

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

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

**LIEBERMAN-WARNER CLIMATE  
SECURITY ACT OF 2008**

Mr. REID. Mr. President, I ask unanimous consent that the motion to proceed to S. 3036 be agreed to, and the motion to reconsider be laid on the table.

The PRESIDING OFFICER (Mr. MENENDEZ). Is there objection?

Mr. MCCONNELL. Reserving the right to object—I withhold.

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

The clerk will read the bill by title. The assistant legislative clerk read as follows:

A bill (S. 3036) bill to direct the administrator of the Environmental Protection Agency to establish programs to decrease emissions of greenhouse gases, and for other purposes.

AMENDMENT NO. 4825

(Purpose: In the nature of a substitute)

Mr. REID. Mr. President, I send the Boxer substitute amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Nevada [Mr. REID], for Mrs. BOXER, proposes an amendment numbered 4825.

Mr. REID. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

Mr. MCCONNELL. I object.

The PRESIDING OFFICER. Objection is heard.

The clerk will continue to read.

The assistant legislative clerk continued with the reading of the amendment.

Mr. REID. Mr. President, I ask unanimous consent that further reading of the amendment be waived.

Mr. MCCONNELL. I object.

The PRESIDING OFFICER. Objection is heard.

The clerk will continue to read.

The assistant legislative clerk continued with the reading of the amendment.

Mrs. BOXER. Mr. President, I have a unanimous-consent request.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Mr. President, in order to debate global warming legislation to get us to lower gas prices, I ask unanimous consent that reading of the amendment be dispensed with so we can get back to the business of the Senate.

The PRESIDING OFFICER. Is there objection?

Mr. CORNYN. Reserving the right to object, this is a brand new substitute bill comprised of 491 pages that very few people have even had a chance to see. I think this is an opportunity for us to learn what is actually in the legislation so that we can do our job and consider it and vote accordingly.

I do object.

The PRESIDING OFFICER. Objection is heard.

Mrs. BOXER. I reiterate my request because the reason given by my friend is wrong. We have had a summary available for 2 weeks.

I ask unanimous consent that reading of the amendment be dispensed with.

Mr. CORNYN. Regular order, Mr. President.

The PRESIDING OFFICER. The clerk will continue the reading of the amendment.

The assistant legislative clerk continued with the reading of the amendment.

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

Mr. LIEBERMAN. Madam President, in order to proceed with this piece of legislation which would reduce carbon pollution that causes global warming, I ask unanimous consent to dispense with further reading of the bill.

The PRESIDING OFFICER. Is there objection?

Mr. ALLARD. I object.

The PRESIDING OFFICER. Objection is heard.

The clerk will continue the reading of the amendment.

The journal clerk continued with the reading of the amendment.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Madam President, in order to continue with this tripartisan legislation which is agreed to by an Independent, Republican, and a Democrat, which will save the planet from the ravages of carbon pollution and global warming and make us energy independent, I ask unanimous consent that further reading of the bill be dispensed with.

The PRESIDING OFFICER (Mr. SCHUMER). Is there objection?

Mr. ALLARD. Mr. President, I object.

The PRESIDING OFFICER. Objection is heard.

The clerk will continue the reading of the amendment.

The assistant journal clerk continued with the reading of the amendment.

(The amendment as read in full is printed in today's RECORD under "Text of Amendments.")

Mr. SALAZAR. Addressed the Chair.

The PRESIDING OFFICER (Ms. CANTWELL). The Senator from Colorado.

Mr. SALAZAR. Madam President, given the lateness of the hour and the hard work of all our staff today, I ask unanimous consent that further reading of the amendment be waived.

The PRESIDING OFFICER. Is there objection?

Mr. CORKER. I object, Madam President.

The PRESIDING OFFICER. Objection is heard. The clerk will continue reading.

Mr. SALAZAR. Madam President, parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. SALAZAR. Madam President, would it be in order for this Senator from Colorado to ask a question of the Senator from Tennessee?

Mr. CORKER. Madam President, regular order, if we could.

The PRESIDING OFFICER. Regular order is the reading of the amendment. The clerk will read the amendment.

The assistant Parliamentarian (Leigh Hildebrand) continued with the reading of the amendment.

The PRESIDING OFFICER (Mr. SALAZAR). The Senator from Nevada, the majority leader.

Mr. REID. Mr. President, the American public has had the opportunity for the last 8 hours to watch what is wrong with the Republican minority. No wonder an election in a heavily Republican House district, the seat of the former Speaker of the House of Representatives, Dennis Hastert, goes Democratic big time; a House seat in a special election in Louisiana, which has been Republican for a long period of time, went Democratic; and a seat in the State of Mississippi, in a special election, went Democratic. All you have to do is look at the picture of what has been going on here today to understand why.

It seems the Republican minority wants to do anything they can to maintain the status quo. They do not want legislation, and they have proven that time and time again. I want everyone to understand that because of the Republicans, we are going to have to have a vote. In a short time, I am going to call a live quorum and people are going to have to take off their pajamas, turn off their TV sets and head for the Capitol, and they should do that because that is what we are going to have, as the terminology is here, in a few minutes.

Now, I want also people to kind of get the other picture. The Thursday before our recess, 13 days ago, we were working on a package of nominations. I worked with the Chief of Staff of the President of the United States, Josh Bolten. We cleared a lot of names. The vast majority of them, 80-some, were Republicans, Republican nominees. There were a handful of Democrats, five—I don't know how many. It was all done. I thought we had worked this out with the Chief of Staff, the President's Chief of Staff. But lo and behold, at the last minute, no. So I thought, well, we would start early this time. So a couple days ago I started working again with Josh Bolten, and the last couple days, in fact 3 days, we have been working. He has had somebody work with my Chief of Staff and my appointments person, and I thought we

were making a lot of headway. We did another deal. We learned at the last minute that the Republicans don't want it. They do not want their own people, one of whom was a Secretary of the Cabinet.

So this is the stall that is taking place, for reasons that are—well, the American people can see.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll to ascertain the presence of a quorum.

The assistant legislative clerk proceeded to call the roll, and the following Senators entered the Chamber and answered to their names.

[Quorum No. 2 Leg.]

Boxer Reid Salazar

The PRESIDING OFFICER. A quorum is not present.

Mr. REID. Mr. President, I move to instruct the Sergeant at Arms to request the presence of absent Senators, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The question is on agreeing to the motion. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Hawaii (Mr. AKAKA), the Senator from Indiana (Mr. BAYH), the Senator from Delaware (Mr. BIDEN), the Senator from New Mexico (Mr. BINGAMAN), the Senator from West Virginia (Mr. BYRD), the Senator from Maryland (Mr. CARDIN), the Senator from Delaware (Mr. CARPER), the Senator from New York (Mrs. CLINTON), the Senator from California (Mrs. FEINSTEIN), the Senator from Hawaii (Mr. INOUE), the Senator from Massachusetts (Mr. KENNEDY), the Senator from Louisiana (Ms. LANDRIEU), the Senator from New Jersey (Mr. LAUTENBERG), the Senator from New Jersey (Mr. MENENDEZ), the Senator from Maryland (Ms. MIKULSKI), the Senator from Washington (Mrs. MURRAY), the Senator from Florida (Mr. NELSON), the Senator from Illinois (Mr. OBAMA), the Senator from West Virginia (Mr. ROCKEFELLER), the Senator from Michigan (Ms. STABENOW), the Senator from Virginia (Mr. WEBB), the Senator from Rhode Island (Mr. WHITEHOUSE), and the Senator from Oregon (Mr. WYDEN) are necessarily absent.

Mr. McCONNELL. The following Senators are necessarily absent: the Senator from Tennessee (Mr. ALEXANDER), the Senator from Utah (Mr. BENNETT), the Senator from Missouri (Mr. BOND), the Senator from Kansas (Mr. BROWNBACK), the Senator from Kentucky (Mr. BUNNING), the Senator from Mississippi (Mr. COCHRAN), the Senator from Texas (Mr. CORNYN), the Senator from Idaho (Mr. CRAPO), the Senator from New Mexico (Mr. DOMENICI), the Senator from Nevada (Mr. ENSIGN), the Senator from New Hampshire (Mr. GREGG), the Senator from Nebraska (Mr. HAGEL), the Senator from Utah

(Mr. HATCH), the Senator from Georgia (Mr. ISAKSON), the Senator from Arizona (Mr. KYL), the Senator from Arizona (Mr. MCCAIN), the Senator from Kansas (Mr. ROBERTS), the Senator from Alabama (Mr. SHELBY), the Senator from Oregon (Mr. SMITH), the Senator from Pennsylvania (Mr. SPECTER), and the Senator from Alaska (Mr. STEVENS).

Further, if present and voting, the Senator from Tennessee (Mr. ALEXANDER) would have voted "no."

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

The result was announced—yeas 27, nays 28, as follows:

[Rollcall Vote No. 143 Leg.]

YEAS—27

Baucus	Harkin	McCaskill
Boxer	Johnson	Nelson (NE)
Brown	Kerry	Pryor
Cantwell	Klobuchar	Reed
Casey	Kohl	Reid
Dodd	Leahy	Salazar
Dorgan	Levin	Sanders
Durbin	Lieberman	Schumer
Feingold	Lincoln	Tester

NAYS—28

Allard	Dole	Sessions
Barrasso	Enzi	Snowe
Burr	Graham	Sununu
Chambliss	Grassley	Thune
Coburn	Hutchison	Vitter
Coleman	Inhofe	Voinovich
Collins	Lugar	Warner
Corker	Martinez	Wicker
Craig	McConnell	
DeMint	Murkowski	

NOT VOTING—45

Akaka	Cornyn	Menendez
Alexander	Crapo	Mikulski
Bayh	Domenici	Murray
Bennett	Ensign	Nelson (FL)
Biden	Feinstein	Obama
Bingaman	Gregg	Roberts
Bond	Hagel	Rockefeller
Brownback	Hatch	Shelby
Bunning	Inouye	Smith
Byrd	Isakson	Specter
Cardin	Kennedy	Stabenow
Carper	Kyl	Stevens
Clinton	Landrieu	Webb
Cochran	Lautenberg	Whitehouse
Conrad	McCain	Wyden

The motion was rejected.

The PRESIDING OFFICER. A quorum is present.

The majority leader is recognized.

Mr. REID. Mr. President, I ask my colleagues to be patient for a short time.

First of all, these valiant people who are sitting in front of the Presiding Officer have been required today to read for more than 8 hours—total, without any breaks, 8 hours—for no reason other than the Republicans are trying to maintain the status quo in everything.

Talk about this picture: reading an amendment that is done extremely rarely. We had our staff check, and it is done every decade or so. This was a bill of some 500 pages. The bill has been available for people to read long before today. The substitute amendment has been ready long before today.

As I said earlier this week, manmade pollution is causing the Earth to warm. The science is crystal clear. We have for more than 100 years been taking

carbon out of the Earth and putting it into the sky. It is causing our Earth to have a fever. Our Earth is sick, and we must look at the sickness and try to do something about it.

The warming is clear. It has already harmed our environment and our economy. We know that. The scientists know that. You can see it all around us. It is causing more frequent and more intense drought, wildfires, and floods.

Western wildfires. I look around this room, and I see Senator BAUCUS, I see the Senator from California and the Senator from Washington. In the last 30 years, 72 more days of wildfire season—72 more days—lightning striking in those 72 days. More fires. Fires are more intense.

Floods, tornadoes. At least 110 people have been killed in the United States so far this year by tornadoes, putting this year on track to be by far the deadliest year in the history of tornado deaths. The average for recent years is 62 tornado fatalities for the entire year. We are just completing May, and we are already at 110 deaths. January had 84 tornadoes. The 3-year average for the month is 34. It is approximately three times the average. February had 148 deaths compared to a 3-year average of only 25. Multiply that, Mr. President. That does not include the records that are unverified for March, April, and May. One tornado season does not make a long-term climate trend. We understand that. But it should give Senators pause and should make them want to limit these kinds of global warming risks.

Global warming is easily the gravest long-term challenge that our country and the world faces. It is the most critical issue of our time. The American people have a right to expect their legislature, their Congress to address this issue. That is why we decided a number of months ago that the Senate should take up climate change on June 2. We did so to let the American people know that the Senate was prepared to act, and put all Members of this body on notice we were going to act. Senators should begin preparing for this important debate, is what we said, so we could hit the ground running and truly legislate on this most important issue.

Late last month, I sought permission to proceed to the climate change bill and was informed by the Republicans that they would object to this request; and they objected. Had the minority, the Republicans, not objected last month, the Senate could already be in its third day of legislating on this important bill.

But where do we find ourselves? We find ourselves confronting an orchestrated effort by the Republican leader to delay and obstruct. We have seen this play a record number of times before this body. In 10 months we all know they broke the 2-year filibuster record.

We are now, I believe, at 72 filibusters for this Congress. There is one difference in this instance. We have actually been provided with a copy of a page from the Republican playbook and how they intend to thwart this body from acting on this important legislation. This was provided to us by a lobbyist involved in Republican strategy meetings. Let me read verbatim what this e-mail says. It is too bad the press galleries are bare because it is almost midnight:

The thinking now is to still use as much of the 30 hours post-cloture on the motion to proceed for debate on thematically-grouped amendments. The goal is for a theme (example: climate bill equals higher gas prices) each day, and the focus is much more on making political points than in amending the bill, changing the baseline text for any future debate or affecting policy.

Let me repeat the last sentence:

The goal is for a theme (example: climate bill equals higher gas prices) each day, and the focus is much more on making political points than in amending the bill. . . .

That is what they say. So this Republican strategy memo could not be more clear. The Republican plan for dealing with the greatest challenge facing this world and this Nation is more about making political points than legislating. Those are not my words; that is what they say in their memo.

But there is more to this cynical strategy that is completely out of touch with this body's obligations and the American people's expectations. Continuing from a Republican strategy memo, I will quote:

GOP anticipates a struggle over which amendments are debated and eventually finger-pointing over blame for demise of the bill. In the GOP view, this will take at least the rest of this week, and hopefully into next week.

Mr. President, you could not make anything up more cynical. This is the truth and they say truth is stranger than fiction, and this certainly is. They go on to say:

At some point, Reid will have to move from the bill, and GOP plans to oppose UC and potentially force debate on debatable motions, and vote against cloture on any such motion. While Reid will eventually be able to circumvent by moving to a privileged vehicle or using some other parliamentary maneuver, the bottom line is that the GOP—

The Grand Old Party—I bet President Abraham Lincoln would be happy about this one—

very much wants to have this fight, engage in it for a prolonged period, and then make it as difficult as possible to move off the bill.

Again, as they say, they want to make political points. Anybody watching this debate will know the Republicans have fully executed this strategy. What did they do today to execute in making political points? That is some political point. It is routine here to not read the amendments, but they said "we object." So we proceeded to have the amendment read. They executed this strategy and they have done it well, and they tried to make political points. I have no reason to doubt

that they are prepared to go the final mile to stretch out the final consideration of this bill before finally killing it.

In case anybody needed more proof about their desire, I offered, with our staffs, several consents that would have stopped the obstruction we have witnessed in the past few days. My consents would have allowed the Senate to move forward to complete action. Isn't that an interesting concept? A bill is offered—and I have been around here a long time, and some people have been here longer than I have, but I defy anyone to say they have ever laid down a perfect piece of legislation.

That is why we have the amendment process. A bill was laid down and we thought there should be an opportunity to try to make the bill better. That certainly wasn't what they had in mind. In keeping with the strategy spelled out in this Republican memo, their response was that we are not going to allow this; we are going to object, object, and object. Their obstructionism is disappointing to me personally and, obviously, to the American people.

I repeat what I said earlier this evening. Is it any wonder that Speaker Dennis Hastert's long-time Republican district, in a special election, went Democratic? Is it any wonder a long-time Republican district in Louisiana went Democratic? Is there any reason to not understand why the special election in Mississippi went Democratic? Of course not, because the American people are seeing what is going on here. The American people want us to do things.

Do you know what the Republicans get glee out of doing? They are happy that our approval rating is about the same as the President's. Isn't it wonderful that they are a part of this body, 49 of them, and there are 51 of us, and they are boasting about the fact that the people don't think much of Congress. Why don't they? Look at this Republican memo. That should give you some inclination as to why the American people feel the way they do.

This important legislation has been worked on very hard on a bipartisan basis. Is it perfect? Of course not. Shouldn't we be able to move to try to amend this and have the old-fashioned debate to move forward on it? I commend Senators BOXER, WARNER, and LIEBERMAN. They have worked so hard, and I appreciate their caring about this issue.

At this point, I think we have some very serious problems here. I will go through this. We have been told what the answer is going to be. Specifically, to every request that we have given to staff as to how to proceed on this bill, there is an objection.

I want everybody here to know what I have gone through a little bit. Listen to this. The Thursday before we went out, I worked very long and hard and spent hours working with the President's Chief of Staff, to work out some

way to move forward on these nominations. We had more than 80 Republicans and a handful of Democrats. I thought if you have the President's Chief of Staff working on something for several days, that should be sufficient. But guess what happened. I am here late at night with loyal Lula, and everybody else is gone. We asked unanimous consent and there was an objection. I called the Chief of Staff and said, "What's this all about?" Nothing happened. Remember, one of them—I personally asked Chairman DODD to do a special meeting to get the Secretary of Housing out of the committee. He held a special meeting in the President's room back there. We did that for the President of the United States, so he would have a Cabinet officer in Housing. Today was the culmination of 3 days of work with the President's Chief of Staff on nominations. We added more people than they requested. We only have 5; they are way over 80 now. I thought we had it all worked out. We called JOE BIDEN, who had a hold on somebody. JOE, the man that he is—always willing to go the extra mile to work things out—said go ahead. The person was Jim Glassman. Some of us know who Jim Glassman is—not exactly a bipartisan person who has been around Washington. He was going to replace Karen Hughes in that position in the State Department. We worked very hard to get that completed and released. The reason we worked so hard is Mr. Bolten said they would appreciate us doing this because if we don't do it tonight, he is going to withdraw. We went the extra mile and worked for a couple of hours getting him cleared. We thought we had a deal. I give it to Lula Davis, the secretary of the majority, and she submits it to the minority and we wait all day.

Listen to this. They have rejected it. Guess what. Out of nowhere, they want three district court judges. I have not talked to the chairman of the Judiciary Committee. Senator LEAHY has always been good on district court judges. But they want three district court judges, and I had never even heard their names. How unfair could they be?

So again, Mr. President, wherever you are—probably sleeping, as you should be—you are not going to have a Secretary of Housing because the rules around here seem to be only for one side. I worked very hard to try to get this done. We are going to continue to try for some basic fairness. We have an obligation ourselves. All of the nominations don't come from the White House. We have nominations ourselves to fill various positions. We will have a new President in 7 months. I have the obligation and the honor of submitting names to the White House. We have some people we wish to get, too. It is not just a one-way street, even though they may think it is.

I think that what we have seen here is outlandish, unfair, unreasonable, and

not in keeping with this body. I have been here a while, and we work on comity. We work together. That isn't the way it is now. I understand how upset the Republicans were in November of 2006 when we got the majority. Quite frankly, Senator SCHUMER and I worked closely, and we thought we might be able to get the majority, but we weren't certain. We got the majority and we were happy—but it is a slim majority. My friends on the Republican side have to get over it. We are in the majority, as slim as it might be. For the next 7 months, I am committed and I will try to work with the President. It has been difficult to do for 7 years and 5 months, but I am never one who is without patience. I will continue to try to move forward on nominations and anything else we can work on together.

Mr. President, I ask for the yeas and nays on the substitute.

The PRESIDING OFFICER (Mr. TESTER). Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 4826 TO AMENDMENT NO. 4825

Mr. REID. Mr. President, I have a perfecting amendment to the substitute at the desk and I ask for its consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 4826 to amendment No. 4825.

Mr. REID. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To express the sense of the Senate that the United States should address global climate change through the negotiation of fair and effective international commitments)

At the end of title XIII, insert the following:

**SEC. 1334. SENSE OF SENATE REGARDING INTERNATIONAL NEGOTIATIONS TO ADDRESS GLOBAL CLIMATE CHANGE.**

(a) FINDINGS.—The Senate makes the following findings:

(1) There is a scientific consensus, as established by the Intergovernmental Panel on Climate Change and confirmed by the National Academy of Sciences, that the continued buildup of anthropogenic greenhouse gases in the atmosphere threatens the stability of the global climate.

(2) The 2007 Fourth Assessment Report of the Intergovernmental Panel on Climate Change concluded that most of the global warming observed since the mid-20th century is very likely due to anthropogenic greenhouse gas emissions and that anthropogenic warming is strongly linked to many observed physical and biological impacts.

(3) There are significant long-term risks to the economy and the environment of the United States from the temperature increases and climatic disruptions that are projected to result from increased greenhouse gas concentrations.

(4) The potential impacts of global climate change, including long-term drought, famine, mass migration, and abrupt climatic

shifts, may lead to international tensions and instability in regions affected and, therefore, have implications for the national security interests of the United States.

(5) The United States has the largest economy in the world and is also the largest historical emitter of greenhouse gases.

(6) The greenhouse gas emissions of the United States are projected to continue to rise.

(7) The greenhouse gas emissions of some developing countries are rising more rapidly than the emissions of the United States and will soon surpass the greenhouse gas emissions of the United States and other developed countries.

(8) Reducing greenhouse gas emissions to the levels necessary to avoid serious climatic disruption requires the introduction of new energy technologies and other climate-friendly technologies, the use of which results in low or no emissions of greenhouse gases or in the capture and storage of greenhouse gases.

(9) The 2006 Stern Review on the Economics of Climate Change commissioned by the United Kingdom and the 2008 World Economic Outlook from the International Monetary Fund each concluded that the economic costs of addressing climate change are limited.

(10) The development and sale of climate-friendly technologies in the United States and internationally present economic opportunities for workers and businesses in the United States.

(11) Climate-friendly technologies can improve air quality by reducing harmful pollutants from stationary and mobile sources and can enhance energy security by reducing reliance on imported oil, diversifying energy sources, and reducing the vulnerability of energy delivery infrastructure.

(12) Other industrialized countries are undertaking measures to reduce greenhouse gas emissions, which provides the industries in those countries with a competitive advantage in the growing global market for climate-friendly technologies.

(13) Efforts to limit emissions growth in developing countries in a manner that is consistent with the development needs of those countries could establish significant markets for climate-friendly technologies and contribute to international efforts to address climate change.

(14) The national security of the United States will increasingly depend on the deployment of diplomatic, military, scientific, and economic resources for solving the problem of the overreliance of the United States and the world on high-carbon energy.

(15) The United States is a party to the United Nations Framework Convention on Climate Change, done at New York May 9, 1992, and entered into force March 21, 1994 (in this preamble referred to as the "Convention").

(16) The Convention sets a long-term objective of stabilizing greenhouse gas concentrations in the atmosphere at a level that would prevent dangerous anthropogenic interference with the climate system.

(17) The Convention establishes that parties bear "common but differentiated responsibilities" for efforts to achieve the objective of stabilizing greenhouse gas concentrations.

(18) At the December 2007 United Nations Climate Change Conference in Bali, the United States and other parties to the Convention adopted the Bali Action Plan with the aim of reaching a new global agreement in 2009.

(19) The Bali Action Plan calls for a shared vision on long-term cooperative action, increased mitigation efforts from developed and developing countries that are measurable, reportable, and verifiable, and support

for developing countries in addressing technology transfers, adaptation, financing, deforestation, and capacity-building.

(20) The Major Economies Process on Energy Security and Climate Change, initiated by President George W. Bush, seeks a consensus among the countries with the world's major economies on how those countries can contribute to a new agreement under the Convention.

(21) In April 2008, President Bush called for a "binding international agreement" with participation by all countries with major economies in "goals and policies that reflect their unique energy resources and economic circumstances".

(22) An effective global effort to address climate change must provide for commitments and actions by all countries that are major emitters of greenhouse gases, developed and developing alike, and the widely varying circumstances among developed and developing countries may require that such commitments and actions vary.

(23) The latest scientific evidence suggests that anthropogenic climate change is increasing and the United States has supported the goal of achieving a new international agreement during 2009, both lending urgency to the need for renewed United States leadership in the effort to counter global climate change.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that—

(1) the United States should act to reduce the health, environmental, economic, and national security risks posed by global climate change and to foster sustained economic growth through a new generation of technologies by participating in negotiations under the United Nations Framework Convention on Climate Change, done at New York May 9, 1992, and entered into force March 21, 1994, and leading efforts in other international fora, with the objective of securing United States participation in binding agreements, consistent with the Bali Action Plan, that—

(A) advance and protect the economic and national security interests of the United States;

(B) establish mitigation commitments by all countries that are major emitters of greenhouse gases, consistent with the principle of common but differentiated responsibilities;

(C) establish flexible international mechanisms to minimize the cost of efforts by participating countries; and

(D) achieve a significant long-term reduction in global greenhouse gas emissions; and

(2) the President should support the establishment of a bipartisan Senate observer group, the members of which should be designated by the chairman and ranking member of the Committee on Foreign Relations of the Senate, to—

(A) monitor any international negotiations on climate change; and

(B) ensure that the responsibility of the Senate under article II, section 2 of the Constitution of the United States to provide advice and consent to the President with respect to treaties be carried out in a manner to facilitate timely consideration of any applicable treaty submitted to the Senate.

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

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 4827 TO AMENDMENT NO. 4826

Mr. REID. Mr. President, I have a second-degree amendment at the desk, and I ask for its consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 4827 to amendment No. 4826.

Mr. REID. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To express the sense of the Senate that the United States should address global climate change through the negotiation of fair and effective international commitments)

For the amendment, strike all after the word "SEC" on line 2 and insert the following:

**1334. SENSE OF SENATE REGARDING INTERNATIONAL NEGOTIATIONS TO ADDRESS GLOBAL CLIMATE CHANGE.**

(a) FINDINGS.—The Senate makes the following findings:

(1) There is a scientific consensus, as established by the Intergovernmental Panel on Climate Change and confirmed by the National Academy of Sciences, that the continued buildup of anthropogenic greenhouse gases in the atmosphere threatens the stability of the global climate.

(2) The 2007 Fourth Assessment Report of the Intergovernmental Panel on Climate Change concluded that most of the global warming observed since the mid-20th century is very likely due to anthropogenic greenhouse gas emissions and that anthropogenic warming is strongly linked to many observed physical and biological impacts.

(3) There are significant long-term risks to the economy and the environment of the United States from the temperature increases and climatic disruptions that are projected to result from increased greenhouse gas concentrations.

(4) The potential impacts of global climate change, including long-term drought, famine, mass migration, and abrupt climatic shifts, may lead to international tensions and instability in regions affected and, therefore, have implications for the national security interests of the United States.

(5) The United States has the largest economy in the world and is also the largest historical emitter of greenhouse gases.

(6) The greenhouse gas emissions of the United States are projected to continue to rise.

(7) The greenhouse gas emissions of some developing countries are rising more rapidly than the emissions of the United States and will soon surpass the greenhouse gas emissions of the United States and other developed countries.

(8) Reducing greenhouse gas emissions to the levels necessary to avoid serious climatic disruption requires the introduction of new energy technologies and other climate-friendly technologies, the use of which results in low or no emissions of greenhouse gases or in the capture and storage of greenhouse gases.

(9) The 2006 Stern Review on the Economics of Climate Change commissioned by the United Kingdom and the 2008 World Economic Outlook from the International Monetary Fund each concluded that the economic costs of addressing climate change are limited.

(10) The development and sale of climate-friendly technologies in the United States and internationally present economic opportunities for workers and businesses in the United States.

(11) Climate-friendly technologies can improve air quality by reducing harmful pollut-

ants from stationary and mobile sources and can enhance energy security by reducing reliance on imported oil, diversifying energy sources, and reducing the vulnerability of energy delivery infrastructure.

(12) Other industrialized countries are undertaking measures to reduce greenhouse gas emissions, which provides the industries in those countries with a competitive advantage in the growing global market for climate-friendly technologies.

(13) Efforts to limit emissions growth in developing countries in a manner that is consistent with the development needs of those countries could establish significant markets for climate-friendly technologies and contribute to international efforts to address climate change.

(14) The national security of the United States will increasingly depend on the deployment of diplomatic, military, scientific, and economic resources for solving the problem of the overreliance of the United States and the world on high-carbon energy.

(15) The United States is a party to the United Nations Framework Convention on Climate Change, done at New York May 9, 1992, and entered into force March 21, 1994 (in this preamble referred to as the "Convention").

(16) The Convention sets a long-term objective of stabilizing greenhouse gas concentrations in the atmosphere at a level that would prevent dangerous anthropogenic interference with the climate system.

(17) The Convention establishes that parties bear "common but differentiated responsibilities" for efforts to achieve the objective of stabilizing greenhouse gas concentrations.

(18) At the December 2007 United Nations Climate Change Conference in Bali, the United States and other parties to the Convention adopted the Bali Action Plan with the aim of reaching a new global agreement in 2009.

(19) The Bali Action Plan calls for a shared vision on long-term cooperative action, increased mitigation efforts from developed and developing countries that are measurable, reportable, and verifiable, and support for developing countries in addressing technology transfers, adaptation, financing, deforestation, and capacity-building.

(20) The Major Economies Process on Energy Security and Climate Change, initiated by President George W. Bush, seeks a consensus among the countries with the world's major economies on how those countries can contribute to a new agreement under the Convention.

(21) In April 2008, President Bush called for a "binding international agreement" with participation by all countries with major economies in "goals and policies that reflect their unique energy resources and economic circumstances".

(22) An effective global effort to address climate change must provide for commitments and actions by all countries that are major emitters of greenhouse gases, developed and developing alike, and the widely varying circumstances among developed and developing countries may require that such commitments and actions vary.

(23) The latest scientific evidence suggests that anthropogenic climate change is increasing and the United States has supported the goal of achieving a new international agreement during 2009, both lending urgency to the need for renewed United States leadership in the effort to counter global climate change.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that—

(1) The United States should act to reduce the health, environmental, economic, and national security risks posed by global climate change and to foster sustained eco-

nomical growth through a new generation of technologies by participating in negotiations under the United Nations Framework Convention on Climate Change, done at New York May 9, 1992, and entered into force March 21, 1994, and leading efforts in other international fora, with the objective of securing United States participation in binding agreements, consistent with the Bali Action Plan, that—

(A) advance and protect the economic and national security interests of the United States;

(B) establish mitigation commitments by all countries that are major emitters of greenhouse gases, consistent with the principle of common but differentiated responsibilities;

(C) establish flexible international mechanisms to minimize the cost of efforts by participating countries; and

(D) achieve a significant long-term reduction in global greenhouse gas emissions; and

(2) the President should support the establishment of a bipartisan Senate observer group, the members of which should be designated by the chairman and ranking member of the Committee on Foreign Relations of the Senate, to—

(A) monitor any international negotiations on climate change; and

(B) ensure that the responsibility of the Senate under article II, section 2 of the Constitution of the United States to provide advice and consent to the President with respect to treaties be carried out in a manner to facilitate timely consideration of any applicable treaty submitted to the Senate.

The provisions of this section shall become effective in 7 days after enactment.

AMENDMENT NO. 4828

Mr. REID. Mr. President, I have an amendment at the desk and I ask for its consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 4828 to the language proposed to be stricken by amendment No. 4825.

Mr. REID. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

At the end of the bill, add the following:

The provision of this Act shall become effective 5 days after enactment.

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

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 4829 TO AMENDMENT NO. 4828

Mr. REID. Mr. President, I have a second-degree amendment at the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 4829 to amendment No. 4828.

Mr. REID. I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

In the amendment, strike "5" and insert "4".

## CLOTURE MOTION

Mr. REID. Mr. President, I have a cloture motion at the desk on the substitute amendment, and I ask that it be stated.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

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 debate on the substitute amendment No. 4825 to S. 3036, the Lieberman-Warner Climate Security Act.

Barbara Boxer, John Warner, Joseph Lieberman, Tom Harkin, Robert Menendez, Bill Nelson, Thomas R. Carper, Sheldon Whitehouse, Charles E. Schumer, Frank R. Lautenberg, Dianne Feinstein, Joseph R. Biden, Jr., John F. Kerry, Robert P. Casey, Jr., Patrick J. Leahy, Richard Durbin, Harry Reid.

Mr. REID. Mr. President, I ask that the mandatory quorum call be waived.

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

## AMENDMENT NO. 4830

Mr. REID. Mr. President, I move to commit the bill to the Environment and Public Works Committee with instructions to report back forthwith with an amendment.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Nevada [Mr. REID] moves to commit the bill to the Environment and Public Works Committee, with instructions to report back forthwith, with an amendment numbered 4830.

Mr. REID. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

At the end, insert the following:

This section shall become effective 3 days after enactment of the bill.

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

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

## AMENDMENT NO. 4831

Mr. REID. Mr. President, I have an amendment to the instructions at the desk and ask for its consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 4831 to the instructions of the motion to commit.

Mr. REID. I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

On line 1, strike "3" and insert "2".

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

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

## AMENDMENT NO. 4832 TO AMENDMENT NO. 4831

Mr. REID. Mr. President, I have a second-degree amendment to the instructions at the desk, and I ask for its consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 4832 to amendment No. 4831.

The amendment is as follows:

In the amendment strike "2" and insert "1".

Mr. FEINGOLD. Mr. President, I am pleased that the Senate is finally debating legislation, S. 3036, addressing the serious problem of climate change. For years, Congress and the White House have ignored or downplayed the scientific consensus and failed to act on this pressing issue. That delay is inexcusable.

The details of S. 3036 are as complicated as they are important, and, given the potential implications for our economy, our energy policies and our planet, we need to take the time to make sure we get them right. A number of questions have been raised about elements of the bill we are considering, and I look forward to considering amendments to address some of these concerns. But one thing is clear, and that is the need to establish a cap-and-trade program to reduce total domestic greenhouse emissions.

To avoid the significant costs and consequences of climate change, leading scientists inform us that we must stabilize global atmospheric concentrations of greenhouse gases below 450 parts per million and prevent the temperature from increasing above 3.6 degrees Fahrenheit above pre-industrial levels. To achieve these reductions, I am a cosponsor of legislation introduced by Senator SANDERS, S. 309, that would require that such emissions be reduced by 80 percent from 1990 levels by 2050.

I hope that this debate marks a new recognition of the need for meaningful Federal action to address a threat that has been neglected for far too long. Though the challenge before us is great, the cost of inaction is even greater.

Mr. BAUCUS. Mr. President, the amendment I am filing to S. 3036, the Lieberman-Warner Climate Security Act of 2008, is aimed at preserving the legislative process. With an issue as complex and wide-ranging as climate change, there are several committees within the Senate that not only have an interest but a responsibility to deal with some aspects of the cap-and-trade system we develop. This amendment will assure that the appropriate committees of the Congress will have the opportunity to consider those aspects of a cap-and-trade proposal within their jurisdiction.

Mr. President, the amendment I am filing to S. 3036, the Lieberman-Warner

Climate Security Act of 2008, is designed to use the revenues generated from the auctioning of the greenhouse gas allowances for tax relief.

A cap-and-trade system proposed in this legislation will generate billions of dollars. The Congressional Budget Office estimates that the Boxer substitute will generate \$902 billion in revenues during the initial 10 years of the program.

As chairman of the Finance Committee, I have a responsibility to direct Federal revenues to the purposes of the committee, initially, and the Senate, ultimately, consider in the best interest of the country.

Ms. COLLINS. Mr. President, I am proud to be an original cosponsor of the Lieberman-Warner Climate Security Act. This bill addresses the most significant environmental challenge facing our country. The scientific evidence clearly demonstrates the human contribution to climate change. According to recent reports from the Intergovernmental Panel on Climate Change, increases in greenhouse gas emissions have already increased global temperatures, and likely contributed to more extreme weather events such as droughts and floods. These emissions will continue to change the climate, causing warming in most regions of the world, and likely causing more droughts, floods, and many other societal problems.

In the United States alone, emissions of the primary greenhouse gas, carbon dioxide, have risen more than 20 percent since 1990. Climate change is the most daunting environmental challenge we face and we must develop reasonable solutions to reduce our greenhouse gas emissions.

I have observed in person the dramatic effects of climate change and had the opportunity to be briefed by the preeminent experts. In 2006, on a trip to Antarctica and New Zealand, for example, I learned more about research by scientists at the University of Maine. Distinguished National Academy of Sciences member George Denton took us to sites in New Zealand that had been buried by massive glaciers at the beginning of the 20th century, but are now ice free. Fifty percent of the glaciers in New Zealand have melted since 1860—an event unprecedented in the last 5,000 years. We could clearly see the glacial moraines, where dirt and rocks had been pushed up in piles around the glacial terminus in 1860. I thought it was remarkable to stand in a place where some 140 years ago I would have been covered in tens or hundreds of feet of ice, and then to look far up the mountainside and see how distant the edge of the ice is today.

In Antarctica, I visited the Clean Air Station at the South Pole. Being the farthest place on Earth from major emissions sources, the South Pole has the cleanest air on Earth, and thus provides an excellent place to measure the background quality of the Earth's air.

By analyzing carbon dioxide in ice cores, scientists have been able to create reliable measurements of atmospheric carbon dioxide going back over hundreds of thousands of years. The measurements of carbon dioxide at Clean Air Station provide a reliable comparison to document the impact of human activity on increasing carbon dioxide concentrations in recent years compared to the last hundreds of thousands of years. The melting is even more dramatic in the Northern Hemisphere. In the last 30 years, the Arctic has lost sea ice cover over an area 10 times as large as the State of Maine, and at this rate will be ice free by 2050. In 2005 in Barrow, AK, I witnessed a melting permafrost that is causing telephone poles, planted years ago, to lean over for the first time ever.

I also learned about the potential impact of sea level rise during my trips to these regions. If the West Antarctica Ice Sheet were to collapse, for example, sea level would rise 15 feet, flooding many coastal cities. In their 2007 report, the IPCC found that due even just to gradual melting of ice sheets, the average predicted sea level rise by 2100 will be 1.6 feet, but could be as high as 1 meter, or almost 3 feet. In Maine a 1-meter rise in sea level will cause the loss of 20,000 acres of land, include 100 acres of downtown Portland—including Commercial Street, a major business thoroughfare along the water. Already in the past 94 years, a 7 inch rise in sea level has been documented in Portland.

The time has come to take meaningful action to respond to climate change. My colleagues worked tirelessly in recent months to develop legislation that will preserve our environment for future generations while providing reasonable emission reduction goals, offsets, and incentives for the industries covered by the bill.

I applaud the leadership of my colleagues from Virginia, Connecticut, and California in bringing this bill to the floor this week.

#### RURAL COOPERATIVES

Mr. NELSON of Florida. Mr. President, I rise to engage in a colloquy with my friend, the junior Senator from Connecticut. I was pleased to co-sponsor the Lieberman-Warner Climate Security Act shortly after it was introduced last October, and I followed its progress through the Environment and Public Works Committee with interest.

Today, the full Senate will begin considering that bill, and Senator BOXER, the chairman of the Environment and Public Works Committee, will offer a substitute amendment that she has worked out with Senators LIEBERMAN and WARNER. I have a question for my friend from Connecticut regarding this substitute amendment.

As the Senator from Connecticut knows, many rural electric cooperatives in this country serve the role of local distribution companies. The committee-reported version of the Climate Security Act included rural electric cooperatives among the local distribution

companies that receive emission allowances over the entire 42-year life of the program. In Florida, electric cooperatives serve more than 1,000,000 Floridians in 58 of our 67 counties. Most of these rural electric cooperatives own fossil fuel-fired powerplants.

I was recently in Florida and held a series of town hall meetings across the State and heard from rural cooperatives that are concerned about the way emission allocations are distributed under the substitute amendment.

Can my friend from Connecticut address their concern and explain how allowances are available to rural cooperatives under the Boxer-Lieberman-Warner substitute amendment?

Mr. LIEBERMAN. Mr. President, I thank my friend, the senior Senator from Florida, for his question.

I would be glad to address the concern that rural electric cooperatives in Florida have brought to him.

Let me reassure him, and them, that the substitute amendment does include rural electric cooperatives among the local distribution companies that receive free emission allowances over the entire 42-year life of the program.

And let me reassure him, and them, that the substitute amendment does include rural electric cooperatives among the fossil fuel-fired powerplant owners that receive free emission allowances over a transitional period that lasts from 2012 through 2030. As in the committee-reported version of the bill, the separate allocation of free emission allowances that is exclusive to rural electric cooperatives in the substitute amendment is additional to the free emission allowances that rural electric cooperatives receive as local distribution companies and as fossil-fuel-powerplant owners. Under the substitute amendment, as under the committee-reported bill, rural electric cooperatives in Montana and Virginia are the only rural electric cooperatives in the country that receive free emission allowances solely from an exclusive allocation and not also from the bill's local-distribution-company and fossil-fuel-powerplant allocations. Indeed, there is a provision in the substitute amendment, section 552(c)(2)(C) that would be mere surplussage if the case were otherwise.

Mr. NELSON of Florida. Mr. President, I thank my friend from Connecticut for the clarification.

#### CONSUMER-FIRST ENERGY ACT OF 2008—MOTION TO PROCEED

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to Calendar No. 743, S. 3044, the Consumer-First Energy Act of 2008, at a time to be determined by the majority leader, following consultation with the Republican leader.

The PRESIDING OFFICER. Is there objection?

Mr. MCCONNELL. I object.

#### CLOTURE MOTION

Mr. REID. Mr. President, in light of that objection, I now move to proceed

to Calendar No. 743, S. 3044, and send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The assistant 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 debate on the motion to proceed to S. 3044, the Consumer-First Energy Act of 2008.

Harry Reid, Barbara Boxer, Charles E. Schumer, Sheldon Whitehouse, Robert P. Casey, Jr., Patty Murray, Debbie Stabenow, Benjamin L. Cardin, Daniel K. Akaka, Jack Reed of Rhode Island, Claire McCaskill, Christopher J. Dodd, Amy Klobuchar, Patrick J. Leahy, Barbara A. Mikulski, Frank R. Lautenberg, Carl Levin.

Mr. REID. Mr. President, I ask unanimous consent that the cloture vote occur on Tuesday, June 10, at 12 noon with 20 minutes immediately prior to the vote equally divided and controlled by the two leaders or their designees, with the majority leader controlling the final 10 minutes.

Mr. MCCONNELL. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. REID. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be dispensed with.

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

Mr. REID. I now ask that the cloture motion be withdrawn.

The PRESIDING OFFICER. Without objection, it is so ordered. The cloture motion is withdrawn.

Mr. REID. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be dispensed with.

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

Mr. REID. Mr. President, I have already expressed my appreciation to the staff for all their hard work. I have been informed by the minority that we need not be around here tonight having to vote on our ability to adjourn, so Senators, if they wish, can leave now and the two of us will terminate business. I thank everybody for their patience. I am sorry they had to come back tonight.

#### UNANIMOUS-CONSENT AGREEMENT—H.R. 6124

Mr. REID. Mr. President, I ask unanimous consent that at 4 p.m. on Thursday, June 5—that is tomorrow—the Senate proceed to the consideration of