obviously, after cloture on the motion to proceed. I am sorry that is the case. But I say to my colleagues here, on both sides, we look forward to a very important debate on this legislation. This is a matter that is bigger than any one of us here. I think the fact that you have a Democrat, an Independent, and a Republican bringing you this legislation speaks to this issue. I think this is an issue that has to leap over those differences.

I hope we can all show up tomorrow. Since we are going to have this time—I am disappointed we cannot get to the amendment process, but we will take advantage of the time. I know Senator KERRY will be here in the morning. He is a national leader on this issue, and I intend to yield as much time as he would want. I hope Senator FEINSTEIN will come tomorrow. Looking around, Senator CANTWELL, Senator KLOBUCHAR, and Senator LINCOLN have all played such a major role in the part that dealt with making sure our consumers who are in need get help. Senator COLLINS just went on the bill. We have a great number of people here whose voices need to be heard, so I look forward to that debate tomorrow.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona is recognized.

Mr. KYL. Mr. President, we, too, look forward to the debate. I won't list all of the Members on our side who have asked to be recognized to speak on this bill, but obviously both sides have a lot of Members who wish to speak to the bill before we even get to the amendment process. That is the reason we want to utilize the full time that is available under the rules for that purpose, not intending to filibuster the bill. But I think it is also going to be important that we do proceed to amendments when that 30 hours is used. You will find the Republicans most anxious to go to amendments which can be offered and then debated and considered. So we will hold the other side to the proposition of getting votes on lots of amendments on this legislation.

The PRESIDING OFFICER. The Senator from California is recognized.

Mrs. BOXER. Mr. President, I can't let that go by. I mean, we are ready to start the amendment process now. We are ready to start work on this bill now. There is no reason to wait 30 hours. I think colleagues in the course of offering amendments can speak for as much time as they want. It is disappointing to hear that we do have to delay. We are ready, willing, and able to get to the amendment process.

I yield the floor.

Mr. KYL. Mr. President, might I just make one other comment in response to the Senator from California?

The PRESIDING OFFICER. The Senator from Arizona is recognized.

Mr. KYL. This is one of the most dramatic—or would be, if passed—one of the most dramatic changes in law, as one publication pointed out, since the 1930s in terms of increasing the scope of Government. Surely we can spend 30 hours debating this important legislation. It is massive in its intent, in its goals, in its scope, and in its effect on the American people. According to the Congressional Budget Office, it would result in a tax increase on the American people of over $900 billion and a gas tax increase of 53 cents per gallon. Surely, the Senate, the greatest deliberative body in the world, can take 30 hours to debate something of this magnitude before we begin the amending process. I thank my colleagues for appreciating that point.

The PRESIDING OFFICER. The Senator from Massachusetts is recognized.

Mr. KERRY. Mr. President, I would politely point out to the Senator from Arizona—and I think he knows this full well—that the first amendment that comes up is subject to endless debate. There is no limit. The notion that we have to have 30 hours before we can get to a debate on an amendment—each amendment is subject to endless debate; the bill itself is subject to endless debate. So the concept of coming out here and saying: Oh, we have to have 30 hours—this bill will be debated, every amendment will be debated. But it would serve the Senate's purpose to actually get to an amendment now and then we could spend 30, 40, 48 hours, a week—we all know this is going to take a while—legislating an important bill does take a while here. But this notion that we have to spend 30 hours without any amendment just to talk about the bill when the bill will be exhaustively talked about in the context of any amendment is, frankly, specious.

The PRESIDING OFFICER. The Senator from Connecticut is recognized.

Mr. LIEBERMAN. Mr. President, I would just add to this debate about the 30 hours that it is going to be a reality, and I would say this: Senator BOXER, Senator WARNER, and I are going to be on the floor. This is an important matter. I think most important to the reality we now face of the 30 hours of debate is that our colleagues, no matter what their position on this legislation, should come to the floor, let's debate

it, and then let's go to the amendments. I thank the Chair.

The PRESIDING OFFICER. The Senator from Tennessee is recognized.

Mr. CORKER. Mr. President, I was in my home State last week, and I can tell my colleagues that the American people have a very low knowledge of this bill, certainly the vocabulary in it. I think 30 hours that we will spend on this floor talking about a bill that is so important—so important to the environment, so important to energy security, at a time when gasoline prices are where they are, combined with the fact that people care deeply about the environment—is most appropriate, and my guess is that we are going to have a lot of technical amendments using language that most people in this body do not use. We are going to be talking about an auction process that has never been put in place in this country, an allocation process that will be allocating trillions of dollars to people around this country. I think for us to spend 30 hours talking about that so that all Senators are fully aware of what this bill says prior to voting on amendments is most appropriate. I would think that people who have spent a year putting this bill together would relish the time to talk about what this bill actually does and what it says. I look forward to being a very active participant in that. I thank the sponsors for bringing this forward.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mrs. BOXER. Mr. President, I thought it would be a good time to thank you, since you are here in the chair today, for all of your hard work on this bill. This has been a long time in coming. When you got on the committee, when you came as a new colleague, you worked so hard. You and AMY KLOBUCHAR and BEN CARDIN and BERNIE SANDERS, all new Members, became my right arm on this issue.

I wanted to make that note. Also, I want to say specifically that the Senator's work on the wildlife and enforcement sections, to name two, I think is really important because we are going to push hard to make this bill the law of the land right now. If we don't achieve that, eventually we will have a bill that will be the law of the land. The Senator's work will be present in all of those iterations going forward. So I thank the Senator.

Mr. President, I am waiting for the closing script, and I will do that when it arrives. I was taken by the Senator from Tennessee, Mr. CORKER, who has been a very interesting member in terms of this issue. He went with our committee to Greenland and saw the ice melt. I have to say to those who haven't been, it ought to be required if you really care about this issue. It is extraordinary. You can actually sit and watch the ice move and melt—the ice up there in Greenland. The average age of these enormous icebergs is 9,000 years.

Mr. President, from the minute that ice starts moving, it is a year until these enormously beautiful icebergs melt to nothing, leaving the sea to rise as they melt. Senator CORKER was very taken by that. He will speak for himself, but he has problems with this bill. I don't agree with him in the way he is interpreting the bill, but that is all going to come out. He talked about the importance of debating. I have to smile because today we had to debate, and we should not have to debate a motion to proceed. That is ridiculous. We should just proceed. We had a 74-to-14 vote to move to the first step.

Let's get to the bill. I have never seen a situation where you force more debate time when you really are interested in doing a bill. You usually force debate time when you are interested in slowing down the bill. This is the way it is here. If you want to move forward, then you don't say: I need 30 hours.

It will be interesting to see what happens tomorrow. As Senator REID said, I will be on the floor of the Senate all day. I encourage my colleagues—particularly those who worked hard on the bill—to join me. Let's see how many from the opposing side come over here. We need to debate them and refute them because already, I say to my friend from Rhode Island, we had charts on this floor that you would not believe. We had charts that had numbers that were out of the air, predicting a 140-percent increase in gasoline, when I can tell you right now, we looked at every model, and it is nothing like that.

As a matter of fact, we know the slight increase in the cost of gasoline that could occur—2 cents a year—from the impact of the bill will be entirely offset by the energy efficiency bill we just voted for and is now the law.

What we know is that this bill is going to get us off foreign oil, move us away from the status quo. Go out on the street and ask the average American: Are you happy with big oil, the record profits for them and their executives, and we are getting killed at the pumps? They will say: No—unless they are related to one of them.

If you say: Do you think it makes us look good when President Bush goes to the Middle East and kisses dictators and holds their hand and begs for oil? Does that make America look strong? They will say: No.

Next, if you ask them: Would you support legislation that will lead us to energy independence once and for all—and, by the way, we will clean up our environment, the greenhouse gas pollution, and we will save the planet? They will say: Yes.

So our opponents have a very tough job. They have to fight for the status quo. I can say from their presentations today—and they worked hard on them, believe me—in order to fight our bill, they have to distort it. One of them said it is a tax increase. There is no tax increase in this bill. There is a huge tax relief fund for tax cuts in this bill. There is another almost $1 trillion in a fund to give consumers relief.

If today was any indication, we are going to have a spirited debate. I only ask my colleagues to debate the bill that is on the Senate floor, not one that came to them from some special interest groups that oppose this and don't want us to go to energy independence.

I wish to read from a statement from former Vice President Al Gore. Since Senator CORKER is from Tennessee. I thought it would be interesting to put his statement in the RECORD:

> I want to commend Senator Boxer for her leadership of the Environment and Public Works Committee. We have the first global warming bill in history that is comprehensive, bipartisan, and that enjoys support across the country, from labor and agriculture, to the business and the environmental community.

Then he says he wants the bill to be stronger, but then he says it is vital that Congress begins to act.

I think this last line is so important:

> While it is important that people change their light bulbs, it is even more important that we change the laws.

I think that says it all. We are so late to this issue. We are so late. My Governor, a Republican, and my State legislature, Democratic, crossed party lines and passed laws. We now have just in the last year or so hundreds of new solar energy companies that have moved into the State, and they are hiring people who are hurting because of the crisis we have in the housing and construction business. So we believe a P–32—they have told us this—the bill leading the way in the country, is restoring economic renaissance to our State which otherwise is hurting very badly because of the recession we are all experiencing. We owe this to our grandkids, to our kids. We know the Conference of Mayors has acted, so have the State legislatures, along with Governors reaching across party lines, city councils, and boards of supervisors. Companies are saying we should do this. Labor unions are saying we should do this. Environmental and religious groups are saying we should do this. So there is no question that we need to act.

When somebody gets up on the other side and says they are not slowing it down, but they are going to require 30 hours of extra debate before we get to amending this bill, excuse me, but I have been here long enough to know they are trying to slow-walk this bill. The other side is slow-walking it.

I want them to read the scientific records, listen to the religious leaders, and listen to the venture capitalists coming forward and saying we need a signal now. Listen to Tony Blair,

George Bush's best friend internationally, saying we must act because America is pivotal. So we have our time tomorrow, after we wait here for people to come and talk, and at some point maybe they will give us permission to start the amendment process.

Our children want us to act. I have to tell you that one of the great moments was when Senator WARNER came to me and said: My daughters really care about this issue. I knew if they were talking to him, he might be open to this issue. He saved the day in committee. He is a man who has such a great legacy already. He didn't have to do one more piece of legislation. He has his place in history on national security. He understood that global warming is a national security issue. Our Navy intelligence officials tell us that, and we will have some quotes tomorrow.

This is a win-win bill for national security, for our kids. It is a win for clean air, and it is a win for our consumers and for our workers and our businesses. Anything to the contrary—I believe this so much—is just scare tactics.

Mr. BIDEN. Mr. President, I want to thank my colleagues for holding the vote open as long as they could. Unfortunately, both of the trains I hoped would get me here were late, and I missed the vote by 10 minutes. I wish I had been able to get here in time to deliver this statement in support of cloture on the motion to proceed to the Climate Security Act, and to vote aye.

Mr. President, this is a historic moment. For the first time we have before the Senate legislation to slow, stop, and reverse greenhouse gas emissions in the United States.

When such a plan is finally passed, signed and enacted, we will look back on this day as the beginning. Let us commit ourselves to that goal.

And let us begin this historic process today by allowing the Senate to take up the Climate Security Act.

In our own country, and among our fellow citizens on this planet, we face a common threat. Now is the time for us to fashion a common response.

I introduced climate change legislation over two decades ago, in 1986, at a time when this issue was just on the horizon. It called for the establishment of national strategy to understand and respond to the emerging threat of global warming.

Even at that early date, this was a bipartisan effort.

I was joined by Senator Mack Mathias, a Maryland Republican. In those early days, Senators KERRY and Gore were also leaders, along with John Chafee.

This remains a bipartisan effort today. In fact, on the legislation laid down this afternoon, the Boxer-Lieberman-Warner bill, we have all three political parties represented.

This debate would not be happening without leadership from both parties over the years. Senator MCCAIN joined Senator LIEBERMAN in introducing the first Senate cap-and-trade legislation.

Senator WARNER has made climate change the issue that will cap his already distinguished career in the Senate.

We would not be at this point today, without the leadership of Senator BOXER, who has made global warming the signature issue of her Chairmanship of our Environment Committee.

Later in this debate, I intend to offer an amendment, with Senator LUGAR, along with Senators KERRY, WARNER, MENENDEZ, and SNOWE, calling for renewed leadership by the United States in international climate change negotiations.

I make these points because we all know that this debate hangs now in a delicate balance between the best, bipartisan instincts of the Senate, on the one hand, and the temptation, so strong at this time in an election year, to score partisan points.

I hope that we do not succumb to that temptation. Global warming is real, it is happening now, and the American people look to us for the political will to fashion a solution.

We know that our physical climate is changing. And we all know that the political climate in the United States is changing, too.

For too many years, the United States has stayed on the sidelines of international efforts to combat global warming.

We have missed the chance to turn the impending threat of catastrophic climate change into an opportunity to reduce the security threat of our dependence on oil, to reduce the health threat from pollution, to reduce the sheer waste and inefficiency in our economy.

And we missed the chance to do what many of the leading businesses in this country know we should do—capture a leadership position in the global competition for the next generation of clean technologies.

With this debate, we are taking the first steps toward meeting our responsibilities and seizing those opportunities.

The physical consequences of global warming are right before our eyes: the shrinking polar ice cap, retreating glaciers, changing growing seasons, animal migration, and rainfall patterns.

In my own State of Delaware, our coastlines are threatened by rising sea levels and the threat of stronger storms from warmer ocean temperatures. Our wetlands, crucial to wildlife, water quality, and fisheries, are threatened as salt water intrudes on the richest biological zones in our State.

The groundwater we depend on is similarly threatened by saltwater. As we draw from our aquifers, rising levels of sea water seep into the water table, accelerating their depletion.

This is not an abstract threat—it is right here at home, where we live.

Our national borders, our cities, our cultures, are all built around patterns of rainfall, arable land, and coastlines that will be redrawn as global warming proceeds.

Even the richest nations, the historical source of the emissions behind global warming, will face huge costs coping with those catastrophes.

The poorest nations, whose economies have contributed little or nothing to the greenhouse gases in our atmosphere, will be hit the worst, and will have the fewest resources with which to respond.

And now a third category has emerged: the rapidly expanding developing nations which will be the leading sources of greenhouse gases in the future.

Those nations must be part of the solution. But the United States must be willing to lead.

In the course of becoming the wealthiest nation in history, we became the greatest historical emitter of greenhouse gasses now in the atmosphere.

Now, other nations are following our path to wealth, and will become the next generation of major emitters.

It is no answer to say that we must now wait for poorer nations to act before we take steps to lead the way to a global solution.

That is not the leadership this global threat demands, Mr. President.

We must first reach agreement here on our domestic approach to global warming. That is why this debate is so crucial.

There will be honest differences on the best way to move to a low-carbon economy. But no serious analyst of this issue believes that the world can sustain business as usual.

This is a global problem, that demands a global solution. But that solution will be built on the commitments of each individual nation to do its part.

For too long, our differences have been stressed at the expense of the global good. Our constituents look to us to reconcile those differences, to find a way to respond in the name of the common good.

We are now engaged in the search to define and secure a truly global common good. I urge my colleagues to vote for cloture, to join in a constructive debate, in the best tradition of the Senate.

Thank you, Mr. President.

MORNING BUSINESS

REVERSAL OF THE HARTNESS V. NICHOLSON DECISION

Mr. AKAKA. Mr. President, on April 24, 2008, the Senate passed S. 1315, the proposed Veterans' Benefits Enhancement Act of 2007. Although the bill passed the Senate by a vote of 96–1, there are some who oppose it, expressing the belief that provisions in the bill misallocate VA pension benefits to reward nonveterans. I seek to set the record straight on S. 1315.

S. 1315 is a comprehensive bill that would improve benefits and services for veterans, both young and old. The bill includes numerous enhancements to a broad range of veterans' benefits, including life insurance programs for disabled veterans, traumatic injury coverage for active duty servicemembers, and specially adapted housing and automobile and adaptive equipment benefits for individuals with severe burn injuries. In addition, the bill includes a provision that would correct an injustice done to World War II Filipino veterans over 60 years ago. It grants recognition and full veterans' status to these individuals, both those living inside and outside the United States.

Many Americans have forgotten that during World War II, the Philippines was not an independent nation as is the case today. The Philippines, along with Puerto Rico and Guam, was ceded to the United States in 1898 following the Spanish-American War. Although plans for Philippine independence from the United States were underway when World War II broke out, the United States government controlled the defense and foreign relations of the Philippines when the war began. It was not until 1946, after the end of World War II, that the Philippines became an independent nation. As a result of this relationship, Filipino veterans who fought under the United States Command were United States veterans until that status was taken away by Congress in 1946.

S. 1315, the bill as passed by the Senate, would overturn a 2006 decision of the United States Court of Appeals for Veterans Claims in the case Hartness v. Nicholson. The Hartness decision provided that certain veterans, those who receive a service pension benefit based solely on their age, qualify for additional benefits that are provided to very severely disabled veterans, a result not intended by Congress. The savings generated from overturning this court decision would pay for many provisions in the bill, including pension for Filipino veterans.

Despite the fact that the purpose of the provision in S. 1315 which reverses the Hartness decision is to do nothing more than restore the clear intent of Congress, it has been mischaracterized by some as an attempt to withdraw benefits from deserving veterans in order to fund benefits to Filipino veterans. That is simply not the case. Such accusations fail to appreciate the facts of the matter that led the Senate to take corrective action.

VA nonservice connected disability pension benefits have historically been paid to wartime veterans with low incomes who are disabled from conditions not connected to their service. Under current law, wartime veterans who receive pensions based upon disability are eligible to receive certain additional benefits if they are totally disabled and are also housebound, blind, or need the aid and attendance of another person to perform daily activities.

The statutory provision involved in Hartness was enacted in 2001 so as to provide a service pension, not based on disability, to certain veterans. Under this law, older, low income wartime veterans are eligible for a service pension at age 65, without the need to demonstrate any disability. This service pension, which is similar to one provided many years ago to veterans of the Spanish American War, is found in the service pension section of the statute, not in the section of the law where pension for disabled veterans is found.

The court in Hartness ruled that elderly persons who are not totally disabled, but who receive a service pension based on age, could also receive the extra benefits available under the disability pension benefit program, even if they did not meet the threshold requirement of total disability. In so doing, the Hartness court failed to demonstrate an understanding of the difference between a service pension and a pension based on disability.

In passing the service pension law in 2001, Congress clearly created a separate program and did not intend the result in the Hartness decision. Congress intended that veterans who were disabled would receive benefits under the disability pension program, with the opportunity to receive the extra benefits if they were more seriously disabled. Veterans who met the age threshold, but who were not disabled, would receive benefits only under the service pension program, with no basis for receiving the extra benefits. The intent of this action was to create a bright line distinction between the two pension programs, but the actual statutory construction allowed for ambiguity, leading the court to misinterpret the law.

The provision passed by the Senate in S. 1315 would overturn the Hartness decision so as to reaffirm that the extra pension benefits are only for those severely disabled veterans who receive pension on the basis of being totally disabled. This result conforms to the original Congressional intent of reserving the special additional benefits for those who demonstrate the greatest need based on disability, not simply those who attain a certain age. Even with the repeal of Hartness, aged veterans who are totally disabled and who are also housebound or in need of aid and attendance would still qualify for additional money under the nonservice connected disability pension program.

S. 1315 is now pending in the House of Representatives and there is some opposition to the bill that seems to stem from a misunderstanding of the purpose of VA pension benefits and the Hartness decision. Critics of the bill have suggested that it arbitrarily redistributes scarce VA benefits to the benefit of individuals to whom our government has no responsibility. These critics fail both to understand the history of the provisions construed in the Hartness decision and the service of Filipino veterans. Restoring the original purpose of the service pension law would provide the savings needed to pay for increased benefits for veterans with service-connected disabilities as well as justice for Filipino veterans of World War II.

COMMENDING CHECKPOINT ONE FOUNDATION

Mr. SMITH. Mr. President, today I wish to commend the work of the Checkpoint One Foundation, a nonprofit organization based in Oregon. Checkpoint One assists Iraqis who have served as translators with the U.S. military. Under recent legislation authored by myself and my distinguished colleague Senator KENNEDY, many of these Iraqis are seeking refuge in the United States from persecution in Iraq.

Checkpoint One was founded by Jason Faler, one of many Oregonians drawn to public and humanitarian service. Jason served as a military intelligence officer with the Oregon Army National Guard in Iraq, where he worked with many brave Iraqis who risked their lives assisting U.S. troops. These Iraqis are far more than just people who translate Arabic to English; they are cultural advisers and loyal friends who help our soldiers survive in every dangerous and unfamiliar corner of Iraq. They stand shoulder to shoulder with Americans, facing the same bullets and bombs, but often without the same protections. In the face of death threats and attacks on them and their families, these Iraqis provide invaluable service to coalition forces. We are morally obligated to come to their aid, as they have come to ours.

In response to this obligation, Senator KENNEDY and I introduced The Refugee Crisis in Iraq Act last year to help bring translators and other Iraqis in peril to the United States. The act passed and was signed into law in January 2008. Unfortunately, more than 4 months later, key provisions of the law have not been implemented. The State Department and Department of Homeland Security have still not described how they plan to meet their new obligations. In-country processing is not available for Iraqi translators and others who are persecuted but unable to get out of Iraq. Translators remain waitlisted, in spite of the fact that 5,000 new special immigrant visas are supposed to be available to them. Instead, Iraqi translators remain in danger in the red zone, their path to safety still blocked by bureaucratic red tape.

Many of the interpreters who apply for these visas are living on borrowed time, actively hunted by an insurgency which has brutally murdered their friends and colleagues. The three families that Jason began helping with the application process in the fall of 2006 arrived in September 2007, January 2008, and March 2008, respectively. One family was kept waiting in Jordan for

over 5 months, and never given a sufficient explanation of the delay in their case.

This is an unacceptable way for the United States to treat Iraqis who have loyally served with our soldiers at great personal risk. Groups like the Checkpoint One Foundation are invaluable in helping the United States repay our debt to those Iraqis translators to whom we owe so much. Jason Faler, the Checkpoint One Foundation, and similar organizations should be highly commended.

ADDITIONAL STATEMENTS

HONORING BRENDA ZODY

• Mr. BAYH. Mr. President, today I honor a great Hoosier teacher, Brenda Zody, whose many accomplishments during 39 years as an Indiana educator serve as an example for us all. As Brenda prepares to retire from service to the children of Indiana, it is appropriate that we take a moment to give thanks to her for all she has offered to those she has reached throughout her career.

Brenda is a native of Martinsville, IN, and is a 1966 graduate of Martinsville High School. She received both her BS and MS degrees in education from Indiana State University, and began teaching in 1969 in Flint, MI. She moved back to her home state after a year, becoming an elementary school teacher at Staunton Elementary in Clay County, IN, while living in Vigo County.

In 1979, she returned to Martinsville with her family and began teaching second grade at Green Township Elementary, where she herself attended first, second and third grade as a child. She began teaching fourth grade in the late 1980s. During her time as a fourth-grade teacher, Brenda was involved heavily in the ''Computer at Home/Buddy Project,'' an innovative education network which provided fourth and fifth graders across the State with take-home computers. She made it a point to take her students each year on Indiana history field trips, such as the Indiana Statehouse, the James Whitcomb Riley Home, the Benjamin Harrison Home, the new and old Indiana State museums, historic Vincennes and McCormick's Creek State Park. In addition, she was also heavily involved in the continuation of annual visits by Martinsville students to Cross School, one of Morgan County's only surviving one-room schoolhouses. Here, dressed in period clothing, students spend a day learning what school meant to children generations ago.

Brenda consistently went above and beyond the expectations of her post and, in doing so, imparted a love for the State of Indiana on her students. For these efforts, she was awarded the 2003 Wal-Mart Teacher of the Year award in Martinsville. She also played a critical role in developing the first written history of Green Township Elementary School. Today, Brenda resides in Morgan County on property that has been in her family for about 100 years. She is the mother of John Zody of Bloomington and Erin Zody Kaiser of Greenville, and is grandmother to Gavin and Ruth Kaiser. Brenda's parents are Bill and Ruth Hammans of Martinsville.

As Brenda prepares to retire from the Metropolitan School District of Martinsville, I am reminded of a quote by Henry Brooks Adams, ''A teacher affects eternity; she can never tell where her influence stops.'' While no longer in the classroom, her influence upon the students she has taught will continue to be felt for generations to come.•

REMEMBERING HARVEY KORMAN

• Mrs. BOXER. Mr. President, today I ask my colleagues to join me in honoring the memory of a very special man, Harvey Korman of Los Angeles County, who died May 29, 2008. He was 81 years old.

Harvey Korman was a man of many talents and will be fondly remembered for his work in Hollywood as a comedic actor.

Harvey Herschel Korman was born to Ellen and Cyril Korman on February 15, 1927, in Chicago, IL. Interested in acting as a child, Harvey was signed by a local radio station when he was 12 years old. After serving in World War II, Harvey came back to Chicago to attend the Chicago Institute's Goodman School of Drama. After his studies at the Goodman School of Drama, Harvey moved to New York City, where he spent several years trying to find roles in Broadway theater productions.

After 13 years in New York, Harvey moved to Hollywood in the early 1960s. In 1964, Harvey was hired by Danny Kaye to be a part of ''The Danny Kaye Show'' ensemble. He stayed with the show for the next 3 years before joining the ''Carol Burnett Show'' in 1967. Harvey's versatile acting abilities played a critical role in explaining the success of the Burnett show, which appeared without interruption in television's top 10 during its 11-year run. It was through the ''Carol Burnett Show'' that Harvey also met one of his closest friends, Tim Conway. Through their many years together performing on the ''Carol Burnett Show,'' Korman and Conway formed one of television's most formidable comic teams.

On the big screen, Harvey made more than 30 films, including four comedies directed by Mel Brooks: ''Blazing Saddles,''1974; ''High Anxiety,'' 1977; ''History of the World Part 1,'' 1981; and ''Dracula: Dead and Loving It,'' 1995.

Those who knew Harvey Korman recognized him as an animated and brilliant man. He took pride in promoting comedy to audiences worldwide. His work in comedic film and television will be remembered fondly by all those whose lives he touched. He will be deeply missed.

Harvey is survived by his wife Deborah Fritz and his four children: Kate, Laura, Maria, and Chris.•

REMEMBERING J.R. SIMPLOT

• Mr. CRAPO. Mr. President, Idaho lost one of her native sons on May 25, a man who put Idaho on the map and made ''Famous Potatoes'' synonymous with Idaho across the world. John Richard ''J.R.'' Simplot passed away at the age of 99, leaving a legendary legacy of hard work and shrewd business dealing—a pioneer in every respect. Who would have thought that a young man, with no more than an eighth grade education who used to hunt wild horses to feed hogs—his first business venture as a teenager—would put Micron on the global map some 50 years later? Among other things, J.R. can be credited with catapulting the ubiquitous McDonald's French fry to worldwide fame.

By the reckoning of some, J.R. Simplot is responsible for the employment of 14,000 Idahoans today, as well as the establishment of many Boise retail and hospitality centers such as the Boise Centre on the Grove, the Boise Factory Outlet and the Qwest Arena.

Those of us who knew him knew a man with a colorful personality and a resolute sense of self and what he believed in. He was a dogged businessman, as comfortable in his role in convincing President Reagan to support U.S. business interests as he was wandering into a campground near his cabin to visit with folks around the fire. His personality was as multifaceted as the organizations and institutions to which he gave millions of dollars. J.R. donated to multiple causes including millions of dollars to Boise State University and other Idaho institutions of higher learning, the Ronald McDonald House, the Boys and Girls Clubs, the arts, Idaho Public Television, the Boise Zoological Society, Boise area medical centers, the YMCA and public libraries. Being rated by Forbes as one of the top 100 wealthiest Americans, and the oldest living billionaire in the United States, didn't change J.R.'s outlook on life, nor his habit of driving to McDonald's to eat a few times a week. In his trademark pragmatic way, he outlined for Esquire Magazine, at age 92, what it takes to be successful in business. He compared business to playing a game of marbles: ''Each man has his own taw, and if he gets good with that taw, he can knock the hell out of some marbles. And he can win, but he has to have strong fingers and the right aim. It's like anything else: You got to work at it.''

J.R. was a no-nonsense, down-to-earth, highly perceptive businessman, entrepreneur and philanthropist. Idaho can be proud of his incredible legacy.•

TRIBUTE TO STEPHEN TERRY

• Mr. INHOFE. Mr. President, I would like to congratulate Mr. Stephen Terry

on his retirement from the Oklahoma City Veterans Administration Medical Center. Mr. Terry retired as of June 2, 2008, after serving the Veterans Administration for 42 years. He has been the main individual within the Veterans Administration that my office has contacted over the past 14 years I have served in the U.S. Senate. Mr. Terry has consistently helped me better serve Oklahoma veterans and their families. Mr. Terry has recently been awarded the Unsung Heroes Award by the Veterans Administration which is only awarded to those demonstrating outstanding public service which is characteristic of the time and attention Mr. Terry has provided to my constituents.

Not only has Mr. Terry given so many years to the Veterans Administration, he has also served his country in the U.S. Navy from March 1967 though December 1970 as a Corpsman HM3 for the Marines.

Mr. Stephen Terry has ably served his country throughout his entire career both in the military and in his public service. I appreciate that service and congratulate him on his well deserved retirement.●

MESSAGE FROM THE HOUSE DURING RECESS

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

Under authority of the order of the Senate of January 4, 2007, the Secretary of the Senate, on May 23, 2008, during the recess of the Senate, received a message from the House of Representatives announcing that the Speaker has signed the following enrolled bills:

S. 2829. An act to make technical corrections to section 1244 of the National Defense Authorization Act for Fiscal Year 2008, which provides special immigrant status for certain Iraqis, and for other purposes.

S. 3029. An act to provide for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958, and for other purposes.

S. 3035. An act to temporarily extend the programs under the Higher Education Act of 1965.

S.J. Res. 17. Joint resolution directing the United States to initiate international discussions and take necessary steps with other nations to negotiate an agreement for managing migratory and transboundary fish stocks in the Arctic Ocean.

H.R. 2356. An act to amend title 4, United States Code, to encourage the display of the flag of the United States on Father's Day.

H.R. 2517. An act to amend the Missing Children's Assistance Act to authorize appropriations; and for other purposes.

H.R. 4008. An act to amend the Fair Credit Reporting Act to make technical corrections to the definition of willful noncompliance with respect to violations involving the printing of an expiration date on certain credit and debt card receipts before the date of the enactment of this Act.

Under the authority of the order of the Senate of January 4, 2007, the enrolled bills and joint resolution were signed on May 23, 2008, during the recess of the Senate, by the President pro tempore (Mr. BYRD).

ENROLLED BILL SIGNED

Under authority of the order of the Senate of January 4, 2007, the Secretary of the Senate, on May 27, 2008, during the recess of the Senate, received a message from the House of Representatives announcing that the Speaker pro tempore (Mr. HOYER) has signed the following enrolled bill:

H.R. 6081. An act to amend the Internal Revenue Code of 1986 to provide benefits for military personnel, and for other purposes.

The enrolled bill was subsequently signed during the session of the Senate by the President pro tempore (Mr. BYRD).

MESSAGE FROM THE HOUSE

At 2:03 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 3480. An act to direct the United States Sentencing Commission to assure appropriate punishment enhancements for those involved in receiving stolen property where that property consists of grave markers of veterans, and for other purposes.

H.R. 5571. An act to extend for 5 years the program relating to waiver of the foreign country residence requirement with respect to international medical graduates, and for other purposes.

The message also announced that the House has agreed to the following concurrent resolutions, in which it requests the concurrence of the Senate:

H. Con. Res. 134. Concurrent resolution expressing the sense of the Congress that there should be established a Bebe Moore Campbell National Minority Mental Health Awareness Month to enhance public awareness of mental illness, especially within minority communities.

H. Con. Res. 305. Concurrent resolution recognizing the importance of bicycling in transportation and recreation.

H. Con. Res. 309. Concurrent resolution authorizing the use of the Capitol Grounds for the District of Columbia Special Olympics Law Enforcement Torch Run.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 3480. An act to direct the United States Sentencing Commission to assure appropriate punishment enhancements for those involved in receiving stolen property where that property consists of grave markers of veterans, and for other purposes; to the Committee on the Judiciary.

H.R. 5571. An act to extend for 5 years the program relating to waiver of the foreign country residence requirement with respect to international medical graduates, and for other purposes; to the Committee on the Judiciary.

The following concurrent resolutions were read the first and second times by unanimous consent, and referred as indicated:

H. Con. Res. 134. Concurrent resolution expressing the sense of the Congress that there should be established a Bebe Moore Campbell National Minority Mental Health Awareness Month to enhance public awareness of mental illness, especially within minority communities; to the Committee on Health, Education, Labor, and Pensions.

H. Con. Res 305. Concurrent resolution recognizing the importance of bicycling in transportation and recreation; to the Committee on Commerce, Science, and Transportation.

ENROLLED BILLS AND JOINT RESOLUTION PRESENTED

The Secretary of the Senate reported that on May 23, 2008, she had presented to the President of the United States the following enrolled bills and joint resolution:

S. 2829. An act to make technical corrections to section 1244 of the National Defense Authorization Act for Fiscal Year 2008, which provides special immigrant status for certain Iraqis, and for other purposes.

S. 3029. An act to provide for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958, and for other purposes.

S. 3035. An act to temporarily extend the programs under the Higher Education Act of 1965.

S.J. Res. 17. Joint resolution directing the United States to initiate international discussions and take necessary steps with other Nations to negotiate an agreement for managing migratory and transboundary fish stocks in the Arctic Ocean.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. BIDEN, from the Committee on Foreign Relations, without amendment:

S. 3024. A bill to authorize grants to the Eurasia Foundation, and for other purposes (Rept. No. 110–342).

H.R. 3913. A bill to amend the International Center Act to authorize the lease or sublease of certain property described in such Act to an entity other than a foreign government or international organization if certain conditions are met (Rept. No. 110–343).

By Mr. DODD, from the Committee on Banking, Housing, and Urban Affairs, with an amendment:

H.R. 634. A bill to require the Secretary of the Treasury to mint coins in commemoration of veterans who became disabled for life while serving in the Armed Forces of the United States.

By Mr. DODD, from the Committee on Banking, Housing, and Urban Affairs, without amendment:

S. 3075. A bill to make certain technical corrections to title III of SAFETEA–LU.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. LEAHY for the Committee on the Judiciary.

William T. Lawrence, of Indiana, to be United States District Judge for the Southern District of Indiana.

G. Murray Snow, of Arizona, to be United States District Judge for the District of Arizona.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. MENENDEZ (for himself, Mr. LEAHY, Mr. BAYH, and Mr. JOHNSON):

S. 3074. A bill to establish a grant program to provide Internet crime prevention education; to the Committee on the Judiciary.

By Mr. DODD:

S. 3075. A bill to make certain technical corrections to title III of SAFETEA–LU; from the Committee on Banking, Housing, and Urban Affairs; placed on the calendar.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. BAYH (for himself, Mr. THUNE, and Mr. SMITH):

S. Res. 580. A resolution expressing the sense of the Senate on preventing Iran from acquiring a nuclear weapons capability; to the Committee on Foreign Relations.

ADDITIONAL COSPONSORS

S. 450

At the request of Mr. ENSIGN, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 450, a bill to amend title XVIII of the Social Security Act to repeal the medicare outpatient rehabilitation therapy caps.

S. 871

At the request of Mr. LIEBERMAN, the name of the Senator from New Mexico (Mr. BINGAMAN) was added as a cosponsor of S. 871, a bill to establish and provide for the treatment of Individual Development Accounts, and for other purposes.

S. 901

At the request of Mr. CORKER, his name was added as a cosponsor of S. 901, a bill to amend the Public Health Service Act to provide additional authorizations of appropriations for the health centers program under section 330 of such Act.

S. 991

At the request of Mr. DURBIN, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 991, a bill to establish the Senator Paul Simon Study Abroad Foundation under the authorities of the Mutual Educational and Cultural Exchange Act of 1961.

S. 1003

At the request of Ms. STABENOW, the name of the Senator from Tennessee (Mr. ALEXANDER) was added as a cosponsor of S. 1003, a bill to amend title XVIII of the Social Security Act to improve access to emergency medical services and the quality and efficiency of care furnished in emergency departments of hospitals and critical access hospitals by establishing a bipartisan commission to examine factors that affect the effective delivery of such services, by providing for additional payments for certain physician services furnished in such emergency departments, and by establishing a Centers for Medicare & Medicaid Services Working Group, and for other purposes.

S. 1232

At the request of Mr. DODD, the names of the Senator from Tennessee (Mr. ALEXANDER), the Senator from Hawaii (Mr. INOUYE), the Senator from Tennessee (Mr. CORKER) and the Senator from Louisiana (Ms. LANDRIEU) were added as cosponsors of S. 1232, a bill to direct the Secretary of Health and Human Services, in consultation with the Secretary of Education, to develop a voluntary policy for managing the risk of food allergy and anaphylaxis in schools, to establish school-based food allergy management grants, and for other purposes.

S. 1398

At the request of Mr. REID, the names of the Senator from Washington (Mrs. MURRAY) and the Senator from California (Mrs. FEINSTEIN) were added as cosponsors of S. 1398, a bill to expand the research and prevention activities of the National Institute of Diabetes and Digestive and Kidney Diseases, and the Centers for Disease Control and Prevention with respect to inflammatory bowel disease.

S. 1921

At the request of Mr. WEBB, the name of the Senator from North Carolina (Mrs. DOLE) was added as a cosponsor of S. 1921, a bill to amend the American Battlefield Protection Act of 1996 to extend the authorization for that Act, and for other purposes.

S. 2119

At the request of Mr. JOHNSON, the name of the Senator from Kentucky (Mr. MCCONNELL) was added as a cosponsor of S. 2119, a bill to require the Secretary of the Treasury to mint coins in commemoration of veterans who became disabled for life while serving in the Armed Forces of the United States.

S. 2433

At the request of Mr. CASEY, his name was added as a cosponsor of S. 2433, a bill to require the President to develop and implement a comprehensive strategy to further the United States foreign policy objective of promoting the reduction of global poverty, the elimination of extreme global poverty, and the achievement of the Millennium Development Goal of reducing by one-half the proportion of people worldwide, between 1990 and 2015, who live on less than $1 per day.

S. 2504

At the request of Mr. NELSON of Florida, the name of the Senator from Georgia (Mr. CHAMBLISS) was added as a cosponsor of S. 2504, a bill to amend title 36, United States Code, to grant a Federal charter to the Military Officers Association of America, and for other purposes.

S. 2708

At the request of Mrs. BOXER, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 2708, a bill to amend the Public Health Service Act to attract and retain trained health care professionals and direct care workers dedicated to providing quality care to the growing population of older Americans.

S. 2836

At the request of Mr. CHAMBLISS, the names of the Senator from Rhode Island (Mr. WHITEHOUSE) and the Senator from Alaska (Mr. STEVENS) were added as cosponsors of S. 2836, a bill to amend title 10, United States Code, to include service after September 11, 2001, as service qualifying for the determination of a reduced eligibility age for receipt of non-regular service retired pay.

S. 2858

At the request of Ms. MIKULSKI, the names of the Senator from Maryland (Mr. CARDIN) and the Senator from New Jersey (Mr. MENENDEZ) were added as cosponsors of S. 2858, a bill to establish the Social Work Reinvestment Commission to provide independent counsel to Congress and the Secretary of Health and Human Services on policy issues associated with recruitment, retention, research, and reinvestment in the profession of social work, and for other purposes.

S. 2862

At the request of Mr. MENENDEZ, his name was added as a cosponsor of S. 2862, a bill to provide for National Science Foundation and National Aeronautics and Space Administration utilization of the Arecibo Observatory.

S. 2917

At the request of Mr. CORNYN, the name of the Senator from Nevada (Mr. ENSIGN) was added as a cosponsor of S. 2917, a bill to strengthen sanctions against the Government of Syria, to enhance multilateral commitment to address the Government of Syria's threatening policies, to establish a program to support a transition to a democratically-elected government in Syria, and for other purposes.

S. 2932

At the request of Mrs. MURRAY, the names of the Senator from Florida (Mr. NELSON), the Senator from Missouri (Mr. BOND) and the Senator from Vermont (Mr. SANDERS) were added as cosponsors of S. 2932, a bill to amend the Public Health Service Act to reauthorize the poison center national toll-free number, national media campaign, and grant program to provide assistance for poison prevention, sustain the funding of poison centers, and enhance the public health of people of the United States.

S. 2975

At the request of Ms. LANDRIEU, the name of the Senator from Illinois (Mr. OBAMA) was added as a cosponsor of S. 2975, a bill to provide additional funds for affordable housing for low-income seniors, disabled persons, and others who lost their homes as a result of Hurricanes Katrina and Rita.

S. 2980

At the request of Mr. CASEY, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 2980, a bill to amend the Child Care and Development Block Grant Act of 1990 to improve access to high quality early learning and child care for low income children and working families, and for other purposes.

S. 3010

At the request of Mr. DOMENICI, the name of the Senator from New Mexico (Mr. BINGAMAN) was added as a cosponsor of S. 3010, a bill to reauthorize the Route 66 Corridor Preservation Program.

S. 3070

At the request of Mr. SESSIONS, the names of the Senator from Utah (Mr. HATCH), the Senator from Nevada (Mr. ENSIGN) and the Senator from Pennsylvania (Mr. SPECTER) were added as cosponsors of S. 3070, a bill to require the Secretary of the Treasury to mint coins in commemoration of the centennial of the Boy Scouts of America, and for other purposes.

S. CON. RES. 33

At the request of Mr. ALEXANDER, the name of the Senator from Michigan (Mr. LEVIN) was added as a cosponsor of S. Con. Res. 33, a concurrent resolution recognizing the benefits and importance of school-based music education.

S. RES. 576

At the request of Mr. HATCH, the name of the Senator from Nebraska (Mr. HAGEL) was added as a cosponsor of S. Res. 576, a resolution designating August 2008 as ''Digital Television Transition Awareness Month''.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 580—EXPRESSING THE SENSE OF THE SENATE ON PREVENTING IRAN FROM ACQUIRING A NUCLEAR WEAPONS CAPABILITY

Mr. BAYH (for himself, Mr. THUNE, and Mr. SMITH) submitted the following resolution; which was referred to the Committee on Foreign Relations.

S. RES. 580

Whereas Iran is a party to the Treaty on the Non-Proliferation of Nuclear Weapons, done at Washington, London, and Moscow July 1, 1968, and entered into force March 5, 1970 (commonly referred to as the ''Nuclear Non-Proliferation Treaty'') and, by ratifying the Treaty, has foresworn the acquisition of nuclear weapons;

Whereas Iran is legally bound to declare all its nuclear activity to the International Atomic Energy Agency and to place such activity under the constant monitoring of the Agency;

Whereas for nearly 20 years Iran had a covert nuclear program, until the program was revealed by an opposition group in Iran in 2002;

Whereas the International Atomic Energy Agency has confirmed that the Government of Iran has engaged in such covert nuclear activities as the illicit importation of uranium hexafluoride, the construction of a uranium enrichment facility, experimentation with plutonium, the importation of centrifuge technology and the construction of centrifuges, and the importation of the design to convert highly enriched uranium gas into a metal and to shape it into the core of a nuclear weapon, as well as significant additional covert nuclear activities;

Whereas the Government of Iran continues to expand the number of centrifuges at its enrichment facility and to enrich uranium in defiance of 3 binding United Nations Security Council resolutions demanding that Iran suspend its uranium enrichment activities;

Whereas the Government of Iran has announced its intention to begin the installation of 6,000 advanced centrifuges, which, when operational, will dramatically reduce the time it will take Iran to enrich uranium;

Whereas the 2007 National Intelligence Estimate reports that the Government of Iran was secretly working on the design and manufacture of a nuclear warhead until at least 2003 and that Iran could have enough highly enriched uranium for a nuclear weapon as early as late 2009;

Whereas allowing the Government of Iran to obtain a nuclear weapons capability would pose a grave threat to international peace and security;

Whereas allowing the Government of Iran to obtain a nuclear weapons capability would fundamentally alter and destabilize the strategic balance of power in the Middle East;

Whereas, if it were allowed to obtain a nuclear weapons capability, the Government of Iran could share its nuclear technology, raising the frightening prospect that terrorist groups and rogue regimes might possess nuclear weapons capabilities;

Whereas allowing the Government of Iran to obtain a nuclear weapons capability would severely undermine the global nuclear nonproliferation regime that, for more than 4 decades, has contained the spread of nuclear weapons;

Whereas it is likely that one or more Arab states would respond to Iran obtaining a nuclear weapons capability by following Iran's example, and several Arab states have already announced their intentions to pursue ''peaceful nuclear'' programs;

Whereas the spread of nuclear weapons capabilities throughout the Middle East would make the proliferation of nuclear weapons elsewhere around the globe much more likely;

Whereas allowing the Government of Iran to obtain a nuclear weapons capability would directly threaten Europe and ultimately the United States because Iran already has missiles that can reach parts of Europe and is seeking to develop intercontinental ballistic missiles;

Whereas the Government of Iran has repeatedly called for the elimination of our ally, Israel;

Whereas the Government of Iran has advocated that the United States withdraw its presence from the Middle East;

Whereas the United Nations Security Council has passed 3 binding resolutions under Chapter VII of the United Nations Charter that impose sanctions on Iran for its failure to comply with the mandatory demand of the Security Council to suspend all uranium enrichment activity;

Whereas the United States, the Russian Federation, the People's Republic of China, France, the United Kingdom, and Germany have offered to negotiate a significant package of economic, diplomatic, and security incentives if Iran complies with the Security Council's demands to suspend uranium enrichment;

Whereas the Government of Iran has consistently refused such offers;

Whereas, as a result of the failure of the Government of Iran to comply with the Security Council resolutions, the international community began taking steps in 2006 that have begun to have an impact on the economy of Iran, but the rapid development of nuclear weapons capabilities by the Government of Iran is outpacing the slowly increasing economic and diplomatic sanctions on Iran;

Whereas the Government of Iran has used its banking system, including the Central Bank of Iran, to support its proliferation efforts and to assist terrorist groups;

Whereas, as a result of that use of Iran's banking system, the Secretary of the Treasury has designated 4 large Iranian banks as proliferators and supporters of terrorism and restricted the ability of those banks to conduct international financial transactions in United States dollars; and

Whereas Iran must import around 40 percent of its daily requirements for refined petroleum products: Now, therefore, be it

Resolved, That the Senate—

(1) declares that preventing the Government of Iran from acquiring a nuclear weapons capability, through all appropriate economic, political, and diplomatic means, is a matter of the highest importance to the national security of the United States and must be dealt with urgently;

(2) urges the President, in the strongest of terms, to immediately use the President's existing authority to impose sanctions on—

(A) the Central Bank of Iran and any other Iranian bank engaged in proliferation activities or support of terrorist groups;

(B) international banks that continue to conduct financial transactions with sanctioned Iranian banks;

(C) energy companies that have invested $20,000,000 or more in the petroleum or national gas sector of the economy of Iran in any given year since the date of the enactment of the Iran Sanctions Act of 1996 (Public Law 104–172; 50 U.S.C. 1701 note); and

(D) companies that continue to do business with the Islamic Revolutionary Guard Corps of Iran;

(3) demands that the President lead an international effort to immediately and dramatically increase the pressure on the Government of Iran to verifiably suspend its nuclear enrichment activities by, among other measures, banning the importation of refined petroleum products to Iran; and

(4) asserts that nothing in this resolution shall be construed to authorize the use of force against Iran.

AMENDMENTS SUBMITTED AND PROPOSED

SA 4821. Mr. WYDEN submitted an amendment intended to be proposed by him to the bill S. 3036, to direct the Administrator of the Environmental Protection Agency to establish a program to decrease emissions of greenhouse gases, and for other purposes; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 4821. Mr. WYDEN submitted an amendment intended to be proposed to him to the bill S. 3036, to direct the Administrator of the Environmental Protection Agency to establish a program

to decrease emissions of greenhouse gases, and for other purposes; which was ordered to lie on the table; as follows:

On page 194, line 17, strike ''not more than 5'' and insert ''a quantity of emission allowances equal to 5''.

NOTICE OF HEARING

COMMITTEE ON INDIAN AFFAIRS

Mr. DORGAN. Mr. President, I would like to announce that the Committee on Indian Affairs will meet on Thursday, June 5, at 9:30 a.m., in Room 562 of the Dirksen Senate Office Building to conduct an oversight hearing on Predatory Lending in Indian Country.

Those wishing additional information may contact the Indian Affairs Committee at 224–2251.

PRIVILEGES OF THE FLOOR

Mrs. BOXER. Mr. President, on behalf of Senator LIEBERMAN, I ask unanimous consent that Alexander Barron, Ellen Cohen, and Sherry Gillespie, congressional fellows in his office, be granted the privileges of the floor for the duration of the debate on S. 3036. I also ask unanimous consent, on behalf of Senator PRYOR, that Suzanne McGuire, a fellow in his office, be granted the privileges of the floor for the duration of debate on S. 3036. Further, I ask unanimous consent that Rachel Radell, a fellow in the office of Senator FEINSTEIN, be granted the privileges of the floor for the duration of debate on this bill.

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

Mr. INHOFE. I ask unanimous consent that T. J. Kim, a fellow with my committee office, be granted the privileges of the floor for the remainder of debate.

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

Mr. LIEBERMAN. Mr. President, on behalf of Senator NELSON of Florida, I ask unanimous consent that Maria Honeycutt be granted floor privileges for the duration of the Senate's consideration of this legislation.

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

Mrs. BOXER. Mr. President, on behalf of Senator CARPER, I ask unanimous consent that Khesha Jennings, a legislative fellow in his office, be allowed privileges of the floor during the climate change debate.

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

Mrs. BOXER. Mr. President, I ask unanimous consent that Javier Gamboa, an intern with the EPW Committee, be allowed privileges of the floor for the duration of the debate on S. 3036.

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

NATIVE AMERICAN HOUSING ASSISTANCE AND SELF-DETERMINATION REAUTHORIZATION ACT

On Thursday, May 22, 2008, the Senate passed S. 2062, as amended, as follows:

S. 2062

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Native American Housing Assistance and Self-Determination Reauthorization Act of 2007''.

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Congressional findings.
Sec. 3. Definitions.

TITLE I—BLOCK GRANTS AND GRANT REQUIREMENTS

Sec. 101. Block grants.
Sec. 102. Indian housing plans.
Sec. 103. Review of plans.
Sec. 104. Treatment of program income and labor standards.
Sec. 105. Regulations.

TITLE II—AFFORDABLE HOUSING ACTIVITIES

Sec. 201. National objectives and eligible families.
Sec. 202. Eligible affordable housing activities.
Sec. 203. Program requirements.
Sec. 204. Low-income requirement and income targeting.
Sec. 205. Availability of records.
Sec. 206. Self-determined housing activities for tribal communities program.

TITLE III—ALLOCATION OF GRANT AMOUNTS

Sec. 301. Allocation formula.

TITLE IV—COMPLIANCE, AUDITS, AND REPORTS

Sec. 401. Remedies for noncompliance.
Sec. 402. Monitoring of compliance.
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TITLE V—TERMINATION OF ASSISTANCE FOR INDIAN TRIBES UNDER INCORPORATED PROGRAMS

Sec. 501. Effect on Home Investment Partnerships Act.

TITLE VI—GUARANTEED LOANS TO FINANCE TRIBAL COMMUNITY AND ECONOMIC DEVELOPMENT ACTIVITIES

Sec. 601. Demonstration program for guaranteed loans to finance tribal community and economic development activities.

TITLE VII—FUNDING

Sec. 701. Authorization of appropriations.

SEC. 2. CONGRESSIONAL FINDINGS.

Section 2 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4101) is amended in paragraphs (6) and (7) by striking ''should'' each place it appears and inserting ''shall''.

SEC. 3. DEFINITIONS.

Section 4 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4103) is amended—

(1) by striking paragraph (22);

(2) by redesignating paragraphs (8) through (21) as paragraphs (9) through (22), respectively; and

(3) by inserting after paragraph (7) the following:

''(8) HOUSING RELATED COMMUNITY DEVELOPMENT.—

''(A) IN GENERAL.—The term 'housing related community development' means any facility, community building, business, activity, or infrastructure that—

''(i) is owned by an Indian tribe or a tribally designated housing entity;

''(ii) is necessary to the provision of housing in an Indian area; and

''(iii)(I) would help an Indian tribe or tribally designated housing entity to reduce the cost of construction of Indian housing;

''(II) would make housing more affordable, accessible, or practicable in an Indian area; or

''(III) would otherwise advance the purposes of this Act.

''(B) EXCLUSION.—The term 'housing and community development' does not include any activity conducted by any Indian tribe under the Indian Gaming Regulatory Act (25 U.S.C. 2701 et seq.).''.

TITLE I—BLOCK GRANTS AND GRANT REQUIREMENTS

SEC. 101. BLOCK GRANTS.

Section 101 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4111) is amended—

(1) in subsection (a)—

(A) in the first sentence—

(i) by striking ''For each'' and inserting the following:

''(1) IN GENERAL.—For each'';

(ii) by striking ''tribes to carry out affordable housing activities.'' and inserting the following: ''tribes—

''(A) to carry out affordable housing activities under subtitle A of title II; and''; and

(iii) by adding at the end the following:

''(B) to carry out self-determined housing activities for tribal communities programs under subtitle B of that title.''; and

(B) in the second sentence, by striking ''Under'' and inserting the following:

''(2) PROVISION OF AMOUNTS.—Under'';

(2) in subsection (g), by inserting ''of this section and subtitle B of title II'' after ''subsection (h)''; and

(3) by adding at the end the following:

''(j) FEDERAL SUPPLY SOURCES.—For purposes of section 501 of title 40, United States Code, on election by the applicable Indian tribe—

''(1) each Indian tribe or tribally designated housing entity shall be considered to be an Executive agency in carrying out any program, service, or other activity under this Act; and

''(2) each Indian tribe or tribally designated housing entity and each employee of the Indian tribe or tribally designated housing entity shall have access to sources of supply on the same basis as employees of an Executive agency.

''(k) TRIBAL PREFERENCE IN EMPLOYMENT AND CONTRACTING.—Notwithstanding any other provision of law, with respect to any grant (or portion of a grant) made on behalf of an Indian tribe under this Act that is intended to benefit 1 Indian tribe, the tribal employment and contract preference laws (including regulations and tribal ordinances) adopted by the Indian tribe that receives the benefit shall apply with respect to the administration of the grant (or portion of a grant).''.

SEC. 102. INDIAN HOUSING PLANS.

Section 102 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4112) is amended—

(1) in subsection (a)(1)—

(A) by striking ''(1)(A) for'' and all that follows through the end of subparagraph (A) and inserting the following:

''(1)(A) for an Indian tribe to submit to the Secretary, by not later than 75 days before the beginning of each tribal program year, a 1-year housing plan for the Indian tribe; or''; and

(B) in subparagraph (B), by striking ''subsection (d)'' and inserting ''subsection (c)'';

(2) by striking subsections (b) and (c) and inserting the following:

''(b) 1-YEAR PLAN REQUIREMENT.—

''(1) IN GENERAL.—A housing plan of an Indian tribe under this section shall—

''(A) be in such form as the Secretary may prescribe; and

''(B) contain the information described in paragraph (2).

''(2) REQUIRED INFORMATION.—A housing plan shall include the following information with respect to the tribal program year for which assistance under this Act is made available:

''(A) DESCRIPTION OF PLANNED ACTIVITIES.—A statement of planned activities, including—

''(i) the types of household to receive assistance;

''(ii) the types and levels of assistance to be provided;

''(iii) the number of units planned to be produced;

''(iv)(I) a description of any housing to be demolished or disposed of;

''(II) a timetable for the demolition or disposition; and

''(III) any other information required by the Secretary with respect to the demolition or disposition;

''(v) a description of the manner in which the recipient will protect and maintain the viability of housing owned and operated by the recipient that was developed under a contract between the Secretary and an Indian housing authority pursuant to the United States Housing Act of 1937 (42 U.S.C. 1437 et seq.); and

''(vi) outcomes anticipated to be achieved by the recipient.

''(B) STATEMENT OF NEEDS.—A statement of the housing needs of the low-income Indian families residing in the jurisdiction of the Indian tribe, and the means by which those needs will be addressed during the applicable period, including—

''(i) a description of the estimated housing needs and the need for assistance for the low-income Indian families in the jurisdiction, including a description of the manner in which the geographical distribution of assistance is consistent with the geographical needs and needs for various categories of housing assistance; and

''(ii) a description of the estimated housing needs for all Indian families in the jurisdiction.

''(C) FINANCIAL RESOURCES.—An operating budget for the recipient, in such form as the Secretary may prescribe, that includes—

''(i) an identification and description of the financial resources reasonably available to the recipient to carry out the purposes of this Act, including an explanation of the manner in which amounts made available will leverage additional resources; and

''(ii) the uses to which those resources will be committed, including eligible and required affordable housing activities under title II and administrative expenses.

''(D) CERTIFICATION OF COMPLIANCE.—Evidence of compliance with the requirements of this Act, including, as appropriate—

''(i) a certification that, in carrying out this Act, the recipient will comply with the applicable provisions of title II of the Civil Rights Act of 1968 (25 U.S.C. 1301 et seq.) and other applicable Federal laws and regulations;

''(ii) a certification that the recipient will maintain adequate insurance coverage for housing units that are owned and operated or assisted with grant amounts provided under this Act, in compliance with such requirements as the Secretary may establish;

''(iii) a certification that policies are in effect and are available for review by the Secretary and the public governing the eligibility, admission, and occupancy of families for housing assisted with grant amounts provided under this Act;

''(iv) a certification that policies are in effect and are available for review by the Secretary and the public governing rents and homebuyer payments charged, including the methods by which the rents or homebuyer payments are determined, for housing assisted with grant amounts provided under this Act;

''(v) a certification that policies are in effect and are available for review by the Secretary and the public governing the management and maintenance of housing assisted with grant amounts provided under this Act; and

''(vi) a certification that the recipient will comply with section 104(b).'';

(3) by redesignating subsections (d) through (f) as subsections (c) through (e), respectively; and

(4) in subsection (d) (as redesignated by paragraph (3)), by striking ''subsection (d)'' and inserting ''subsection (c)''.

SEC. 103. REVIEW OF PLANS.

Section 103 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4113) is amended—

(1) in subsection (d)—

(A) in the first sentence—

(i) by striking ''fiscal'' each place it appears and inserting ''tribal program''; and

(ii) by striking ''(with respect to'' and all that follows through ''section 102(c))''; and

(B) by striking the second sentence; and

(2) by striking subsection (e) and inserting the following:

''(e) SELF-DETERMINED ACTIVITIES PROGRAM.—Notwithstanding any other provision of this section, the Secretary—

''(1) shall review the information included in an Indian housing plan pursuant to subsections (b)(4) and (c)(7) only to determine whether the information is included for purposes of compliance with the requirement under section 232(b)(2); and

''(2) may not approve or disapprove an Indian housing plan based on the content of the particular benefits, activities, or results included pursuant to subsections (b)(4) and (c)(7).''.

SEC. 104. TREATMENT OF PROGRAM INCOME AND LABOR STANDARDS.

Section 104(a) of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4114(a)) is amended by adding at the end the following:

''(4) EXCLUSION FROM PROGRAM INCOME OF REGULAR DEVELOPER'S FEES FOR LOW-INCOME HOUSING TAX CREDIT PROJECTS.—Notwithstanding any other provision of this Act, any income derived from a regular and customary developer's fee for any project that receives a low-income housing tax credit under section 42 of the Internal Revenue Code of 1986, and that is initially funded using a grant provided under this Act, shall not be considered to be program income if the developer's fee is approved by the State housing credit agency.''.

SEC. 105. REGULATIONS.

Section 106(b)(2) of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4116(b)(2)) is amended—

(1) in subparagraph (B)(i), by striking ''The Secretary'' and inserting ''Not later than 180 days after the date of enactment of the Native American Housing Assistance and Self-Determination Reauthorization Act of 2007 and any other Act to reauthorize this Act, the Secretary''; and

(2) by adding at the end the following:

''(C) SUBSEQUENT NEGOTIATED RULEMAKING.—The Secretary shall—

''(i) initiate a negotiated rulemaking in accordance with this section by not later than 90 days after the date of enactment of the Native American Housing Assistance and Self-Determination Reauthorization Act of 2007 and any other Act to reauthorize this Act; and

''(ii) promulgate regulations pursuant to this section by not later than 2 years after the date of enactment of the Native American Housing Assistance and Self-Determination Reauthorization Act of 2007 and any other Act to reauthorize this Act.

''(D) REVIEW.—Not less frequently than once every 7 years, the Secretary, in consultation with Indian tribes, shall review the regulations promulgated pursuant to this section in effect on the date on which the review is conducted.''.

TITLE II—AFFORDABLE HOUSING ACTIVITIES

SEC. 201. NATIONAL OBJECTIVES AND ELIGIBLE FAMILIES.

Section 201(b) of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4131(b)) is amended—

(1) in paragraph (1), by inserting ''and except with respect to loan guarantees under the demonstration program under title VI,'' after ''paragraphs (2) and (4),'';

(2) in paragraph (2)—

(A) by striking the first sentence and inserting the following:

''(A) EXCEPTION TO REQUIREMENT.—Notwithstanding paragraph (1), a recipient may provide housing or housing assistance through affordable housing activities for which a grant is provided under this Act to any family that is not a low-income family, to the extent that the Secretary approves the activities due to a need for housing for those families that cannot reasonably be met without that assistance.''; and

(B) in the second sentence, by striking ''The Secretary'' and inserting the following:

''(B) LIMITS.—The Secretary'';

(3) in paragraph (3)—

(A) in the paragraph heading, by striking ''NON-INDIAN'' and inserting ''ESSENTIAL''; and

(B) by striking ''non-Indian family'' and inserting ''family''; and

(4) in paragraph (4)(A)(i), by inserting ''or other unit of local government,'' after ''county,''.

SEC. 202. ELIGIBLE AFFORDABLE HOUSING ACTIVITIES.

Section 202 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4132) is amended—

(1) in the matter preceding paragraph (1), by striking ''to develop or to support'' and inserting ''to develop, operate, maintain, or support'';

(2) in paragraph (2)—

(A) by striking ''development of utilities'' and inserting ''development and rehabilitation of utilities, necessary infrastructure,''; and

(B) by inserting ''mold remediation,'' after ''energy efficiency,'';

(3) in paragraph (4), by inserting ''the costs of operation and maintenance of units developed with funds provided under this Act,'' after ''rental assistance,''; and

(4) by adding at the end the following:

''(9) RESERVE ACCOUNTS.—

''(A) IN GENERAL.—Subject to subparagraph (B), the deposit of amounts, including grant amounts under section 101, in a reserve account established for an Indian tribe only for the purpose of accumulating amounts for administration and planning relating to affordable housing activities under this section, in accordance with the Indian housing plan of the Indian tribe.

''(B) MAXIMUM AMOUNT.—A reserve account established under subparagraph (A) shall

consist of not more than an amount equal to ¼ of the 5-year average of the annual amount used by a recipient for administration and planning under paragraph (2).''.

SEC. 203. PROGRAM REQUIREMENTS.

Section 203 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4133) is amended by adding at the end the following:

''(f) USE OF GRANT AMOUNTS OVER EXTENDED PERIODS.—

''(1) IN GENERAL.—To the extent that the Indian housing plan for an Indian tribe provides for the use of amounts of a grant under section 101 for a period of more than 1 fiscal year, or for affordable housing activities for which the amounts will be committed for use or expended during a subsequent fiscal year, the Secretary shall not require those amounts to be used or committed for use at any time earlier than otherwise provided for in the Indian housing plan.

''(2) CARRYOVER.—Any amount of a grant provided to an Indian tribe under section 101 for a fiscal year that is not used by the Indian tribe during that fiscal year may be used by the Indian tribe during any subsequent fiscal year.

''(g) DE MINIMIS EXEMPTION FOR PROCUREMENT OF GOODS AND SERVICES.—Notwithstanding any other provision of law, a recipient shall not be required to act in accordance with any otherwise applicable competitive procurement rule or procedure with respect to the procurement, using a grant provided under this Act, of goods and services the value of which is less than $5,000.''.

SEC. 204. LOW-INCOME REQUIREMENT AND INCOME TARGETING.

Section 205 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4135) is amended by adding at the end the following:

''(c) APPLICABILITY.—The provisions of paragraph (2) of subsection (a) regarding binding commitments for the remaining useful life of property shall not apply to a family or household member who subsequently takes ownership of a homeownership unit.''.

SEC. 205. AVAILABILITY OF RECORDS.

Section 208(a) of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4138(a)) is amended by inserting ''applicants for employment, and of'' after ''records of''.

SEC. 206. SELF-DETERMINED HOUSING ACTIVITIES FOR TRIBAL COMMUNITIES PROGRAM.

(a) ESTABLISHMENT OF PROGRAM.—Title II of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4131 et seq.) is amended—

(1) by inserting after the title designation and heading the following:

''Subtitle A—General Block Grant Program'';

and

(2) by adding at the end the following:

''Subtitle B—Self-Determined Housing Activities for Tribal Communities

''SEC. 231. PURPOSE.

''The purpose of this subtitle is to establish a program for self-determined housing activities for the tribal communities to provide Indian tribes with the flexibility to use a portion of the grant amounts under section 101 for the Indian tribe in manners that are wholly self-determined by the Indian tribe for housing activities involving construction, acquisition, rehabilitation, or infrastructure relating to housing activities or housing that will benefit the community served by the Indian tribe.

''SEC. 232. PROGRAM AUTHORITY.

''(a) DEFINITION OF QUALIFYING INDIAN TRIBE.—In this section, the term 'qualifying Indian tribe' means, with respect to a fiscal year, an Indian tribe or tribally designated housing entity—

''(1) to or on behalf of which a grant is made under section 101;

''(2) that has complied with the requirements of section 102(b)(6); and

''(3) that, during the preceding 3-fiscal-year period, has no unresolved significant and material audit findings or exceptions, as demonstrated in—

''(A) the annual audits of that period completed under chapter 75 of title 31, United States Code (commonly known as the 'Single Audit Act'); or

''(B) an independent financial audit prepared in accordance with generally accepted auditing principles.

''(b) AUTHORITY.—Under the program under this subtitle, for each of fiscal years 2008 through 2012, the recipient for each qualifying Indian tribe may use the amounts specified in subsection (c) in accordance with this subtitle.

''(c) AMOUNTS.—With respect to a fiscal year and a recipient, the amounts referred to in subsection (b) are amounts from any grant provided under section 101 to the recipient for the fiscal year, as determined by the recipient, but in no case exceeding the lesser of—

''(1) an amount equal to 20 percent of the total grant amount for the recipient for that fiscal year; and

''(2) $2,000,000.

''SEC. 233. USE OF AMOUNTS FOR HOUSING ACTIVITIES.

''(a) ELIGIBLE HOUSING ACTIVITIES.—Any amounts made available for use under this subtitle by a recipient for an Indian tribe shall be used only for housing activities, as selected at the discretion of the recipient and described in the Indian housing plan for the Indian tribe pursuant to section 102(b)(6), for the construction, acquisition, or rehabilitation of housing or infrastructure in accordance with section 202 to provide a benefit to families described in section 201(b)(1).

''(b) PROHIBITION ON CERTAIN ACTIVITIES.—Amounts made available for use under this subtitle may not be used for commercial or economic development.

''SEC. 234. INAPPLICABILITY OF OTHER PROVISIONS.

''(a) IN GENERAL.—Except as otherwise specifically provided in this Act, title I, subtitle A of title II, and titles III through VIII shall not apply to—

''(1) the program under this subtitle; or

''(2) amounts made available in accordance with this subtitle.

''(b) APPLICABLE PROVISIONS.—The following provisions of titles I through VIII shall apply to the program under this subtitle and amounts made available in accordance with this subtitle:

''(1) Section 101(c) (relating to local cooperation agreements).

''(2) Subsections (d) and (e) of section 101 (relating to tax exemption).

''(3) Section 101(j) (relating to Federal supply sources).

''(4) Section 101(k) (relating to tribal preference in employment and contracting).

''(5) Section 102(b)(4) (relating to certification of compliance).

''(6) Section 104 (relating to treatment of program income and labor standards).

''(7) Section 105 (relating to environmental review).

''(8) Section 201(b) (relating to eligible families).

''(9) Section 203(c) (relating to insurance coverage).

''(10) Section 203(g) (relating to a de minimis exemption for procurement of goods and services).

''(11) Section 206 (relating to treatment of funds).

''(12) Section 209 (relating to noncompliance with affordable housing requirement).

''(13) Section 401 (relating to remedies for noncompliance).

''(14) Section 408 (relating to public availability of information).

''(15) Section 702 (relating to 50-year leasehold interests in trust or restricted lands for housing purposes).

''SEC. 235. REVIEW AND REPORT.

''(a) REVIEW.—During calendar year 2011, the Secretary shall conduct a review of the results achieved by the program under this subtitle to determine—

''(1) the housing constructed, acquired, or rehabilitated under the program;

''(2) the effects of the housing described in paragraph (1) on costs to low-income families of affordable housing;

''(3) the effectiveness of each recipient in achieving the results intended to be achieved, as described in the Indian housing plan for the Indian tribe; and

''(4) the need for, and effectiveness of, extending the duration of the program and increasing the amount of grants under section 101 that may be used under the program.

''(b) REPORT.—Not later than December 31, 2011, the Secretary shall submit to Congress a report describing the information obtained pursuant to the review under subsection (a) (including any conclusions and recommendations of the Secretary with respect to the program under this subtitle), including—

''(1) recommendations regarding extension of the program for subsequent fiscal years and increasing the amounts under section 232(c) that may be used under the program; and

''(2) recommendations for—

''(A)(i) specific Indian tribes or recipients that should be prohibited from participating in the program for failure to achieve results; and

''(ii) the period for which such a prohibition should remain in effect; or

''(B) standards and procedures by which Indian tribes or recipients may be prohibited from participating in the program for failure to achieve results.

''(c) PROVISION OF INFORMATION TO SECRETARY.—Notwithstanding any other provision of this Act, recipients participating in the program under this subtitle shall provide such information to the Secretary as the Secretary may request, in sufficient detail and in a timely manner sufficient to ensure that the review and report required by this section is accomplished in a timely manner.''.

(b) TECHNICAL AMENDMENT.—The table of contents in section 1(b) of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4101 note) is amended—

(1) by inserting after the item for title II the following:

''Subtitle A—General Block Grant Program'';

(2) by inserting after the item for section 205 the following:

''Sec. 206. Treatment of funds.'';

and

(3) by inserting before the item for title III the following:

''Subtitle B—Self-Determined Housing Activities for Tribal Communities

''Sec. 231. Purposes.

''Sec. 232. Program authority.

''Sec. 233. Use of amounts for housing activities.

''Sec. 234. Inapplicability of other provisions.

''Sec. 235. Review and report.''.

TITLE III—ALLOCATION OF GRANT AMOUNTS

SEC. 301. ALLOCATION FORMULA.

Section 302 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4152) is amended—

(1) in subsection (a)—

(A) by striking ''The Secretary'' and inserting the following:

''(1) IN GENERAL.—The Secretary''; and

(B) by adding at the end the following:

''(2) STUDY OF NEED DATA.—

''(A) IN GENERAL.—The Secretary shall enter into a contract with an organization with expertise in housing and other demographic data collection methodologies under which the organization, in consultation with Indian tribes and Indian organizations, shall—

''(i) assess existing data sources, including alternatives to the decennial census, for use in evaluating the factors for determination of need described in subsection (b); and

''(ii) develop and recommend methodologies for collecting data on any of those factors, including formula area, in any case in which existing data is determined to be insufficient or inadequate, or fails to satisfy the requirements of this Act.

''(B) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as are necessary to carry out this section, to remain available until expended.''; and

(2) in subsection (b), by striking paragraph (1) and inserting the following:

''(1)(A) The number of low-income housing dwelling units developed under the United States Housing Act of 1937 (42 U.S.C. 1437 et seq.), pursuant to a contract between an Indian housing authority for the tribe and the Secretary, that are owned or operated by a recipient on the October 1 of the calendar year immediately preceding the year for which funds are provided, subject to the condition that such a unit shall not be considered to be a low-income housing dwelling unit for purposes of this section if—

''(i) the recipient ceases to possess the legal right to own, operate, or maintain the unit; or

''(ii) the unit is lost to the recipient by conveyance, demolition, or other means.

''(B) If the unit is a homeownership unit not conveyed within 25 years from the date of full availability, the recipient shall not be considered to have lost the legal right to own, operate, or maintain the unit if the unit has not been conveyed to the homebuyer for reasons beyond the control of the recipient.

''(C) If the unit is demolished and the recipient rebuilds the unit within 1 year of demolition of the unit, the unit may continue to be considered a low-income housing dwelling unit for the purpose of this paragraph.

''(D) In this paragraph, the term 'reasons beyond the control of the recipient' means, after making reasonable efforts, there remain—

''(i) delays in obtaining or the absence of title status reports;

''(ii) incorrect or inadequate legal descriptions or other legal documentation necessary for conveyance;

''(iii) clouds on title due to probate or intestacy or other court proceedings; or

''(iv) any other legal impediment.

''(E) Subparagraphs (A) through (D) shall not apply to any claim arising from a formula current assisted stock calculation or count involving an Indian housing block grant allocation for any fiscal year through fiscal year 2008, if a civil action relating to the claim is filed by not later than 45 days after the date of enactment of this subparagraph.''.

TITLE IV—COMPLIANCE, AUDITS, AND REPORTS

SEC. 401. REMEDIES FOR NONCOMPLIANCE.

Section 401(a) of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4161(a)) is amended—

(1) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively; and

(2) by inserting after paragraph (1) the following:

''(2) SUBSTANTIAL NONCOMPLIANCE.—The failure of a recipient to comply with the requirements of section 302(b)(1) regarding the reporting of low-income dwelling units shall not, in itself, be considered to be substantial noncompliance for purposes of this title.''.

SEC. 402. MONITORING OF COMPLIANCE.

Section 403(b) of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4163(b)) is amended in the second sentence by inserting ''an appropriate level of'' after ''shall include''.

SEC. 403. PERFORMANCE REPORTS.

Section 404(b) of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4164(b)) is amended—

(1) in paragraph (2)—

(A) by striking ''goals'' and inserting ''planned activities''; and

(B) by adding ''and'' after the semicolon at the end;

(2) in paragraph (3), by striking ''; and'' at the end and inserting a period; and

(3) by striking paragraph (4).

TITLE V—TERMINATION OF ASSISTANCE FOR INDIAN TRIBES UNDER INCORPORATED PROGRAMS

SEC. 501. EFFECT ON HOME INVESTMENT PARTNERSHIPS ACT.

(a) IN GENERAL.—Title V of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4181 et seq.) is amended by adding at the end the following:

''SEC. 509. EFFECT ON HOME INVESTMENT PARTNERSHIPS ACT.

''Nothing in this Act or an amendment made by this Act prohibits or prevents any participating jurisdiction (within the meaning of the HOME Investment Partnerships Act (42 U.S.C. 12721 et seq.)) from providing any amounts made available to the participating jurisdiction under that Act (42 U.S.C. 12721 et seq.) to an Indian tribe or a tribally designated housing entity for use in accordance with that Act (42 U.S.C. 12721 et seq.).''.

(b) CONFORMING AMENDMENT.—The table of contents in section 1(b) of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4101 note) is amended by inserting after the item relating to section 508 the following:

''Sec. 509. Effect on HOME Investment Partnerships Act.''.

TITLE VI—GUARANTEED LOANS TO FINANCE TRIBAL COMMUNITY AND ECONOMIC DEVELOPMENT ACTIVITIES

SEC. 601. DEMONSTRATION PROGRAM FOR GUARANTEED LOANS TO FINANCE TRIBAL COMMUNITY AND ECONOMIC DEVELOPMENT ACTIVITIES.

(a) IN GENERAL.—Title VI of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4191 et seq.) is amended by adding at the end the following:

''SEC. 606. DEMONSTRATION PROGRAM FOR GUARANTEED LOANS TO FINANCE TRIBAL COMMUNITY AND ECONOMIC DEVELOPMENT ACTIVITIES.

''(a) AUTHORITY.—

''(1) IN GENERAL.—Subject to paragraph (2), to the extent and in such amounts as are provided in appropriation Acts, subject to the requirements of this section, and in accordance with such terms and conditions as the Secretary may prescribe, the Secretary may guarantee and make commitments to guarantee the notes and obligations issued by Indian tribes or tribally designated housing entities with tribal approval, for the purposes of financing activities carried out on Indian reservations and in other Indian areas that, under the first sentence of section 108(a) of the Housing and Community Development Act of 1974 (42 U.S.C. 5308), are eligible for financing with notes and other obligations guaranteed pursuant to that section.

''(2) LIMITATION.—The Secretary may guarantee, or make commitments to guarantee, under paragraph (1) the notes or obligations of not more than 4 Indian tribes or tribally designated housing entities located in each Department of Housing and Urban Development Office of Native American Programs region.

''(b) LOW-INCOME BENEFIT REQUIREMENT.—Not less than 70 percent of the aggregate amount received by an Indian tribe or tribally designated housing entity as a result of a guarantee under this section shall be used for the support of activities that benefit low-income families on Indian reservations and other Indian areas.

''(c) FINANCIAL SOUNDNESS.—

''(1) IN GENERAL.—The Secretary shall establish underwriting criteria for guarantees under this section, including fees for the guarantees, as the Secretary determines to be necessary to ensure that the program under this section is financially sound.

''(2) AMOUNTS OF FEES.—Fees for guarantees established under paragraph (1) shall be established in amounts that are sufficient, but do not exceed the minimum amounts necessary, to maintain a negative credit subsidy for the program under this section, as determined based on the risk to the Federal Government under the underwriting requirements established under paragraph (1).

''(d) TERMS OF OBLIGATIONS.—

''(1) IN GENERAL.—Each note or other obligation guaranteed pursuant to this section shall be in such form and denomination, have such maturity, and be subject to such conditions as the Secretary may prescribe, by regulation.

''(2) LIMITATION.—The Secretary may not deny a guarantee under this section on the basis of the proposed repayment period for the note or other obligation, unless—

''(A) the period is more than 20 years; or

''(B) the Secretary determines that the period would cause the guarantee to constitute an unacceptable financial risk.

''(e) LIMITATION ON PERCENTAGE.—A guarantee made under this section shall guarantee repayment of 95 percent of the unpaid principal and interest due on the note or other obligation guaranteed.

''(f) SECURITY AND REPAYMENT.—

''(1) REQUIREMENTS ON ISSUER.—To ensure the repayment of notes and other obligations and charges incurred under this section and as a condition for receiving the guarantees, the Secretary shall require the Indian tribe or housing entity issuing the notes or obligations—

''(A) to enter into a contract, in a form acceptable to the Secretary, for repayment of notes or other obligations guaranteed under this section;

''(B) to demonstrate that the extent of each issuance and guarantee under this section is within the financial capacity of the Indian tribe; and

''(C) to furnish, at the discretion of the Secretary, such security as the Secretary determines to be appropriate in making the guarantees, including increments in local tax receipts generated by the activities assisted by a guarantee under this section or disposition proceeds from the sale of land or

rehabilitated property, except that the security may not include any grant amounts received or for which the issuer may be eligible under title I.

''(2) FULL FAITH AND CREDIT.—

''(A) IN GENERAL.—The full faith and credit of the United States is pledged to the payment of all guarantees made under this section.

''(B) TREATMENT OF GUARANTEES.—

''(i) IN GENERAL.—Any guarantee made by the Secretary under this section shall be conclusive evidence of the eligibility of the obligations for the guarantee with respect to principal and interest.

''(ii) INCONTESTABLE NATURE.—The validity of any such a guarantee shall be incontestable in the hands of a holder of the guaranteed obligations.

''(g) TRAINING AND INFORMATION.—The Secretary, in cooperation with Indian tribes and tribally designated housing entities, may carry out training and information activities with respect to the guarantee program under this section.

''(h) LIMITATIONS ON AMOUNT OF GUARANTEES.—

''(1) AGGREGATE FISCAL YEAR LIMITATION.—Notwithstanding any other provision of law, subject only to the absence of qualified applicants or proposed activities and to the authority provided in this section, and to the extent approved or provided for in appropriations Acts, the Secretary may enter into commitments to guarantee notes and obligations under this section with an aggregate principal amount not to exceed $200,000,000 for each of fiscal years 2008 through 2012.

''(2) AUTHORIZATION OF APPROPRIATIONS FOR CREDIT SUBSIDY.—There are authorized to be appropriated to cover the costs (as defined in section 502 of the Congressional Budget Act of 1974 (2 U.S.C. 661a)) of guarantees under this section $1,000,000 for each of fiscal years 2008 through 2012.

''(3) AGGREGATE OUTSTANDING LIMITATION.—The total amount of outstanding obligations guaranteed on a cumulative basis by the Secretary pursuant to this section shall not at any time exceed $1,000,000,000 or such higher amount as may be authorized to be appropriated for this section for any fiscal year.

''(4) FISCAL YEAR LIMITATIONS ON INDIAN TRIBES.—

''(A) IN GENERAL.—The Secretary shall monitor the use of guarantees under this section by Indian tribes.

''(B) MODIFICATIONS.—If the Secretary determines that 50 percent of the aggregate guarantee authority under paragraph (3) has been committed, the Secretary may—

''(i) impose limitations on the amount of guarantees pursuant to this section that any single Indian tribe may receive in any fiscal year of $25,000,000; or

''(ii) request the enactment of legislation increasing the aggregate outstanding limitation on guarantees under this section.

''(i) REPORT.—Not later than 4 years after the date of enactment of this section, the Secretary shall submit to Congress a report describing the use of the authority under this section by Indian tribes and tribally designated housing entities, including—

''(1) an identification of the extent of the use and the types of projects and activities financed using that authority; and

''(2) an analysis of the effectiveness of the use in carrying out the purposes of this section.

''(j) TERMINATION.—The authority of the Secretary under this section to make new guarantees for notes and obligations shall terminate on October 1, 2012.''.

(b) CONFORMING AMENDMENT.—The table of contents in section 1(b) of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4101 note) is amended by inserting after the item relating to section 605 the following:

''Sec. 606. Demonstration program for guaranteed loans to finance tribal community and economic development activities.''.

TITLE VII—FUNDING

SEC. 701. AUTHORIZATION OF APPROPRIATIONS.

(a) BLOCK GRANTS AND GRANT REQUIREMENTS.—Section 108 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4117) is amended in the first sentence by striking ''1998 through 2007'' and inserting ''2008 through 2012''.

(b) FEDERAL GUARANTEES FOR FINANCING FOR TRIBAL HOUSING ACTIVITIES.—Section 605 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4195) is amended in subsections (a) and (b) by striking ''1997 through 2007'' each place it appears and inserting ''2008 through 2012''.

(c) TRAINING AND TECHNICAL ASSISTANCE.—Section 703 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4212) is amended by striking ''1997 through 2007'' and inserting ''2008 through 2012''.

APPOINTMENT

The PRESIDING OFFICER. The Chair, on behalf of the Vice President, pursuant to 22 U.S.C. 276h–276k, as amended, appoints the following Senator as a member of the Senate Delegation to the Mexico-U.S. Interparliamentary Group during the Second Session of the 110th Congress: The Senator from Tennessee, Mr. CORKER.

The PRESIDING OFFICER. The Chair, on behalf of the Vice President, pursuant to 22 U.S.C. 276h–276k, as amended, appoints the following Senator as a member of the Senate Delegation to the Mexico-U.S. Interparliamentary Group during the Second Session of the 110th Congress: The Senator from Florida, Mr. NELSON.

ORDERS FOR TUESDAY, JUNE 3, 2008

Mrs. BOXER. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand adjourned until 10 a.m. tomorrow, Tuesday, June 3; that following the prayer and the pledge, the Journal of proceedings be deemed to have expired, the time for the two leaders be reserved for their use later in the day, and that there be a period of morning business until 11 a.m., with the time equally divided and controlled between the two leaders or their designees, with the Republicans controlling the first half and the majority controlling the final half; that following morning business, the Senate resume the motion to proceed to S. 3036, the Lieberman-Warner Climate Security Act of 2008; that the Senate recess from 12:30 p.m. until after the official Senate photograph to allow for the weekly caucus luncheons to meet, and that any time during adjournment, recess, or periods of morning business count postcloture.

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

TAKING OF SENATE PHOTOGRAPH

Mrs. BOXER. Mr. President, as a reminder, following the weekly caucus luncheons tomorrow, the official photograph of the Senate of the 110th Congress will be taken at 2:15 p.m.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mrs. BOXER. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that the Senate stand adjourned under the previous order.

There being no objection, the Senate, at 6:25 p.m., adjourned until Tuesday, June 3, 2008, at 10 a.m.