

S. 756

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Growing Renewable Energy for Emerging Needs (GREEN) Act".

SEC. 2. CREDIT FOR ELECTRICITY PRODUCED FROM BIOMASS.

(a) **EXTENSION AND MODIFICATION OF PLACED-IN-SERVICE RULES.**—Paragraph (3) of section 45(c) of the Internal Revenue Code of 1986 is amended—

(1) by striking subparagraph (B) and inserting the following new subparagraph:

"(B) **CLOSED-LOOP BIOMASS FACILITY.**—In the case of a facility using closed-loop biomass to produce electricity, the term 'qualified facility' means any facility—

"(i) owned by the taxpayer which is originally placed in service after December 31, 1992, and before January 1, 2007, or

"(ii) of the taxpayer which is originally placed in service before December 31, 1992, and modified to use closed-loop biomass to co-fire with coal before January 1, 2007.",

(2) by striking "2002" in subparagraph (C) and inserting "2007", and

(3) by adding at the end the following new subparagraphs:

"(D) **BIOMASS FACILITIES.**—In the case of a facility using biomass (other than closed-loop biomass) to produce electricity, the term 'qualified facility' means any facility owned by the taxpayer which is originally placed in service before January 1, 2007.

"(E) **SPECIAL RULES.**—In the case of a qualified facility described in subparagraph (B)(i) or (D)—

"(i) the 10-year period referred to in subsection (a) shall be treated as beginning no earlier than the date of the enactment of this paragraph, and

"(ii) subsection (b)(3) shall not apply to any such facility originally placed in service before January 1, 1997."

(b) **BIOMASS FACILITIES.**—

(1) **IN GENERAL.**—Section 45(c)(1) of the Internal Revenue Code of 1986 (defining qualified energy resources) is amended—

(A) by striking "and" at the end of subparagraph (B),

(B) by striking the period at the end of subparagraph (C) and inserting ", and", and

(C) by adding at the end the following new subparagraph:

"(D) biomass (other than closed-loop biomass)."

(2) **BIOMASS DEFINED.**—Section 45(c) of such Code (relating to definitions) is amended by adding at the end the following new paragraph:

"(5) **BIOMASS.**—The term 'biomass' means any solid, nonhazardous, cellulosic waste material which is segregated from other waste materials and which is derived from—

"(A) any of the following forest-related resources: mill residues, precommercial thinnings, slash, and brush, but not including old-growth timber,

"(B) solid wood waste materials, including waste pallets, crates, dunnage, manufacturing and construction wood wastes (other than pressure-treated, chemically-treated, or painted wood wastes), and landscape or right-of-way tree trimmings, but not including municipal solid waste (garbage), gas derived from the biodegradation of solid waste, or paper that is commonly recycled, or

"(C) agriculture sources, including orchard tree crops, vineyard, grain, legumes, sugar, and other crop by-products or residues."

(c) **EFFECTIVE DATE.**—The amendments made by this section shall apply to electricity produced after the date of the enactment of this Act.

By Mr. SPECTER:

S. 757. A bill to designate the Federal building and United States courthouse located at 504 West Hamilton Street in Allentown, Pennsylvania, as the "Edward N. Cahn Federal Building and United States Courthouse"; to the Committee on Environment and Public Works.

Mr. SPECTER. Mr. President, I rise today to introduce legislation to name the Federal building and courthouse in Allentown, Pennsylvania for retired Judge Edward N. Cahn. Judge Cahn, a native Pennsylvanian and resident of the Lehigh Valley, served with distinction on the Federal bench for 23 years, including 5 years as chief judge.

Judge Cahn attended school at Lehigh University and graduated magna cum laude in 1955. He went on to receive a law degree from Yale University in 1958 and began practicing law in Allentown in 1959. His accomplishments on the basketball court as a 1,000 point scorer for Lehigh University translated into his later success in another court, when President Ford nominated him to be a federal judge in 1974.

Judge Cahn was instrumental in helping build Allentown's new courthouse, which opened in 1995. This beautiful structure is a symbol for the resurgence of the Lehigh Valley, and it is only fitting that the courthouse should bear the name of an individual who did so much to help his community. His dedication to his work and fairness were well recognized throughout Pennsylvania and it is my hope that future jurists who serve in this courthouse will uphold those same ideals.

On February 28, 2001, the House unanimously passed an identical measure, H.R. 558, introduced by my colleagues, Congressmen PATRICK TOOMEY and TIM HOLDEN. I am hopeful that the Senate will also see fit to pass my bill, and I urge my colleagues to join me in honoring Judge Edward N. Cahn.

I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 757

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. DESIGNATION OF EDWARD N. CAHN FEDERAL BUILDING AND UNITED STATES COURTHOUSE.

The Federal building and United States courthouse located at 504 West Hamilton Street in Allentown, Pennsylvania, shall be known and designated as the "Edward N. Cahn Federal Building and United States Courthouse".

SEC. 2. REFERENCES.

Any reference in a law, map, regulation, document, paper, or other record of the United States to the Federal building and United States courthouse referred to in section 1 shall be deemed to be a reference to the "Edward N. Cahn Federal Building and United States Courthouse".

APPOINTMENT

The PRESIDING OFFICER. The Chair, on behalf of the President pro

tempore, pursuant to Public Law 94-118, reappoints the Senator from West Virginia (Mr. ROCKEFELLER) to the Japan-United States Friendship Commission.

ORDERS FOR TUESDAY, APRIL 24, 2001

Mr. VOINOVICH. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until the hour of 9:30 a.m. on Tuesday, April 24. I further ask unanimous consent that on Tuesday, immediately following the prayer, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and the Senate then begin a period of morning business, equally divided, with Senators speaking for up to 10 minutes each.

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

Mr. VOINOVICH. I further ask unanimous consent that the Senate stand in recess from the hours of 12:30 p.m. to 2:15 p.m. for the weekly policy conferences to meet.

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

PROGRAM

Mr. VOINOVICH. For the information of all Senators, it is hoped that the Senate can begin consideration of S. 1, the education bill, tomorrow morning. Negotiations have been ongoing during the recess and throughout the day today. It may be possible to begin consideration of the education legislation shortly after convening on Tuesday. Any Senator who desires to speak on the issue of education is encouraged to come to the floor tomorrow to participate in the debate. Votes are therefore possible during tomorrow afternoon's session.

ORDER FOR ADJOURNMENT

Mr. VOINOVICH. If there is no further business to come before the Senate, I now ask unanimous consent the Senate stand in adjournment under the previous order following the remarks of Senator NELSON of Florida.

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

Mr. VOINOVICH. 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.

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

The PRESIDING OFFICER (Mr. VOINOVICH). Without objection, it is so ordered.

OIL DRILLING

Mr. NELSON of Florida. Mr. President, I rise to discuss a matter of critical importance to the State of Florida; that is, the prospect that soon, under the new administration, we might have the sale-for-lease tracts for offshore oil drilling off the coast of the State of Florida.

There has been in place presently a moratorium in one form or another since 1989 regarding drilling off the coast of the State of Florida. And there is presently offered, through this new administration, through the Department of the Interior, a proposed lease sale called "lease sale 181," which comes within 30 miles of Perdido Key, which is in northwest Florida. It is explained by the new administration that most of the tract for lease is 100 miles off the coast. But there is indeed a part that comes to within a few miles of the coast of Alabama and close to the State of Florida-Alabama line. This lease tract would come within some 20 to 30 miles of the pristine white beaches of the State of Florida.

I can tell you that 16 million Americans residing in the State of Florida do not want drilling off the coast of our State and have spoken vigorously against it, which is why we have had a moratorium off the State of Florida. Yet the administration continues to persist.

Now let me read for you a statement that was made by candidate George W. Bush in the past campaign. He made this statement at West Port Richey, north of Tampa, FL. He said at the time in the campaign, when asked about offshore oil drilling in Florida:

I'm going to work with your Governor about offshore drilling here in Florida. We are both against it. We are both against it.

Twice he said he was against it. But it is now his position to offer it. Just last week the Tampa Tribune, a very conservative editorial newspaper—in an editorial last Thursday, said:

Had George W. Bush openly supported the sale of these leases before the election, he would have lost Florida and the Presidency.

Now that is the truth. And promises are being broken. The fact is that they don't need to be because we could address our energy problem if we would be wise by increasing our R&D on alternative fuels, on increased conservation. You don't have to produce your way out of the energy crisis. You can be a lot wiser with using alternative methods.

In the discussion of the budget, we saw some dramatic testimony showing that the consumption of energy in the United States, in large part, is allocated to transportation. Why should we not use research and development to build a new automobile that in fact can get 60 to 80 miles per gallon? That would cause a tremendous conservation of energy in this country. That is just one alternative, but it is an alternative we ought to explore and keep the promises that were made in the election.

This whole matter of offshore oil drilling suddenly caught my attention back in the early 1980s, when, as a junior Congressman representing a congressional district off the east coast of Florida, suddenly I was confronted with the Reagan administration, through the person of the former Secretary of the Interior, James Watt, offering leases for oil drilling off the east coast of the United States, from as far north as Cape Hatteras, all the way as far south as off Fort Pierce, FL. As a junior Congressman, I went to work with the Appropriations Committee in the House to get them to insert language that would say in the Department of the Interior appropriations bill: No money may be used under this appropriations act for the purpose of offering oil and gas leases in tracts such-and-such—and then we described all of the tracts that were being offered.

We won in that year in the Appropriations Committee because of bringing to that committee dramatic testimony from Florida about what would be the environmental and economic damage to our State if waves of oil were lapping up onto the beaches of Florida—not only environmental damage, but economic damage as well, particularly considering Florida's tremendous tourism industry.

Well, I thought my fight was over. But sure enough, after a year's lapse, the Reagan administration came back under a new Secretary of the Interior and proposed those oil leases again. So we had to go to work even harder. This time it escalated all the way up to not just the appropriations subcommittee on the Department of the Interior, but to the full Appropriations Committee, where we finally won the vote by pointing to NASA and the Department of Defense to the fact that you can't be dropping solid rocket boosters from the space shuttle and the first stages from expendable booster rockets being launched from the Kennedy Space Center and the Cape Canaveral Air Force Station if you have oil rigs down below. So we won that vote after a hard fight.

I thought our fight was over on being able to protect Florida's shores from the threat of environmental and economic damage as a result of oil drilling. But my hope back there in the early 1980s was for naught because in the year 2001, despite a promise that was made last fall, in the year 2000, by candidate for President George W. Bush, one of the first acts of the new Bush administration is to offer for sale lease tract 181 off the coast of the State of Florida for oil and gas drilling.

Well, 16 million Floridians will not stand for this. Senator BOB GRAHAM and I will not stand for this. Statewide elected officials expressed many times over, including this Senator who used to be an elected member of the State Cabinet of Florida, will not stand for it. The legislature of the State of Florida will not stand for it. Most of the

congressional delegation from the State of Florida will not stand for it. Yet the administration persists.

It looks as if we are in for a donnybrook where we will clash our swords and see if the will, the desire of 16 million Floridians will prevail.

I thank the Chair. I yield the floor.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands in adjournment.

Thereupon, the Senate, at 3:20 p.m., adjourned until Tuesday, April 24, 2001, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate April 23, 2001:

DEPARTMENT OF DEFENSE

POWELL A. MOORE, OF GEORGIA, TO BE AN ASSISTANT SECRETARY OF DEFENSE, VICE JOHN K. VERONEAU.
WILLIAM J. HAYNES II, OF TENNESSEE, TO BE GENERAL COUNSEL OF THE DEPARTMENT OF DEFENSE, VICE DOUGLAS A. DWORKIN.

EXECUTIVE OFFICE OF THE PRESIDENT

ROBERT GLENN HUBBARD, OF NEW YORK, TO BE A MEMBER OF THE COUNCIL OF ECONOMIC ADVISERS, VICE MARTIN NEIL BAILY, RESIGNED.

FEDERAL RESERVE SYSTEM

ROGER WALTON FERGUSON, JR., OF MASSACHUSETTS, TO BE A MEMBER OF THE BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM FOR A TERM OF FOURTEEN YEARS FROM FEBRUARY 1, 2000. (REAPPOINTMENT)

DEPARTMENT OF DEFENSE

EDWARD C. ALDRIDGE, OF VIRGINIA, TO BE UNDER SECRETARY OF DEFENSE FOR ACQUISITION AND TECHNOLOGY, VICE JACQUES GANSLER.

FEDERAL TRADE COMMISSION

TIMOTHY J. MURIS, OF VIRGINIA, TO BE A FEDERAL TRADE COMMISSIONER FOR THE TERM OF SEVEN YEARS FROM SEPTEMBER 26, 2001, VICE ROBERT PITOFKY, TERM EXPIRING.

DEPARTMENT OF ENERGY

BRUCE MARSHALL CARNES, OF VIRGINIA, TO BE CHIEF FINANCIAL OFFICER, DEPARTMENT OF ENERGY, VICE MICHAEL TELSON, RESIGNED.

DEPARTMENT OF STATE

A. ELIZABETH JONES, OF MARYLAND, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF CAREER MINISTER, TO BE AN ASSISTANT SECRETARY OF STATE (EUROPEAN AFFAIRS), VICE JAMES F. DOBBINS.
PETER F. ALLGEIER, OF VIRGINIA, TO BE A DEPUTY UNITED STATES TRADE REPRESENTATIVE, WITH THE RANK OF AMBASSADOR, VICE RICHARD W. FISHER, RESIGNED.

FOREIGN SERVICE

THE FOLLOWING-NAMED CAREER MEMBERS OF THE SENIOR FOREIGN SERVICE OF THE DEPARTMENT OF COMMERCE FOR PROMOTION WITHIN THE SENIOR FOREIGN SERVICE TO THE CLASS INDICATED:

CAREER MEMBERS OF THE SENIOR FOREIGN SERVICE OF THE UNITED STATES OF AMERICA, CLASS OF CAREER MINISTER:

LARON L. JENSEN, OF VIRGINIA

CAREER MEMBER OF THE SENIOR FOREIGN SERVICE OF THE UNITED STATES OF AMERICA, CLASS OF CAREER MINISTER-COUNSELOR:

CARLOS F. POZA, OF FLORIDA

THE FOLLOWING-NAMED CAREER MEMBERS OF THE FOREIGN SERVICE OF THE DEPARTMENT OF COMMERCE FOR PROMOTION INTO THE SENIOR FOREIGN SERVICE TO THE CLASS INDICATED:

CAREER MEMBERS OF THE SENIOR FOREIGN SERVICE OF THE UNITED STATES OF AMERICA, CLASS OF COUNSELOR:

DOROTHY L. LUTTER, OF MASSACHUSETTS

THOMAS E. MOORE, OF TEXAS

KAREN L. ZENS, OF THE DISTRICT OF COLUMBIA

THE FOLLOWING-NAMED PERSONS OF THE AGENCIES INDICATED FOR APPOINTMENT AS FOREIGN SERVICE OFFICERS OF THE CLASS STATED, AND ALSO FOR THE OTHER APPOINTMENTS INDICATED HEREWITH:

FOR APPOINTMENT AS FOREIGN SERVICE OFFICER OF CLASS THREE, CONSULAR OFFICER AND SECRETARY IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA: