

NOMINATION OF JAMES MAHAN

Mr. REID. Mr. President, I am very pleased that the Senate has approved Judge James C. Mahan, of Las Vegas, to be the next judge on the United States District Court for the District of Nevada.

May I say on behalf of my colleague, Senator ENSIGN, and myself that Jim Mahan has the unequivocal support of both Senators from Nevada.

Jim Mahan currently serves as a Judge on the Eighth Judicial District Court in Clark County, Nevada. He was Governor Kenny Guinn's first judicial appointment to the Clark County District Court in February 1999, an appointment that reflects the deep respect Judge Mahan has garnered from his colleagues and other Nevada officials. Since taking the bench on March 8, 1999, he has presided over a docket of more than 3,000 civil and criminal cases. Despite this heavy docket, Judge Mahan also hears probate matters, drug court and grand jury returns on a regular basis.

As my colleagues have heard me state on numerous occasions, Las Vegas has been the fastest growing metropolitan community in the United States for more than a decade. Very hard work and dedication is required of our judges, policemen, firemen, and other civil servants on a daily basis.

These qualities will serve Judge Mahan well on the U.S. District Court for the District of Nevada, whose docket has increased at a rate that mirrors the explosive growth of my home State, especially Las Vegas.

I am so proud to have played a role in creating three additional judgeships for the District of Nevada over the last few years.

Prior to the Senate's confirmation of Roger Hunt and Kent Dawson last year, and Larry Hickes last month, Nevadans seeking justice in Federal court were forced to wait up to 3 years before their case went to trial. And these delays may have been worse had it not been for our hard working judges. Those judges hear, on average, more cases than any active judges throughout the country.

Although the docket remains one of the busiest in the Federal judiciary, these judgeships—and the fine jurists who have filled them—have had an immediate impact on the Federal bench in Nevada. When he takes his place on the District Court, Jim Mahan will be a tremendous asset to what is already one of the finest courts in the nation.

As he assumes his new judgeship, Judge Mahan also will be taking a wealth of other experiences with him to the bench. Before becoming a judge, he and Frank A. Ellis III formed the law firm of Mahan & Ellis, where they practiced business and commercial law for 17 years in Las Vegas.

A long-time resident of Las Vegas, having lived and practiced law continuously since 1973, Jim was admitted to practice in Nevada in 1974 in both State and Federal court, the Ninth Circuit

Court of Appeals in 1974, and the U.S. Supreme Court in 1980.

Jim Mahan was born in El Paso, TX, on December 16, 1943. His family eventually moved to Grand Junction, CO, where he graduated from high school. Jim graduated from the University of Charleston in Charleston, WV, in 1965, and received his law degree from Vanderbilt University School of Law in 1973. In between his graduate and law school studies, Jim served in the United States Navy.

Jim has been blessed with a beautiful family. He and his wife of 33 years, Eileen, are the proud parents of one son James, Junior, who is a graduate from the University of Southern California.

In short, Jim Mahan has already proven that he is an excellent judge and a fine Nevadan. He will make an outstanding addition to the Federal bench.

CAMPAIGN FINANCE REFORM

Mr. FEINGOLD. Mr. President, our victory Thursday on campaign finance reform was a tremendous victory for the American people, and it wouldn't have been possible without the tremendous support of grassroots organizations whose members and staff worked tirelessly to help us pass this bill. I mentioned a few of those organizations on the floor yesterday, but I wanted to take this opportunity today to single out four other groups who made invaluable contributions to our effort as part of the Americans For Reform coalition. The Sierra Club, AARP, the League of Women Voters, and NETWORK, the Catholic social justice lobby, deserve special recognition for the work they did on this legislation. I would also like to thank John Weaver and Lanny Wiles for their assistance during this effort. In particular, I am grateful to the people of Wisconsin whose support for this issue has been strong and steadfast.

THE 90TH ANNIVERSARY OF THE GIRL SCOUTS OF THE USA

Mr. BROWNBACK. Mr. President, I would like to take this opportunity to recognize the 90th anniversary of the Girl Scouts of the USA, GSUSA, this month. Girl Scouting began on March 12, 1912, when founder Juliet Gordon Low assembled 18 girls from Savannah, GA. She believed that girls should be given the opportunity to develop physically, mentally, and spiritually.

This excellent organization empowers girls to develop their full potential, to relate positively to others and their community, and to promote sound values and community service. GSUSA continues to expand its programs to address contemporary issues affecting girls, while maintaining its original core values. The organization's foundation is still premised on the original 1912 "Girl Scout Promise and Law."

Today, Girl Scouting has a membership of 3.8 million, comprised of 2.7 mil-

lion girl members and over 900,000 adult members, making this the largest organization for girls worldwide. Moreover, this American organization is a member of the larger worldwide family of 10 million girls and adults in 140 countries.

Through Girl Scouting, girls acquire self-confidence and expertise, take on responsibilities, are encouraged to think creatively and act with integrity, all qualities essential for good citizenship and great leaders. At each level of Girl Scouting, girls engage in numerous activities including science and technology, sports, health and fitness, the arts, global awareness, community service, money management and finance, and much more. Importantly, the organization has established a research institute, receiving government funding to address violence prevention. It is also addressing the digital divide with activities that encourage girls to pursue careers in science, math, and technology.

In 2001, GSUSA launched a major initiative rededicating themselves to their founder's vision of empowering girls to grow into healthy, resourceful citizens. They are diligently working to ensure that Girl Scouting is available to every girl in every community, reaching beyond racial, ethnic, socioeconomic or geographic boundaries. Girl Scout troops meet everywhere including suburban, urban and rural areas, homeless shelters, migrant farm camps, and juvenile detention facilities. Some girls meet online via the Internet. And through one of Girl Scout's signature initiatives, Girl Scouts Beyond Bars, girls meet in prisons where their mothers are incarcerated.

Out of the almost one million adults in Girl Scouting, 99 percent are volunteers. While Girl Scouts enjoys the largest adult involvement of all such organizations, new leaders and mentors are constantly needed to serve the increasing number of participants who desire to be Girl Scouts.

Though the first troops met before women were given the right to vote, 90 years later there is a "Troop Capitol Hill" made up entirely of Congresswomen who are honorary Girl Scouts. More than 50 million women are alumnae. Over two-thirds of our doctors, lawyers, educators, community leaders, and women Members of Congress were once members of Girl Scouting, as were 64 percent of the women listed in "Who's Who of American Women."

For 90 years this month, this respected organization has demonstrated a proven track record of empowering girls to become leaders, equipping adults to be positive role models and mentors for children, and helping to build strong communities. With the support and dedication of Congress, Girl Scouts will surely continue this fine tradition for the next 90 years and beyond.

Mr. CORZINE. Mr. President, I rise today to celebrate the 90th anniversary

of the Girl Scouts of the United States of America. Founder Juliette Low envisioned an organization that would encourage girls to serve in their communities and experience the open air. Decades later, girls and young women from communities across our Nation enjoy scouting activities that nurture their mental, physical, and spiritual well-being in an accepting and supportive environment. I commend the efforts of the Girl Scouts and the outstanding volunteers who make this important work a reality.

Thousands of girls across the State of New Jersey actively participate in Girl Scouts. I have heard heartening stories of scouts visiting senior residence facilities, food pantries, and soup kitchens. In the wake of September 11, these thoughtful young people contributed in many meaningful ways. These active girls and young women participate in anti-smoking campaigns, sports, lessons in civics and the law, outdoors activities, and much more. These initiatives build self-confidence, and strong leadership and life skills. We cannot underestimate the importance of this positive reinforcement in the lives of girls and young women. Innovative leadership and tremendous outreach efforts in my State continue to promote the Girl Scout initiative For Every Girl, Everywhere. I offer my wholehearted support for this ambitious endeavor. Imagine the possibilities!

Thank you, Girl Scouts, for decades of volunteerism in our communities and dedication to young women. As our nation affirms its commitment to service, the Girls Scouts shine so brightly. Congratulations on this very special occasion.

ENERGY POLICY ACT OF 2002

Mr. JEFFORDS. Mr. President, the Daschle-Bingaman substitute amendment, also known as the Energy Policy Act of 2002, includes portions of a bill that was reported favorably last year from the Committee on Environment and Public Works.

That bill, the Federal Reformulated Fuels Act, S. 950, was approved with the committee's understanding that further action by the full Senate would be necessary to solve the delicate problem of eliminating MTBE from the fuel supply to protect water resources, while maintaining air quality and stimulating renewable fuel use.

The substitute amendment before the Senate now does a good job of resolving that problem and balancing many political and environmental concerns. This language does not represent the perfect solution for my State or the Northeast. However, without it, MTBE contamination of water resources will continue unabated. With it, at least we can be assured of greater protection of air and water quality.

If States proceed to ban MTBE without clear Federal authority provided in this amendment, air quality could suffer as RFG areas would be forced to use

ethanol in a very inflexible way due to the existing oxygen content requirement in the Clean Air Act. In that situation, and without the anti-backsliding provisions in the substitute amendment before us, there might be significant increases in vehicle emissions of both volatile organic compounds, which contribute to smog, and toxic air pollutants, and large and sudden increases in gasoline prices could also occur.

I would have preferred a bill that, in addition to eliminating the oxygen content requirement, simply eliminated the existing one-pound waiver of Reid vapor pressure requirements for ethanol blends and allowed all Governors to opt-in easily to the RFG program for their whole States. But, at least this language expedites Governors' access to that RVP waiver's elimination and provides accelerated opt-in authority to the entire States in the ozone transport region, where the ozone problems are quite serious. My preferred construction would have gone even further toward providing ever greater air quality benefits and a clearer set of "national" fuels.

The provision on liability limitations for renewable fuels is also problematic in that it is not clear to many of us why such a limitation is necessary. One would assume that Congress has required a renewable fuel content in motor vehicle fuel knowing what renewable fuels will be used to meet this requirement. Indeed, we assume that these renewable fuels will be ethanol and biodiesel. If these renewable fuels are as beneficial to the public health as we have been lead to believe, then there should be no need for such a liability limitation.

Under the provision, it is clear that no liability limitation applies to MTBE. It is clear that no liability limitation applies to any cases filed prior to the date of enactment of the bill. It is clear that the limitation applies only to a defective product claim and no other type of claim. It is clear that this limitation applies only to a renewable fuel, and if such fuel is blended with substances that do not meet the definition of a renewable fuel, the limitation does not extend to those substances.

The limitation is not intended to limit any legal requirements that apply to the use, distribution, transport or storage of these renewable fuels, and as such, this provision does not amend or modify any such requirements. Nor should this provision be read to curtail the duty of the producers, transporters and distributors of these fuels to act responsibly with regard to their products, including providing all warnings of dangers to human health or the environment associated with their products and taking all precautions to avoid any such harm which may include eliminating the use of the product altogether.

The substitute amendment provides protection against increases in toxic

air pollutant emissions by maintaining the overcompliance that refiners have achieved since the inception of the RFG program. This is particularly vital to the Northeast, as vehicles are a disproportionately large source of these emissions inventory. The language includes an important statutory deadline for further EPA rulemaking to impose any additional and necessary toxics reductions to protect public health. As my colleagues may know, several studies have implicated vehicle toxics emissions as a contributor to increased cancer and developmental risks in congested urban areas.

Perhaps as important, the amendment requires the EPA to do a much better job of ensuring that fuels and fuel additives don't harm water quality, as well as air quality. Manufacturers will need to regularly supply information to the Agency on the public health and environmental impacts of the use of fuels and fuel additives. The Administrator will be held responsible for assuring that that data is up to date and adequate for determining whether those substances' use is a cause for concern.

As my colleagues know, I have been a strong proponent of encouraging the use of alternative and renewable fuels for decades. That is why I have supported S. 760, a bill to provide incentives for those fuels and vehicles, and many many other efforts to motivate reductions in our dependency on petroleum. We are making a small dent in that dependency with this language. The total motor gasoline consumption in 2012 is expected to exceed 180 billion gallons annually. The substitute's provisions require that about 2.8 percent of gasoline consumption in that year to be fuel made from renewable sources. This is good for energy security and the environment.

Work has been underway in Congress to try to solve this problem since MTBE contamination was first found. Senators BOXER, FEINSTEIN and BOB SMITH, in particular, have been instrumental in addressing the matter. Before S. 950, the Committee on Environment and Public Works reported a bill, S. 2962, in the 106th Congress which had an effect similar to what is contained in this substitute amendment. Many of the most important concepts in those bills are now embodied in the amendment. It is past time that Congress acted on this matter. Further delay will simply lead to more water resource contamination.

I ask unanimous consent that a brief and informal section-by-section summary of the renewable fuels and MTBE provisions be included in the RECORD following my statement. This may assist Senators and their staff in understanding what we are attempting to do with this substitute. I urge them to help us solve this problem.

There being no objection, the following material was ordered to be printed in the RECORD.