

Snowe	Sununu	Thune
Stevens	Tester	Vitter
NAYS—58		
Akaka	Hagel	Nelson (NE)
Alexander	Harkin	Pryor
Bayh	Inouye	Reed
Bennett	Johnson	Reid
Bingaman	Kennedy	Rockefeller
Boxer	Kerry	Salazar
Brown	Klobuchar	Sanders
Byrd	Kohl	Schumer
Cantwell	Landrieu	Sessions
Cardin	Lautenberg	Shelby
Carper	Leahy	Smith
Casey	Levin	Specter
Chambliss	Lieberman	Stabenow
Collins	Lincoln	Voinovich
Conrad	Martinez	Warner
Dorgan	McCaskill	Webb
Durbin	Menendez	Whitehouse
Feingold	Mikulski	
Feinstein	Murray	Wyden
Gregg	Nelson (FL)	
NOT VOTING—5		
Biden	Dodd	Obama
Clinton	McCain	

The PRESIDING OFFICER. Under the previous order requiring 60 votes for adoption of this amendment, the amendment is withdrawn.

#### ENERGY INDEPENDENCE AND SECURITY ACT OF 2007

Mr. REID. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of the message from the House on H.R. 6, the Energy bill; that the pending motion to concur be withdrawn; that the Senate move to concur in the House amendment with the amendment at the desk; that no other amendments or motions be in order; that there be a time limitation of 30 minutes equally divided between the two leaders or their designees for debate only on that motion; that upon the use or yielding back of time, the Senate, without intervening action, vote on the motion to concur; that if the motion is agreed to, the Senate concur in the House amendment to the title and the motions to reconsider be laid on the table; that if the motion to concur is not agreed to, it be withdrawn and the message returned to the desk.

Mr. LOTT. Mr. President, reserving the right to object, if I could ask the distinguished leader to yield, could you amend that to make that 40 minutes instead of 30 minutes because we already have 18 minutes of requests.

Mr. REID. I would add to that, I say to my distinguished friend, that we would have the final 10 minutes prior to the vote, 5 minutes for Senator McCANNELL and 5 minutes for me, so that will wind up being about 50 minutes.

The PRESIDING OFFICER. Is there objection as amended?

Without objection, it is so ordered.

The Presiding Officer (Mr. WHITEHOUSE) laid before the Senate the amendment of the House of Representatives to the bill (H.R. 6) entitled "An Act to reduce our Nation's dependency on foreign oil by investing in clean, renewable, and alternative energy resources, promoting new emerging en-

ergy technologies, developing greater efficiency, and creating a Strategic Energy Efficiency and Renewables Reserve to invest in alternative energy, and for other purposes, with amendments."

The PRESIDING OFFICER. The pending motion to concur with an amendment is withdrawn.

The pending motion is a motion to concur in the House amendment to the Senate amendment to the text of the bill with an amendment which is at the desk.

#### AMENDMENT NO. 3830

(Purpose: To provide a complete substitute.)

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

The PRESIDING OFFICER. There shall be 40 minutes of debate equally divided.

Mr. LOTT. Mr. President, out of the minority time, I ask unanimous consent that these times be reserved for specific Members: Senator DOMENICI, 5 minutes; Senator INHOFE, 5 minutes; Senator STEVENS, 5 minutes; and Senator HUTCHISON, 3 minutes, out of our allocated 20 minutes of time.

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

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

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

Mr. BINGAMAN. Mr. President, I would ask the Presiding Officer, how much time exists on each side in connection with this pending bill?

The PRESIDING OFFICER. Twenty-five minutes on each side.

Mr. BINGAMAN. As I understand, 20 minutes and then 5 minutes for each of the leaders. So I would just speak for 3 minutes at this point and then yield to my colleague from New Mexico, who I know is planning to speak as well.

Mr. President, let me amend my earlier statement. I will take up to 5 minutes, please, if the Chair would advise me at the end of the 5 minutes.

The Senate has a very good energy bill before it. It would take a number of steps that will be viewed over the long term as very major steps in our energy policy.

This is the first increase in CAFE standards in well over 20 years. It has improved efficiency standards for lightbulbs, for lighting fixtures, which will eventually save more energy than all of our previous energy efficiency standards combined. This bill contains permanent authorization for energy savings performance contracts—the single most useful tool for increasing energy efficiency in the Federal Government. It contains a strengthened program for carbon dioxide capture and geological sequestration and a frame-

work for working through issues associated with geologic storage of carbon dioxide on Federal lands. It also contains strong new protections for consumers against market manipulation in oil markets.

The story of this Energy bill is not only one of what we accomplished but also those items we were not able to accomplish.

In the case of the Energy Policy Act of 2005, the biggest issue on which we did not make progress was energy efficiency, especially increased vehicle fuel economy. We have rectified that, or we will be rectifying that as we go forward and pass this legislation and get it signed into law.

For this bill, there were two big challenges we have proven unequal to here in the Senate. In my view, one is, of course, dealing with the very real problem of how to further incentivize the development of renewable energy. I hope we will have a chance to revisit the renewable electricity standard in the new Congress. I also hope we can revisit this issue of tax incentives. We failed earlier today to maintain in the legislation a package of tax incentives which I think is very important for the energy policy of this country.

We have an extremely capable staff that has worked long and hard on this legislation.

The Senate Energy Committee staff—there are many individuals here: Bob Simon, Sam Fowler, Allyson Anderson, Angela Becker-Dippmann, Patty Beneke, Mia Bennett, Tara Billingsley, Rosemarie Calabro, Michael Carr, Mike Connor, Jonathan Epstein, Deborah Estes, Alicia Jackson, Amanda Kelly, Leon Lowery, David Marks, Scott Miller, Rachel Pasternack, Britni Rillera, Gina Weinstock, and Bill Wicker. All of them have done a great job.

Senator DOMENICI's staff has also done a terrific job. Frank Macchiarola, Judy Pensabene, Kellie Donnelly, Kathryn Clay, Colin Hayes, Frank Gladics, and Kara Gleason, among others on his staff I know have done a good job.

The Senate owes a particular debt of gratitude to Senator INOUYE's and Senator STEVENS' staff, who developed the CAFE provisions in this bill. In particular, David Strickland of the Commerce Committee staff deserves recognition for his leadership, skill, and tenacity in negotiating these historic provisions.

Chris Miller, on Senator REID's staff, deserves our thanks for helping with the overall coordination of the bill in the Senate and with the House of Representatives. His counterparts in Speaker PELOSI's office, Amy Fuerstenau and Lara Levison, also put in countless hours attending meetings and helping to coordinate the activities of about 10 different House committees with interests in this bill.

Special recognition also is due to the hard-working staff of the Office of Senate Legislative Counsel on this bill.

Their team leader, Gary Endicott, worked tirelessly to ensure that the provisions of this bill were expressed in clear and correct legal form.

His partner for the CAFE provisions was Lloyd Ator of the Commerce Committee staff.

Other key contributors in the office of Senate Legislative Counsel included Michelle Johnson-Weider, John Henderson, Matt McGhie, Mark Mathiesen, Mark McGunagle, and Jim Fransen. They enjoyed the cooperation of their colleagues in the House Office of Legislative Counsel, including Tim Brown and Pope Barrow. Without the many hours they invested in drafting, redrafting, and assembling this bill, we would not have a finished text to consider today.

Finally, staff in the Congressional Budget Office, including Kathy Gramp, Megan Carroll, Dave Hull, and Matthew Pickford, helped us ensure that the bill was compliant with the complicated scoring rules that face every major piece of legislation.

All of these staff in Leg Counsel and CBO made themselves available on evenings and weekends to help ensure that we could finish this bill this year.

With that, I will thank my colleagues for their support for this bill.

I urge my colleagues to vote aye on the motion to go ahead with this legislation and send this bill to the President.

I know there are others who wish to speak. How much time remains on the majority side?

The PRESIDING OFFICER. About 20 minutes, including the 5 minutes for the leader.

Mr. BINGAMAN. I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

Mrs. HUTCHISON. Mr. President, I rise today to support this energy legislation but not without reservation.

I will begin by saying that I think there are some very good provisions in this bill. This Congress is taking a major step by increasing the CAFE standards. This increase calls for a 35-mile-per-gallon standard in every car by 2020. This is a huge conservation victory. In fact, it is a 40-percent increase from our current standard. I am also pleased that we have included the measures to increase energy efficiency in Federal buildings. The Federal Government should be a leader in promoting and adopting efficiency. We are addressing new technologies and emerging science in environmental areas such as carbon sequestration. We were able to remove the onerous tax provisions that would have made America only more dependent upon foreign sources of energy and made high prices even higher.

However, I do remain concerned with the renewable fuel standard. The proposal before us will increase the renewable fuel standard from the current requirement of 7.5 billion gallons by 2012 to 36 billion gallons by 2022. This renewable fuel standard is noble in its

objective, but it is a reckless way to draft this legislation, and here is why. It does not have a safety valve to address shortfalls in feedstocks which will be required to meet the renewable fuel standards mandate.

I have been working with Texas livestock producers and food processors for months to try to create a safety valve that would have, in conjunction with the waiver provision currently in the bill, a prospective protection from harming these industries. I believe the existing waiver provision and the safety valve could function and coexist without resulting in market uncertainty for the RFS increase.

I believe livestock and poultry producers and food processors are going to face uncertainty under these mandates. For this reason, I have worked with these industries and my colleagues in the Senate to strike a balance to provide some level of prospective analysis and relief if experts conclude that there will be a shortfall that leads to price spikes in items such as corn, cereal, chicken, and beef. Unfortunately, this bill does not contain this safety valve, and I am very concerned that we are going to have problems down the road and millions of Americans are going to pay higher grocery bills because of unanticipated events, such as droughts or floods, which impact crop yields.

I have tried to be reasonable in creating this safety valve, and we must watch this closely if we pass this bill, and I think we will. We must give relief to the livestock producers and the consumers in this country if, in fact, we cannot produce this mandate that is in this bill.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. I want to clarify the time because I think time was allotted and some Senators who should have gotten time were not here. How much time do I have?

The PRESIDING OFFICER. The minority has 21 minutes remaining, including 5 minutes of leader time.

Mr. DOMENICI. I want to ask Senator STEVENS how much time he wants. Senator STEVENS wants 3 minutes, but he wants Senator INOUYE to speak first.

The PRESIDING OFFICER. The Senator from Hawaii.

Mr. INOUYE. Mr. President, I yield 3 minutes to the Senator from California, Mrs. BOXER.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Mr. President, I thank Senator INOUYE for all of his hard work, Senators STEVENS, BINGAMAN, and DOMENICI. I could go on.

I speak as a Senator from California. I also speak as the chairman of the EPW Committee and say this is a very good moment for the Senate. I see my ranking member here, Senator INHOFE. Four of the provisions in this bill we worked on together in the committee. I think we are both very pleased with them. This has been a long and winding

road, as the song says. But here we are with a bill that I believe is very strong. I certainly am disappointed, because I think it should have been much stronger. To think that we could not get the 60 votes to ensure that solar energy, wind energy, and geothermal had tax incentives makes me sad. A simple part of that was also rejected that dealt with the renewable portfolio standard that makes a lot of sense and works in California. I think it would have worked. We are not going to give up on any of that. But we will fight for those another day.

Today we should take a moment to say, good job. Good job to all of us to get to this moment.

I want to talk a minute about the four provisions of the EPW that are in this bill. Green buildings, new Federal buildings will be energy efficient, will be green. As part of that we also passed a separate piece of legislation to retrofit the older buildings. We did it in a very simple way. We say in all of GSA buildings we want an individual responsible for retrofitting those buildings, and we will give grants to local governments to retrofit their government buildings as well.

There is also a part in this bill dedicated to funding a solar wall on the Department of Energy so the Department of Energy becomes a symbol of renewable energy. There is a pilot project for the Capitol powerplant so we can get clean energy there as well.

I thank Erik Olson, Bettina Poirier from the EPW Committee staff, and the minority staff as well, Andrew Wheeler and his team for all of their hard work. I have already thanked Senator INHOFE. Very special thanks to Senators FEINSTEIN, SNOWE, DORGAN, CARPER, CANTWELL, and to our chairman Senator INOUYE, again, for their hard work on CAFE.

I am also pleased that the Federal fleet of cars will now move to fuel efficiency. I don't know how many people are aware, but we buy 60,000 new cars a year for the Federal fleet, and it makes so much sense for us to go out in that marketplace and move toward fuel efficiency and fuel economy.

In this bill, we have renewable fuels, fuel efficiency, green buildings. It is a great start.

I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. DOMENICI. I yield 5 minutes to the Senator from Oklahoma.

Mr. INHOFE. Mr. President, let me thank Senator DOMENICI for all his hard work. It is one of the few times I can recall that I have disagreed with him on a position. I do so on this particular bill. Let me first say while the chairman of the EPW committee is still here, I agree with the comments she made. We have some provisions in here that are an improvement but, in my mind, not enough of an improvement to pass this bill. First let me say I what I think is wrong with this. The renewable fuels standard increase is

going to mandate an increase from 7½ to 15. That is of corn ethanol. Then other bio increases are more than that. But as far as the corn is concerned, in my State of Oklahoma, I have been talking to the livestock people and the poultry people, the meat industry in Oklahoma, the backbone of our economy. They are very distressed because of the increase in the cost of feedstock. This is going to make it that much worse. There are other problems with that, too, with ethanol's effect on food prices: economic sustainability, transportation infrastructure needs, the water usage in this process. It is something I think is a bad provision.

It is going to pass, probably with 80 votes. Maybe I will be the only vote against it. But another thing, I am not as impressed with the CAFE standards. I know everybody is talking about, yes, we have to do this. We have to have these mandates. You have to keep in mind this is still America. We have choices in America. In western Europe they don't. Some other countries they don't. So we are going to be emulating them. If you will listen to the National Safety Council, the Brookings Institute, the Insurance Institute for Highway Safety, the National Academy of Sciences, all of these groups say this provision is going to be a safety threat for Americans.

On the tax provisions, I do appreciate the fact that they were able to bring down some of these. There are still some tax increases but nothing like it was at one time. I think it is important for people to understand this does extend a \$1.4 billion tax, the FUTA tax. This was established in 1976 to repay loans from the Federal unemployment trust fund. They were all repaid by 1987. So they keep finding a vehicle to renew a \$1.4 billion tax increase on the American people. It is right here in this legislation.

One of the things I guess that bothered me more than anything else was when we did the highway bill, the highway reauthorization bill was a good bill. We spent a lot of time on that. We had provisions in there to give the States more flexibility with their money to meet the needs in their States with the recognition that the States are closer to the people. They know what their needs are more than the Federal Government does. We got those provisions in there. Because some people in the House didn't want the States to have that flexibility, we beat them in conference so they put it in this bill. So now we have two provisions in this bill that are going to make it more difficult for States. In fact, it is going to take away their flexibility. We are taking away States rights with this bill. That is what it does.

I will tell you what it doesn't do. It has no provisions for nuclear power. Everybody understands we have to address that. That was one of the provisions when we first started talking about this. Nothing in there for clean

coal technology, for exploration, to promote refinery expansion. We had a bill called the Gas Price Act. No one should have been opposed to it. I begged to have this as a part of this bill. Those who put it together found it wasn't something that could be acceptable. It would increase our refinery capacity and resolve many other problems with some of our closed military bases. That was not a part of this bill and should have been.

This bill will mean a profound increase of the cost of fuel at the pumps. People have to know that. We can talk about how good it is and send out our press releases, but in the final analysis, it is going to increase the price at the pump. It is going to make it more difficult. It is going to exacerbate the problem of what I consider to be an energy crisis.

So it is not an energy bill. It is one that I may be the only one opposing, but I thought I would share with you why I will.

The PRESIDING OFFICER. The Senator from Hawaii.

Mr. INOUYE. Mr. President, I yield 3 minutes to the Senator from Washington, Ms. CANTWELL.

Ms. CANTWELL. Mr. President, clearly this energy bill points us in a new direction. This is a much greener energy bill than we have seen in the past and certainly is more consumer friendly. It is a greener energy bill because it is nearly a 20-percent reduction in future CO<sub>2</sub> output by the year 2030. It is a greener energy bill because it does make mandates on the Federal Government's use of energy. In fact, it is a 30-percent reduction in energy used by Federal buildings, resulting in a \$4 billion annual savings to taxpayers by 2020. I know that may be hard for some people to believe and understand, but it is a lot of savings considering that there are 500,000 Federal buildings and that Government is the largest user of electricity in the country. So mandating these energy reductions is going to make us more efficient and certainly apply the use of those savings to help American taxpayers.

It is also a greener energy bill because it sets up new appliance and lighting standards. Again, I know people underestimate efficiency. Today household appliances, lighting, and electronics use up to two-thirds of the energy in households. By requiring these new standards for manufacture of these products, we will save over 40,000 megawatts of energy. That is the same amount of electricity used in 19 States today. It is certainly a greener energy bill because we are putting at the pump for consumers a renewable fuel competition for fossil fuel. We are doing that by mandating 36 billion gallons of renewable fuel by 2020. That amount is the same amount we import from the Persian Gulf today. So swapping that oil out for a greener energy supply for our future is a tremendous benefit.

This also is a great consumer bill. It is a great consumer bill because of the

fuel efficiency standards. The 35 miles per gallon will save American drivers over \$200 billion at the gas pump. For my State of Washington, we will give consumers an annual \$436 million of savings. It is also a consumer-friendly bill because we are reducing our dependence on foreign oil. This is a 35-percent reduction in our foreign oil consumption, and American consumers view this as one of our Nation's biggest priorities.

And it is a consumer-friendly bill because we have protected consumers by making market manipulation of oil markets a Federal crime. I know we have heard stories. I know there are lots of issues about speculation. But by giving the FTC new authority to issue fines per violation, we are giving consumers more protection.

I yield the floor.

Mr. INOUYE. Mr. President, I yield 3 minutes to Senator CARPER.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. CARPER. I thank the chairman for yielding. I commend him and the young man sitting next to him, David Strickland, who has done great work, as has a member of my staff, Beth Osborne, seated behind me.

We can talk about what might have been and how this legislation could have been better, more comprehensive. Six months ago I stood here and said, there are three things we need to accomplish with respect to fuel efficiency for cars, trucks, and vans. No. 1, we ought to reduce our dependence on foreign oil. No. 2, we should reduce the emissions of harmful stuff up into the air. No. 3, we should accomplish goals 1 and 2 without undermining the competitiveness of the domestic auto industry.

Tonight as we are on the verge of passing this legislation, we will reduce our dependence on foreign oil, we will reduce harmful emissions, and we will not undermine the competitive advantage of our domestic auto industry. It is not enough for us as a Congress to say to the auto industry, raise fuel efficiency standards, eat your spinach. We have a responsibility to help them. In this legislation we do any number of things to help the industry—major investments in R&D, new battery technology—just as we had invested previously Federal dollars in fuel cell technology for cars, trucks, and vans. Secondly, using the Government's purchasing power to help commercialize the new technology both on the civilian side and on the defense side to make a market for these new products. Three, to use tax incentives for hybrids, for low-emission diesel in order to encourage people to buy these vehicles.

We can lament what might have been. Let me say in graphic terms what this legislation means. Today we import about 2.5 million barrels of oil per day. By 2020, this legislation will save that much oil or more. Today we emit huge amounts of CO<sub>2</sub> into the air. We

warm our globe and imperil our future. This legislation will reduce carbon dioxide emissions by about 20 percent, essentially taking 60 million cars off the road by 2020.

Finally, we are going to say this is based on \$3-a-gallon gasoline. But we are going to save consumers close to \$100 billion at the pump in the year 2020. Those are huge savings. They are tangible savings. We, as Democrats in the majority, have an obligation to lead. We have led. We have worked with the auto industry, the UAW. We have worked with our Republican brethren.

The American people want us to get things done. They want us to find a way to set aside partisan politics and work together. I think in this instance we have done that. I commend Senator INOUYE and Senator STEVENS, and I commend Senators BOXER, BINGAMAN, and DOMENICI, our staffs who have worked so hard.

I thank the auto industry, the UAW, our friends over in the House, including JOHN DINGELL, Speaker PELOSI, and Majority Leader STENY HOYER.

This a victory not just for the Democratic Party and the Republican Party, and not just for the Congress, this is a victory for America. We can be proud of this, and I am.

The PRESIDING OFFICER. Who yields time?

The Senator from Hawaii.

Mr. INOUYE. Mr. President, I yield myself 4 minutes. I rise today in support of the bill before us. After months of constructive negotiations, we have successfully crafted a thoughtful, bipartisan agreement, particularly in title I, otherwise known as the Ten-in-Ten Fuel Economy Act.

Title I would mandate an increase in automobile fuel economy to a nationwide fleet average of 35 miles per gallon by 2020. In addition, the Department of Transportation would adopt fuel economy standards for medium and heavy-duty commercial vehicles for the first time.

Today's agreement marks historic progress: This is the first statutory increase in fuel economy standards since 1975. Reducing our dependence on foreign oil is of vital importance to our national security, economic stability, and consumer welfare. The Ten-in-Ten Fuel Economy Act is a major step toward achieving these goals.

Title I of this bill will save approximately 1.1 million barrels of oil per day in 2020, equal to one-half of what we currently import daily from the Persian Gulf. By the year 2020, this bill will save consumers approximately \$22 billion at the pump and prevent approximately 200 million metric tons of greenhouse gases from polluting our environment each year. By dramatically reducing greenhouse gas emissions by 2020, title I would demonstrate to the world that America is a leader in fighting global warming.

Legislation of this magnitude could have only been achieved through the

hard work of a coalition of Members. In this case, without Senator FEINSTEIN, Senators STEVENS, SNOWE, KERRY, DORGAN, LOTT, CARPER, BOXER, DURBIN, ALLEXANDER, CORKER, and CANTWELL, the agreement would not have been reached.

In particular, I congratulate Senator FEINSTEIN on her efforts in developing this bill. Her dedication over the years has led to a public policy that very few thought possible. I also praise the efforts of my good friend Senator STEVENS, who was instrumental in forging the compromise before us. I also thank Chairman DINGELL and Senators LEVIN and STABENOW for their hard work and willingness to achieve an agreement that aggressively improves fuel economy while protecting domestic manufacturing and U.S. workers. The American auto worker and automaker have no better champions.

Finally, I express my appreciation to all the hard-working members of the staff who worked to make this historic legislation a reality. In particular, I commend David Strickland, Alex Hoehn-Saric, Mia Petrini, and Jared Bomberg of my Commerce Committee staff for a job well done.

The importance of this legislation cannot be underestimated. During the Arab oil embargo in 1973, Americans suffered the first devastating effects of our addiction to oil. Born out of this embargo, Congress put in place a fuel economy program that nearly doubled the gas mileage of cars from 1975 to 1985. Passage of this bill will ensure that our Nation's energy priorities start moving in the right direction again.

Higher fuel economy standards will wean the country of its oil addiction, put billions of dollars of savings back into our domestic economy, and significantly reduce greenhouse gas emissions.

A diverse group of constituencies support the Ten-in-Ten Fuel Economy Act, from environmentalists to automotive workers and automakers. While it sets forth aggressive standards, the act also recognizes the challenges faced by the auto industry and ensures that those concerns will be addressed. Providing flexibility to the automotive industry, the sponsors of these fuel economy provisions have worked together in a bipartisan manner to ensure that automakers have the tools they need to meet the requirements enumerated in the act. The Ten-in-Ten Fuel Economy Act directs the Secretary of Transportation to create two fuel economy curves, one for passenger cars and one for light trucks. This change from the Senate-passed bill provides the certainty that American automakers, auto workers, and car dealers requested, but the act still requires that the combined car and light truck fleet meet a fuel economy standard of at least 35 miles per gallon by 2020.

Our actions today will improve national security, create jobs, help consumers, and protect the environment.

At times it is the Government's responsibility to balance conflicting interests. Today, I believe we found that balance.

Mr. President, I wish to provide 30 seconds to Senator CANTWELL.

The PRESIDING OFFICER. The Senator from Washington.

Ms. CANTWELL. Mr. President, I too want to add my thanks to my staff—Amit Ronen and Lauren Bazel—for their hard work, as well as the staff of the Finance, Energy, and Commerce Committees.

I commend Senator STEVENS and Senator INOUYE for working so hard to get this landmark legislation, which has been 30 years in the making, to pass here in the Senate. Everybody from these committees has worked very hard. I thank the staff for their diligence and their perseverance in making this happen.

The PRESIDING OFFICER. Who yields time?

Mr. STEVENS. Mr. President, I believe I have 3 minutes yielded to me.

The PRESIDING OFFICER. The Senator from Alaska is recognized.

Mr. STEVENS. Mr. President, at the beginning of this Congress I introduced a bill to achieve a 40-mile-a-gallon goal by 2020. As I have indicated before, I became engaged in the CAFE debate because I believe the only way our Nation will achieve energy independence is through a combination of initiatives. Conservation, domestic production, and the development of alternative sources of energy are all parts of the broader solution. Setting fuel economy standards is one avenue toward limiting our Nation's dependence on foreign oil and significantly reducing greenhouse gas emissions.

The Senate passed unanimously a CAFE amendment based upon the attribute concept I authored. The fuel economy provision that has been placed in the bill is a good first step toward addressing our energy crisis. I thank Senator INOUYE and Senator FEINSTEIN for their insistence that the fuel economy provision be a product of bipartisan discussions. Their commitment to instituting strong and achievable policy goals was instrumental during the negotiation process of fuel economy standards.

The compromise we negotiated mandates the fuel economy of cars and trucks to be evaluated separately based upon this attribute system. The mandate ensures reasonable fuel efficiency goals for trucks and cars. In addition, the requirement will guarantee the continued availability of various sized trucks and cars in the market, which is important—very important—to our home State of Alaska.

Our bill requires annual increases to the nationwide average fleet fuel economy standards for cars and light trucks to achieve a fleetwide average standard of 35 miles per gallon by 2020. As Senator INOUYE said, this will be the first statutory fuel economy increase for passenger cars since 1975.

The bipartisan fuel economy provision will help save, as Senator CANTWELL has indicated, a significant amount of fuel over the next decade. I thank the Senate for supporting this bipartisan measure.

Mr. President, I ask unanimous consent that a list of Senate Commerce Committee staff on the Republican side who worked on the fuel economy compromise be printed in the RECORD.

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

Senate Commerce Committee staff on the Republican side who worked on the fuel economy compromise:

Chris Bertram.

Mimi Braniff.

Rebecca Hooks.

Christine Kurth.

The PRESIDING OFFICER (Mr. Nelson of Florida). Who yields time?

The Senator from New Mexico.

Mr. DOMENICI. Mr. President, how much time do we have?

The PRESIDING OFFICER. The minority has just under 15 minutes remaining.

Mr. DOMENICI. That is without the leader's time?

The PRESIDING OFFICER. That is including leadership time. There is a little over 9½ minutes without the leadership time.

Mr. DOMENICI. Mr. President, thank you. I will use 3½ minutes.

Mr. President, on behalf of Senator HUTCHISON, I ask unanimous consent that a letter be printed in the RECORD.

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

MAY 9, 2007.

Hon. KAY BAILEY HUTCHISON,  
U.S. Senate,  
Washington, DC.

DEAR SENATOR HUTCHISON: Our members URGE you to OPPOSE any increase in the Renewable Fuel Standard (RFS) for feed grain ethanol above those levels established by the Energy Policy Act of 2005 (EPAct).

On May 2, the Senate Energy and Natural Resources Committee held a markup in which several energy bills, including S. 987, were merged into one large bio and renewable energy bill. Portions of S. 987 will increase the RFS mandate to 36 billion gallons by 2022 and establish policy that beyond 2016 a certain portion of the RFS must be met with biofuels other than feed grain ethanol. Even with this differentiation, a defacto mandate of 15 billion gallons of renewable fuels from feed grains is established by 2015.

If our members can compete on a level playing field with the ethanol industry for each bushel of feed grain, we have no doubt that their businesses can remain profitable. But a rush to increase the RFS for corn ethanol will only serve to undermine their competitiveness.

The EPAct of 2005 established a RFS mandate of at least 7.5 billion gallons of renewable fuel to be blended into motor vehicle fuel sold in the United States by 2012. Doubling the RFS mandate to 15 billion gallons for feed grain based ethanol will require record feed grain production each and every year and assumes the unlikely scenario of no adverse weather events.

One goal of the EPAct was to lower the United States dependency on foreign oil by

promoting the usage of renewable energies. This policy was deemed necessary in order to assure investors and encourage the development of basic production technology. However, with feed grain ethanol production capacity projected to exceed 12.5 billion gallons by year's end, the current incentives have accomplished the objective. A rush to increase the RFS or extend the tax credits for feed grain ethanol will only increase artificial demand for feed grain and further decrease the ability of supply and demand to guide the ethanol industry.

We all support our nation's commitment to reduce dependence on foreign energy and develop forms of renewable energy. But, we also believe in the free market, and URGE you to OPPOSE any proposal to increase the RFS for feed grain ethanol. Instead, we respectfully request that you pursue policies which clearly define a transition to a market based approach for the production and usage of feed grain ethanol.

Sincerely,

Independent Cattlemen's Assn.; Texas Association of Dairymen; Texas Cattle Feeders Association; Texas and Southwestern Cattle Raisers Assn.; Texas Pork Producers Assn.; Texas Poultry Federation; and Texas Sheep and Goat Raisers Assn.

Mr. DOMENICI. Mr. President, I thank all of those who participated. Their names have been mentioned, whether they be Senators or staff. I want to say, I include all of those who have already been mentioned.

I want to make a couple statements that will make the record true.

First of all, this bill was not intended to solve all of America's energy problems.

Second, it was not intended to have a huge number of energy proposals in it. It was a bill that had two great big core provisions, and we are very grateful they are both here before the Senate—not exactly the way they passed the Senate, but good enough for the kind of work that goes on between the House and Senate. Because we must—we cannot get perfection—get some kind of compromise, we have a great bill.

Everybody has said all that can be said about this bill. But the Commerce Committee of the Senate, chaired by Senator INOUYE, and with Ranking Member STEVENS—while we, the Energy Committee, were debating one way, and another committee another way—one afternoon decided they were going to alter, amend, and change the fuel standards for American automobiles, and they did it. We have been waiting around for years for it. It was the impulse and impact for us to do the rest of this bill.

We added to it the RFS, which is ethanol 2—and I will acknowledge that as to those speakers who have said it is not as good as the Senate provision, they are right. But there are two bodies, and it was difficult to negotiate everything we wanted. So there will have to be some ardent observations of what is going on in ethanol and its successor to ethanol to see if we need to make some changes. But things are not done in legislation to correct all problems. They are done to do the best you can. If the best you can is good, you adopt it. We have done that.

It certainly has been a rocky road, but I am thrilled that the Senate is finally considering a bill that contains the right priorities and stands an excellent chance of becoming law.

Today is a historic one for the U.S. Senate. The bill before us takes important steps to reduce our dependence on oil and improve our energy efficiency.

For the first time in 32 years, the Senate today will increase fuel economy standards. We will also extend and expand the renewable fuels standard, which will help us diversify our fuel supply. And we will improve the efficiency of our appliances, our lighting, and our buildings.

While I was not happy with the process by which we proceeded on this bill, it nonetheless reflects a compromise for many of us. And, reaching a fair agreement is the way things get done here in the Senate.

This energy bill contains the right priorities. Although it took us two tough cloture votes, we have avoided adding costly provisions that would have placed this bill in jeopardy, like a renewable portfolio standard and tax increases on domestic energy production.

Instead, we have focused on provisions that will help us save oil and save energy, such as CAFE and energy efficiency. The renewable fuels standard that we enacted in the Energy Policy Act of 2005 has already helped farmers and diversified our fuel supply, and that RFS is expanded in this bill.

The House of Representatives should pass this bill, and I believe that the President should sign it into law.

I am pleased to support this bill, and I urge my colleagues to pass it today. We will send the right message and begin the long process of reducing our dependence on foreign oil.

I wish to close by saying, everyone did not agree on what would go in this bill along with the energy provisions. There were very difficult votes that were taken, and actually there was no question that as between the Democrats and Republicans there was truly a big difference of opinion. But when it ended up, we had the major energy provisions left in the bill. We had tax provisions mostly out. We had the provision that has to do with mandating alternative fuels, led by wind, by every State—we had that provision out.

What is left is a very good bill. Senator BINGAMAN described some of the unheard of and unknown quantities that are good. The other Senators have all sung the praises, so I do not need to do it again. It is historic, however, to change the automobile standards after 32 years, and to do it in a way where our automobile makers think they can comply. That is very unique. They never did that. They think they can comply and keep their businesses manufacturing cars. That is No. 2.

No. 3, when you are looking to solve the problem of how much crude oil you import, you look for someplace you can save on that quantity and commodity

you are importing. Now, the best experts in America have testified there is no act the Congress could take that will do more to cut our dependence upon foreign oil than this measure. Get it? The experts of America say you will reduce America's dependence more by the passage of this bill, the Inouye-Stevens bill, than any other single provision you could pass. That is pretty good.

The experts are in the records where we have taken testimony as Senators. The best experts said that about 2 weeks ago. It shocked everybody. They said there is nothing you can do that will save more foreign oil that we import that makes us dependent than if you change CAFE standards as we have changed them.

I think that would have to be hard work. Senators are tired. They voted twice on cloture on this bill in a round-about way. In both instances, one or two votes was the only difference. That makes sometimes for hard feelings. But I do not think it has here. I think we have come out of this OK, friends, ready to go to work on some more energy bills.

I yield the floor.

The PRESIDING OFFICER. Who seeks time?

The Senator from Georgia.

Mr. ISAKSON. Mr. President, I have worked closely with the staff of Senator INOUYE and Senator DOMENICI on an issue with regard to CAFE standards the Senate passed in its version but the House rejected.

I thank Senator INOUYE and the other members of the Commerce Committee for their work on a corporate average fuel economy, CAFE, standard. As you know, the Senate-passed CAFE bill contained a low-volume manufacturer exemption that would have classified low-volume manufacturers as those that have a U.S. market share of less than 0.4 percent and that sell less than about 64,000 cars—at current sales rates. While current law allows large multiline manufacturers to achieve compliance through averaging across various makes and models—offsetting the performance vehicles with economy cars—it denies some small independent limited-line niche manufacturers the same opportunity. Small limited-line companies that manufacture only three models produce vehicles having superior fuel economy yet pay millions in CAFE noncompliance fines. Other automobile manufacturers avoid penalties through mergers and acquisitions and the ability to offset sports cars with economy cars.

The law on automotive fuel economy standards does not require each passenger automobile to meet the standard, but instead allows manufacturers to meet the standard through a fleet average, permitting manufacturers to produce vehicles with varying levels of fuel economy. The law, 49 U.S.C. 32902, includes a provision allowing low-volume manufacturers of passenger automobiles to petition for alternative fuel

economy standards. Should a petition be granted under section 32902(d), the low-volume manufacturer is required to meet the maximum feasible fuel economy standard that the Secretary of Transportation finds that the manufacturer can attain. In the case of a high-performance vehicle, this requirement can lead to greater fuel economy savings than results if a similar vehicle is merely averaged into a larger fleet. At the time the law was enacted, the threshold for petitioning for alternative standards was set at annual worldwide production of 10,000 passenger automobiles, which at that time made some 12 companies eligible.

Today the structure of the U.S. market for passenger automobiles is considerably different than it was in 1975. In particular, because of consolidation in the automobile industry, only three independent manufacturers designing for niche markets remain in the United States market. Most, but not all, niche manufacturers have been acquired by major manufacturers and so are able to avail themselves of both the vastly greater resources and flexibility of fleet averaging of those major manufacturers. Thus, the few remaining niche manufacturers are at a distinct disadvantage in meeting fuel economy standards not only in an absolute sense, but compared to other manufacturers of comparable vehicles.

I believe Congress's original intent in enacting the CAFE standards was not to competitively disadvantage small independent manufacturers. However, the fundamental change in the structure of the passenger vehicle marketplace has in fact disadvantaged the remaining low-volume manufacturers without furthering the CAFE goal of increasing fuel economy. I believe that changes in the marketplace have altered what should constitute a low-volume manufacturer, raising serious questions about the reasonableness of the 10,000 threshold for eligibility for alternative fuel economy standards. At the same time, I recognize that the threshold must not be so high as to competitively disadvantage major manufacturers.

In order to preserve the original intent of section 32902 to afford relief to low-volume manufacturers, Senator CHAMBLISS and I proposed and the Senate accepted a provision to set a new threshold for eligibility for alternative fuel economy standards for passenger automobiles by setting the threshold as a percentage of the worldwide market rather than an absolute number. This allows for a threshold that will adapt to changes in the marketplace, unlike the current threshold. This is the same as the language proposed by Senator SMITH in 2002 and included in the Kerry-McCain amendment to the then-pending CAFE bill.

The provision the Senate passed set the threshold for eligibility as a low-volume manufacturer above the current 10,000 but equivalent to less than ½ percent of the world-wide market.

It is my understanding that although the Senate voted on and passed this provision, the House asked that it be removed because they were concerned that a manufacturer who is covered by this new provision would no longer pay fines as a result of it. It is my understanding that under the terms of section 813 as drafted, the Secretary of Transportation—through NHTSA, we presume—conducts an investigation into the capabilities of any petitioner for consideration under this provision and decides whether or not to authorize an alternative standard that differs from the established CAFE standard, and if so, by how much. In the case of any manufacturer who petitions for an alternative standard, NHTSA may decide not to authorize a different standard or they could set an alternative standard that could still be unachievable in that model year. In either scenario above, a company would pay penalties for noncompliance and would not be relieved from paying penalties by anything in section 813. Obviously the hope would be that NHTSA would set a standard that could be achieved based on our maximum feasible technological capabilities.

I also understand the provision was removed because the House was concerned that the alternative standard for low-volume manufacturers is an exemption from meeting CAFE standards. Again, it is my understanding that section 813 is not an exemption because the provision is drafted so that it mirrors current law procedurally in that it authorizes the Secretary of Transportation—again, through NHTSA—to prescribe an alternative fuel economy standard if there is a finding that the petitioning manufacturer's ability to meet the standard prescribed by law is not achievable. Again, there is no provision that allows NHTSA to "exempt" a manufacturer. As we read it, the alternative standard must be achieved by the manufacturer in order to achieve compliance and not pay a penalty even if the standard exceeds that which the manufacturer claims it can meet. So in short, there is no exemption from CAFE and the standard established by NHTSA could still result in penalties for noncompliance.

It is also my understanding that the House is not on record as having voted on this provision, and that the House has not passed a CAFE standard this Congress.

Mr. KOHL. Mr. President, I rise today to talk about the Energy bill that passed with my support. The bill requires that 36 billion gallons of biofuels be blended with gasoline by 2022, and it establishes new appliance and lighting efficiency standards in government buildings. The bill also includes Federal grants and loan guarantees to promote research into fuel-efficient vehicles, including hybrids, advanced diesel and battery technologies.

The Energy bill also improves CAFE standards, requiring cars and light

trucks to achieve an average of 35 miles per gallon by 2020. Increasing CAFE standards is a critical step that must be taken to reduce pollution and curb greenhouse gas emissions that cause global warming. Higher CAFE standards will also benefit our families and our communities by reducing the burden of high gas prices freeing up more discretionary income for working families to spend on necessities such as food, health care, and housing.

I was pleased that the final bill included an amendment I offered that would allow small manufacturers to access awards under the advanced technology vehicles manufacturing incentive title. Considering that small manufacturers that employ roughly 75 employees or less contribute 29.5 percent to all value added to automobiles, it made sense that they should have the opportunity to get these awards.

Taken together, this bill allows the United States to become more energy efficient in a cost effective and responsible way.

Mr. LEVIN. Mr. President, I will vote for Senate passage of the Energy Independence and Security Act of 2007. I voted earlier to invoke cloture and to move forward with the bill after receiving assurances that my understanding of congressional intent relative to the fuel economy provisions is correct. I anticipate that the bill will now be accepted by the House of Representatives.

I regret that it was necessary to drop the energy tax provisions. I believe it is particularly unfortunate that the energy tax provisions were dropped since many of these are important to continued development of biofuels and to development and commercialization of many advanced and renewable technologies. Included in these provisions were tax incentives for plug-in hybrids which offer potential for significant reduction in fuel consumption and greenhouse gas emissions. I hope that we will have another chance to enact these very important provisions.

With regard to the renewable electricity mandate, I regret that we were unable to come up with a formula for a renewable electricity mandate that could have garnered widespread support. I believe that a renewable electricity mandate is important to provide incentives for development of renewable resources, which could lead to the creation of numerous high-skill jobs and increase our country's energy security and independence. However, I also believe that a renewable energy mandate must be done in a way that does not have economically detrimental effects.

I also regret that this bill does not include more positive incentives for development of advanced vehicle technologies. There are a number of very important provisions included in the bill—including authorizations for grants, direct loans, and loan guarantees for advanced vehicle technologies and for advanced batteries and battery

systems—that will be very helpful but I regret that the bill does not include tax incentives for retooling of manufacturing facilities to produce alternative technology vehicles and components. that would have provided an immediate economic benefit to the auto manufacturers and suppliers who will bear the burden of meeting the regulatory requirements of this legislation.

The fuel economy provisions of H.R. 6 as passed by the House are a significant improvement over what the Senate passed in June 2007 and that I opposed vigorously. The bill the Senate passed in June would have had a detrimental effect on both U.S. manufacturing and U.S. workers by requiring a combined car-truck standard and by not providing adequate flexibility for meeting the standards.

During the course of deliberations between the Senate and House, some concessions were obtained on some of the most important issues, including requiring separate car and truck standards, preserving domestic jobs with an antibacksliding provision, and extending existing fuel credits until 2014 to provide flexibility to our domestic manufacturers to make it more practically possible for them to reach the ambitious level of 35 mpg by 2020. Of great significance, the House of Representatives was able to maintain a key reform that we were able to obtain during Senate consideration of the bill to set fuel economy standards based upon vehicle attributes. By setting standards based on vehicle attributes, such as size or weight, rather than having a fleet-wide average for each company, we will end the many years of discriminatory impacts on domestic manufacturers imposed by the existing CAFE system.

Because it is essential to manufacturers that they are able to plan on the 35 mpg standard in 2020, it was important to remove any ambiguity that could arise in the future if EPA issues new rules to regulate greenhouse gas emissions from vehicles pursuant to its authority under the Clean Air Act. Earlier today, I entered into a colloquy with Senator INOUYE, chairman of the Commerce Committee, the committee of jurisdiction, and Senator FEINSTEIN, the primary sponsor and author of the 35 mpg in 2020 legislation, confirming our mutual understanding and interpretation of what the Congress is doing in this legislation and to make clear our mutual understanding that the standard with which all Federal regulations need to be consistent is the 35 m.p.g. in 2020 standard in this bill. The Supreme Court recently ruled that the Environmental Protection Agency has authority under the Clean Air Act to regulate greenhouse gas emissions from vehicles. It is extremely important that we make clear that it is congressional intent in this bill that any future regulations issued by the Environmental Protection Agency be consistent with the Department of Transportation's new fuel economy regula-

tions that will reach an industry fleet wide level by 35 mpg by 2020.

Logic dictates that we read the law this way—certainly Congress would not knowingly enact new fuel economy standards that could be undercut in the future by other federal agencies adopting conflicting regulations. I was assured this morning by both Senator INOUYE and Senator FEINSTEIN that it is indeed the intent of the law they wrote that EPA regulations be consistent with NHTSA. With that understanding, I am supporting this legislation today.

Mr. HATCH. Mr. President, I would like to take just a moment to talk about the cloture vote on the Energy bill today. I have worked very closely with my good friend, Senator BAUCUS, the chairman of the Senate Finance Committee, to restructure the energy tax provisions in a way that reflects a more balanced energy policy. I have consistently opposed the energy tax package up to this point. I voted against the proposal in the Senate Finance Committee because I believed it did not reflect a balanced energy policy. Rather, it imposed new taxes on our Nation's oil companies, while doing too little to address one of our Nation's most pressing energy needs: our lack of domestic refining capacity.

I also voted against cloture on the energy proposal on the Senate floor in June before it was sent to conference, or what should have been a conference on the proposal. So many of us were not even afforded the courtesy of basic Senate procedure, and that was appalling. Thus, when the bill came back from the House with a House amendment earlier this month, I voted against cloture once again. It was my understanding that when cloture failed, solid commitments had been made to ensure the minority would be included in the formulation of a bill that would really address some of the very real energy problems we have in this country.

Based on this understanding and as a senior Republican on the Senate Finance Committee, I worked with my colleagues on the Finance Committee to improve the tax package. To the credit of Chairman BAUCUS and several members on both sides of the aisle, significant and important modifications were made to the tax portion of the Energy bill.

The new tax provisions included in this bill take some important steps toward balancing this bill in a way that will benefit U.S. consumers. The new severance tax on offshore production in the Gulf of Mexico had been dropped from the revised bill. This move alone restored more than \$10 billion toward the effort to increase our domestic production of oil, provision to extend for 3 years a tax incentive that I had originally sponsored to increase refining capacity. Senator BAUCUS also dropped a tax increase on natural gas lines, which restored over \$500 million to our natural gas infrastructure. Finally, a

provision that would provide incentives for the conversion of hybrid electric vehicles to plug-in hybrid vehicles was included. This restored an important aspect of my legislation known as the FREEDOM Act, or S. 1617.

To say this bill is perfect would be an enormous stretch. I believe the tax package was improved, but it could still be a whole lot better. However, given the realities of Congress, I believed the more balanced tax bill was worthy of my support.

Also of great concern, this bill would apply new Davis Bacon requirements to energy production activities. Expansion of Davis Bacon is poor public policy and absolutely terrible energy policy. Now that cloture has failed and it is apparent the Energy bill cannot proceed, I encourage my colleagues to remove these provisions prior to any additional votes on an energy bill. I believe these provisions are one of the main reasons this bill is unable to secure enough support to proceed.

Mr. PRYOR. Mr. President, I would like to express my support for measures contained in the Energy bill, H.R. 6, designed to spur the design and construction of high-performance green buildings. After reviewing the bill, I am pleased with the approach title IV takes to green buildings by retaining the balanced provisions from the earlier Senate and House versions of the bill.

I am also pleased that the provision from the House-passed bill that specifically mentioned the Leadership in Energy and Environmental Design, LEED, Rating System was amended. The LEED Rating System does not recognize the energy and environmental benefits of wood building materials in its point structure. Wood products are among the most “green” of all building materials.

The Energy bill lays out general criteria that allow green building rating systems in the marketplace to compete for the Government’s business. This is a sensible approach that will promote the concept of green building design without referencing one rating system over another.

It is important that the General Services Administration and other agencies ensure that the balanced spirit of this legislation is embraced. There are at least two green building rating systems being used by Federal agencies and the private marketplace now, and the competition among these two systems has resulted in improvements in both. The best approach is to permit the marketplace to decide which rating system is best suited for each project, and this legislation will allow all of rating systems to compete for Government contracts.

Mr. JOHNSON. Mr. President, today the Senate will approve landmark comprehensive energy legislation that over the next decade will lessen our reliance on foreign energy sources and dramatically increase the use of renewable fuels. Today’s work is the culmination

of a year-long debate on how best to wean Americans from the unhealthy addiction on foreign energy sources and record-high gasoline prices. We are going to accomplish these twin goals by boosting the role of renewable, homegrown fuel and through a long-term plan to make our cars and trucks use gasoline more efficiently. These two laudable goals will cut fuel use, spur investment into rural economies, decrease greenhouse gas emissions, and ultimately make energy more affordable for American families.

This bipartisan bill builds on the success of the Energy Policy Act of 2005, which authorized the first nationwide renewable fuel standard, RFS. I am proud to have played a role in passage of that bill through my work on the Senate Energy and Natural Resources Committee. The positive results of that bill are clear: ethanol and biodiesel production is booming, far outstripping the goals in that bill. Today’s legislation builds on that success by realizing the tremendous growth in renewable fuels. We are going to dramatically increase the amount of renewable fuels, such as biodiesel and ethanol blended into the gasoline supply. In 2008, the United States will have the capacity to produce a minimum of 10 billion gallons of renewable fuels. The bill before the Senate today will ensure that we capture the promise of this tremendous growth by requiring the United States blend a minimum of 9 billion gallons of renewable fuels in the gasoline supply. Furthermore, this bill will ramp up the amount of ethanol and cellulosic ethanol produced in this country so that by 2020 the United States will produce a minimum of 36 billion gallons of renewable fuels. That is enough fuel to displace over 15 percent of the gasoline we use to power our trucks and cars.

South Dakota is prepared to do its part in meeting this ambitious goal. The 13 ethanol plants in South Dakota will produce 1 billion gallons of ethanol in 2008 by turning 250 million bushels of corn into the clean-burning fuel. The renewable fuels industry contributes approximately \$2 billion in total economic benefits annually to my State while employing hundreds in all parts of South Dakota. South Dakota will now become an energy producer providing the energy and food a growing economy and prosperous nation requires.

Working together and placing partisan differences aside, the Congress is moving our country forward. We are going to produce more fuel from renewable resources and over the long-term decrease the amount of fossil fuels we need to import from unstable regions of the globe. This is a great bill for South Dakota and for our country, and I am glad that we will take this step together today.

Mr. CARDIN. Mr. President, it hasn’t been easy, but the Senate is finally poised to pass H.R. 6, the Renewable Fuels, Consumer Protection, and Energy Efficiency Act of 2007. This bill

contains important provisions to reduce our reliance on imported oil, bolster our national security, reduce greenhouse gas, GHG, emissions, and protect the environment.

The most important provision in this bill requires an increase in the average fleet fuel economy standards for cars and light trucks from 25 miles per gallon to 35 by 2020. This 40 percent increase is overdue, but most welcome. Maryland drivers will save an estimated \$414 million at the gas pump annually by 2020 because of the increased fuel economy standards. The average family with two cars will save up to \$1,000 a year. By 2020, the new fuel economy standards are expected to save 1.1 million barrels of oil per day. The standards will remove 192 million metric tons of global warming pollution annually by 2020. That is the equivalent of taking approximately 28 million cars off the road.

H.R. 6 raises the annual requirement for the amount of renewable fuels used in cars and trucks to 36 billion gallons by 2022. H.R. 6 makes a historic commitment to develop cellulosic ethanol by requiring that the United States produce 21 billion gallons of advanced biofuels, like cellulosic ethanol. Home-grown renewable fuels will replace the equivalent of all the oil we import from the Middle East today.

H.R. 6 establishes strong national efficiency standards for lightbulbs. Lightbulbs will be 30 percent more efficient by 2012 to 2014. The near-term savings from the standard are estimated to be \$6 billion a year. The first part of the new standard will reduce carbon dioxide emissions by about 13 million metric tons, which is equivalent to approximately 24 new 500-megawatt coal plants. The second set of standards, effective in 2020, could at least double the initial savings of 65 billion kilowatt hours of electricity.

H.R. 6 contains provisions reported by the Senate Committee on Environment and Public Works, EPW, calling for a 30 percent reduction in energy consumption by 2015 in Federal buildings. That reduction would save approximately 60 trillion British thermal units, Btus, of energy, 15 million metric tons of carbon dioxide, and almost \$4 billion in taxpayers’ money. I worked hard with my colleagues on the EPW Committee to ensure that the strongest possible “green buildings” provisions would be included in H.R. 6. These provisions include my amendment that will put the Federal Government in the forefront of storm water management in the Nation. Virtually all Federal building projects will be required to use site planning, design, and construction techniques that will minimize storm water runoff. These storm water minimization methods are often inexpensive and highly effective. In many parts of the country, polluted storm water runoff is the leading cause of water quality problems.

So, Mr. President, H.R. 6 is a strong bill. But it is hard not to regret what

has been negotiated out of the bill. Most important was the provision to require a renewable electricity mandate. I also regret the repeal of ill-advised tax breaks for oil companies that would have paid for tax incentives for renewables, including solar energy. The difficulty Congress and the administration had had reaching an agreement on this bill underscores the need for an amendment I successfully offered to establish an independent, bipartisan commission to monitor our Nation's progress in becoming energy independent and make consensus recommendations on how to achieve that independence. I am disappointed that my amendment did not survive conference committee deliberations.

H.R. 6 could have been a better bill if we had the votes, but it is a good bill. I consider it a solid "downpayment" on what we need to do as a Nation to make energy affordable and reliable, use it efficiently, cut GHG emissions, and protect the environment and enhance our competitiveness and national security.

Mr. DURBIN. Mr. President, the Senate is considering one of the most important pieces of legislation that I have worked on in my legislative career—the Energy Independence and Security Act of 2007.

I thank all the Senators who helped to craft this important bill.

This energy legislation will move America in a new direction—it will make us more independent as a Nation, strengthen our economy and protect our environment.

I am proud to support this legislation which will take meaningful steps to use our energy resources more wisely.

Without this legislation we will fail to protect our country, and our children, from the growing threats of global warming, which is a clear and present danger to the national security and the economy of the United States.

The bill we are considering today begins to reduce our dependence on fossil fuels and to reduce our greenhouse gas emissions.

For many years I have advocated for an increase in CAFE standards and have offered amendments to previous energy bills to achieve this important goal. I am pleased that for the first time in over 2 decades we will be voting on legislation that raises the fuel economy of our cars and trucks. After 22 years of allowing vehicles to average 27.5 miles per gallon, cars and trucks will need to average 35 miles per gallon by 2020.

The provision we are considering today is historic in another way, because both the auto industry and the auto workers union, as well as the environmental community, have endorsed this key provision in the bill and understand the importance of making and driving more fuel efficient vehicles here in the U.S.

This increase in the CAFE standards will save 18 billion gallons of gasoline per year in 2020, and it will help us re-

duce the greenhouse gases that cause global warming. New CAFE standards will help us avoid 206 million metric tons of greenhouse gases annually.

This is the equivalent of removing 30 million cars from the road in the year 2020.

This legislation will significantly lower our oil consumption and will decrease our dependence on foreign oil. This is one of the most effective ways we can reduce national gasoline consumption, extend our oil supply and reduce greenhouse gas emissions.

To help reduce our dependence on imported oil, and on oil consumption, this bill strengthens the renewable fuels standard. It sets clear benchmarks for higher levels of production of biofuels made from corn as well as other feedstocks, including soybean oil, switchgrass, and other sources of energy that will be developed in the future.

With this bill, we will shift some of our energy reliance from the oilfields of the Middle East to the corn fields of the Midwest.

The bill will ratchet up the schedule for the use of renewable fuels in our cars and trucks from the level of 7.5 billion gallons by 2012, as passed in the 2005 Energy Bill, to 15 billion gallons by 2015 and 36 billion gallons by 2022.

That represents a major advance in our commitment to renewable, home grown fuels that reduce emissions, mitigate global warming, and improve farmer income.

This is a strong market signal to ethanol, biodiesel, and other renewable energy investors that the Federal Government supports fuels that are more environmentally friendly and help to reduce our dependence on oil.

Unfortunately, the package we are considering today does not include a renewable electricity standard—RES.

It does, however, include tax incentives to support the development of renewable energy. It is my hope that in future energy legislation, we will be able to pass an RES to ensure that electric utility companies to use more wind, biomass, geothermal and solar to generate electricity.

Another important component of this bill are new standards for energy efficiency.

The bill will dramatically reduce energy consumption in Federal buildings and improve energy efficiency in appliances. Improving efficiency is the best way to use less energy and reduce emissions. And Americans will save billions of dollars on energy bills.

Reducing energy use by the Federal Government is not only good for the environment; it is good for the bottom line—our budget.

I am pleased to support this important and long over-due bill. This bill makes a substantial down payment on our commitment to slow global warming. We will begin to reduce oil consumption and energy use and promote research and development and help to promote America's creative ideas.

We want innovation to be the driver of our economy, not oil. We want more American jobs, a stronger economy and a cleaner environment.

We want a more secure future for America.

The bill that we are considering will go a long way toward achieving this goal.

Ms. SNOWE. Mr. President, I rise today to express my unequivocal support for landmark energy legislation before us today that will revive our long dormant energy policy. I want to especially recognize Senator FEINSTEIN for her resolve in including momentous, benchmark CAFE standards for the first time in three decades—without her tenacity this critical component would not be included in this legislation. Furthermore, I want to thank Senators INOUYE, STEVENS, BINGAMAN, and DOMENICI for crafting this historic legislation. And it has been a pleasure to work with Senator FEINSTEIN for the past 7 years toward this goal and authoring with her the CAFE measure that was the basis for the provision included in this bill, and that is central to our environmental well-being.

As record energy costs continue to saddle Americans and hamper the growth of our economy, this legislation is, quite frankly, long overdue. Since the Senate passed the Renewable Fuels, Consumer Protection and Energy Efficiency Act in June, our failed energy policy has proliferated into a crisis. Currently, in my home State of Maine, trucks remain idle because the prohibitive cost of diesel—an astonishing 43 percent higher than last year—has made trucking simply unprofitable and untenable for many. And as I speak, residents in Washington County in Maine as well as other areas around the State—are contemplating whether to purchase food, medicine or heat.

The reality is, our energy policy has ambled aimlessly for decades—and Mainers and Americans are quite literally paying the price. As a result, this timely energy legislation could not be more critical as it represents the initial step toward the boldness of leadership on this issue that the American people desire and require. Indeed, the bill before the Senate represents a departure—finally—from the regressive policies of the 20th century to a sustained long-term energy policy that both challenges and harnesses the U.S. preeminent attribute of innovation.

And this change comes not a moment too soon. The fact is, while each of us understands the unacceptable cost of gasoline, heating oil, and electricity for our constituents, we must also be cognizant that our energy policy has been a boon to America's adversaries. As Thomas Friedman recently remarked, petro-authoritarianism is sweeping the globe. In 2005, Iran earned \$44.6 billion from crude oil exports when oil was \$50 a barrel—now it is \$90. The reality is, our current energy policy directly shifts America's hard-

earned money to the least democratic countries and most dangerous in the world including Venezuela and indirectly to Iran.

Although this is, in itself, an undeniable reason to change our energy policy, our failed approaches of the past are also manifested in the challenge of global climate change. The release of the Intergovernmental Panel on Climate Change completed in mid-November concluded that climate change is “unequivocal” and accelerating. Indeed this summer, the Arctic Ocean exposed 1 million square miles of open water, the most that has been determined since measurements have been taken. Quite frankly, it is beyond dispute that the United States must take immediate action to reduce carbon emissions and stem climate change.

That is why this timely legislation is absolutely essential to our Nation's security and our environment—as well as our pocketbooks and wallets. Indeed this body is on the brink of forging an energy policy that would provide dividends to the American consumer, enhance American security, and reestablish American leadership on environmental issues by confronting climate change. The question now is, Will we?

We can't afford to wait and, on that note, I particularly want to highlight the inclusion of the CAFE provisions that will finally place this country on track to substantially improve our Nation's automobile fleet from 25.2 miles per gallon to 35 miles per gallon by 2020. Because this provision that Senator FEINSTEIN and I authored is the most significant step our Nation can take to address our long-term energy crisis.

As the New York Times stated on November 14th, “The single most effective way to address the problem of oil imports and consumption is to improve the efficiency of cars and light trucks, which use more than two-thirds of all the oil burned in the United States.” This legislation will save Americans 1.1 million barrels of oil per day—nearly the same amount imported from Saudi Arabia. And at a time when thousands of families are struggling to provide the basic necessity of heat in their homes, indisputably we must not squander oil through inefficiency.

There is no question this is a measure whose time has long since come, given the last time Congress comprehensively adjusted CAFE standards was over 30 years ago, in 1975, when the price of gasoline was 60 cents per gallon. Yet all we have done in 32 years is raise CAFE by a measly 5 miles per gallon for light trucks and not at all for passenger vehicles. It is like the program that time forgot. That is why this provision is essential for any comprehensive energy legislation.

The legislation significantly before us achieves the goal of 35 miles per gallon by 2020 through an attribute-based system, incorporating the 2001 National Academy of Science's recommendation that “Consideration

should be given to designing and evaluating an approach with fuel economy targets that are dependent on vehicle attributes such as vehicle weight.” Why is this important? Because this concept maintains a critical component of America's automobile fleet, and that is consumer choice.

This is the innovative approach that Senator FEINSTEIN and I developed that focuses not on defacto mandates on what type of vehicles are built and sold but rather on the end result of overall fuel savings. And I am particularly pleased that the auto companies have recognized the merits in this proposal and support this initiative. This represents a sea change from the previous divisiveness of this central issue, and I want to applaud my colleagues who worked with Senator FEINSTEIN, Senator INOUYE, and I to craft this historic breakthrough that represents a new automotive era, ensuring that we will not return to the wasteful gas-guzzling days of the past.

Furthermore, this legislation provides critical tax incentives for energy efficiency and renewable energy, to wean ourselves off the expensive foreign petroleum that, as I have said, also serves to line the pockets of some of the world's most dangerous tyrants. This country, quite frankly, has abrogated its commitment to a substantial investment in altering our energy policy—a problem encapsulated in a special report in the Economist, which stated that, regrettably “America's incentives for clean energy” are “relatively modest compared to Europe's.” Furthermore, the article illustrates that, “what one politician can mandate, another can terminate—and therein lies one of the biggest risks for clean energy. American politicians have periodically allowed a tax break for wind generation to expire, for example. This caused the industry to falter several times, before the credit was renewed again.”

Accordingly, I am extremely disappointed that this legislation fails to extend the vital renewable production tax credit. If we truly want to alter our Nation's energy policy we must make substantial investments and it confounds me why we elected not to make that a national priority.

In addition, I want to voice my strong opposition to the inexplicable removal of the renewable portfolio standard to create a market for sustainable resources. The State of Maine has demonstrated that this provision stimulates the development of hydropower, wind, solar, tidal, and biomass energy with more than 30 percent of our energy flowing from these sources. Enactment of this strong RPS would have promoted fuel diversity and reduced our substantial dependence of natural gas. This reliance on natural gas was unfortunately illustrated in Maine last week when a Canadian supply disruption of imported natural gas forced to shut down two natural gas plants. Frankly, we must promote en-

ergy diversity to ensure energy reliance—and this strong Renewable Portfolio Standard that his legislation fails to include would have ensured that Americans would have received 15 percent of their electricity from renewable energy resources and ensured a basic level of diversity while promoting clean energy. I urge my colleagues to address this central issue in the future.

On the more positive side, I am pleased to have worked closely with Senator KERRY, Chairman of the Senate Small Business Committee, and also House Small Business Committee Chair VELÁZQUEZ and Ranking Member CHABOT, to fashion a bipartisan small business title to this Energy Bill. This title includes virtually all of the provisions in the “Small Business Energy Efficiency Act of 2007” (S. 1657), which Senator KERRY and I introduced in June.

This year, the Senate Committee on Small Business and Entrepreneurship, of which I am the ranking member, has paid particular attention to the effects of climate change and escalating fuel costs on small businesses, and the role America's entrepreneurs can play in affecting change in these areas. Chairman KERRY and I have already devoted two hearings during the 110th Congress to these subjects as clearly rising gas prices and global warming are having a devastating affect on the health of small business in this country.

As we all recognize, small business is the backbone of our Nation's economy. As the leading Republican on the Small Business Committee and as a long-standing steward of the environment, I firmly believe that small business has a pivotal role to play in finding a solution to global climate change. According to a recent survey conducted by the National Small Business Association, 75 percent of small businesses believe that energy efficiency can make a significant contribution to reducing greenhouse gas emissions. And yet, only 33 percent of those had successfully invested in energy efficiency programs for their businesses.

We must significantly improve energy efficiency investment by small businesses. To that end, the small business title in the Energy bill will make the SBA's Express Loan Program available to small businesses that wish to purchase renewable energy systems or make energy efficiency improvements to their businesses. I firmly believe that the SBA Express Loan will be an attractive option to small business owners looking to make their businesses more energy efficient and environmentally sound because of the program's quick turnaround time and the ability of participating lenders to use their own forms and procedures for fast approval.

Another key provision would encourage small business innovation in energy efficiency, by creating a priority under the Small Business Innovation

Research, SBIR, program for solicitations by small businesses that participate in or conduct energy efficiency or renewable energy system research and development.

The small business title would also create a pilot, competitive grant program that would be administered through the national network of Small Business Development Centers, which would provide "energy audits" to small businesses to enhance their energy efficiency practices, as well as offer access to information and resources on energy efficiency practices.

Finally, the small business title will ensure that the SBA completes its requirements under the Energy Policy Act of 2005. Within 6 months of enactment, the SBA, through a final rulemaking, would be mandated to complete all of its requirements under the Energy Policy Act, including setting up a "Small Business Energy Clearinghouse" that builds on the Environmental Protection Agency's Energy Star program to assist small business in becoming more energy efficient. Frankly, I am alarmed by the lack of progress that SBA has made on these requirements, which President Bush signed into law nearly 2½ years ago. Unfortunately, this may be one more example of the administration's unwillingness to lead on actions to address global warming. By contrast, the small business title will help to ensure that the SBA finally completes its requirements under the Energy Policy Act and actually play a leading role in combating global climate change.

It is my hope that the small business title in the Energy bill will spur more small firms to make a smaller carbon "footprint" and play a leading role in the actions that are essential in combating global warming. Assisting small firms in this regard will not only help the environment but will also significantly lower the energy costs for cash-strapped small businesses.

Given our Nation's energy crisis, we must pursue every opportunity to pursue energy savings, and I therefore must express my strong disappointment that the issue of truck weights was not considered in this legislation. This is a timely issue that has unnecessarily placed the Maine trucking industry and the safety of our residents in jeopardy.

The issue, quite frankly, defies even the most elementary logic. Currently, arbitrary rules create two distinct truck weight limits that capriciously bisect the State at Augusta. Specifically, from the New Hampshire/Maine border to Augusta trucks weighing up to 100,000 pounds are allowed to travel on Interstate 95. However, beyond this point all the way from Augusta to Houlton—a distance of 200 miles—the regulation recedes to 80,000 pounds.

As a result, north of Augusta, heavy trucks are forced onto smaller, secondary roads that pass through our cities, towns, and villages and they fail to use the Federal highway system. This

mosaic of Federal regulations unnecessarily costs our Nation energy by requiring additional truck trips to meet the needless 80,000 limitation. Truckers must make additional trips for the transportation of fish, lumber, blueberries, and potatoes, which increases the costs of these goods and regrettably has become a major safety issue on the secondary roads of Maine with these massive trucks speeding through Maine's communities. With diesel prices upwards of \$3.70, the problem has burgeoned into a full crisis and this Federal medley of regulations must end and I urge my colleagues to support me in creating a uniform 100,000-limit restriction on Maine's Federal highways.

Overall, I am pleased that this legislation is reflective of the broad ramifications of our energy plan and provides the beginning of a commensurate response to our energy crisis. The manifestations of our current strategy are discernible in some of the greatest issues facing America. The critical issues of climate change, the trade imbalance, and a restricted foreign diplomacy in the Middle East are all directly related to our failed energy strategy. We are realizing, with increasing clarity, the consequences of an oil-based energy policy.

Now, with this Energy bill before us, this is a critical initial step but is only the first. A glaring absence in this bill is the preeminent issue of climate change. It is incumbent on this Congress to build momentum from the recent G8 meeting and pass legislation that reestablishes American leadership on this critical environmental issue. Currently, the entire world is meeting in Bali, Indonesia, waiting for an answer from America. The Environment and Public Work's Committee passage of the first comprehensive climate change legislation, coupled with the action today, resoundingly declares that American leadership is hopefully on its way. As I have worked with Senators MCCAIN and LIEBERMAN for 4

years on the Climate Stewardship Act, as well as Senator KERRY on Global Warming Reduction Act, I remain absolutely committed to passing climate change legislation. The legislation before the Senate does not replace the need for comprehensive climate legislation, and I look forward to bringing this fundamental energy and environmental issue to the floor of the Senate when we return after the New Year.

Again, this bill represents critical progress toward a comprehensive energy policy. I look forward to working with my colleagues on the additional components to finally achieve American energy independence.

I thank the Chair.

The PRESIDING OFFICER. Who seeks time?

Mr. DOMENICI. Mr. President, I believe we are out of time except for leader time.

The PRESIDING OFFICER. The minority has 3 minutes 54 seconds, not in-

cluding the leader; and the majority has 1 minute 17 seconds, not including the leader.

Mr. DOMENICI. I have no other Senators who want to be heard on my side.

I yield back the remainder of our time, reserving the full leader's time at this point.

The PRESIDING OFFICER. The Republican leader is recognized.

Mr. McCONNELL. Mr. President, I particularly want to say how pleased I am Senator DOMENICI is still on the Senate floor. This is an extraordinary accomplishment for him. I congratulate him on his persistence and tenacity. Senator STEVENS has been deeply involved in this issue from the very beginning and has done an extraordinary job, and I want to congratulate both of these outstanding Senators for what is going to be an accomplishment that all of us can be proud of. I also commend Senator INOUYE and Senator BINGAMAN for their hard work as well. The final product is not perfect, but it is vastly better than the version that was sent to us by the House of Representatives.

We recognized in the Senate that the House bill couldn't pass the Senate and wouldn't be signed into law, so we fixed it, and now it will. The new fuel economy standards and the increase in renewable fuels represent a step forward in our common effort to make America more energy independent. This is something we can all be proud of as we leave to go home for the holiday recess.

This is a good accomplishment. It was achieved—as every good thing in the Senate always is—by cooperation between the parties. What we have done on this bill we have done together. In a year that has seen its fair share of partisan tensions, that is no small accomplishment either.

So, again, I congratulate the managers of the bill. I also thank my good friend, the majority leader, for bringing it back to the floor in a form that guarantees not only that it will pass the Senate but that it will be signed into law.

I am extremely pleased about this bipartisan accomplishment. I am extremely happy that we are about to show the American people we still have it in us to come together as a body and to achieve consensus on an issue that affects all of us.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. REID. Mr. President, a note of information for all of the Senators: We are trying to work out something on the farm bill to complete it, and we are going to complete it this week. Right now, we have one obstacle, and it is an amendment dealing with firefighters. There is bipartisan support for it. I have told those people who like it and don't like it that we can do a number of things. We can have a voice vote on it; we can have side-by-sides. If the opponents of the legislation want a couple of second-degree amendments that relate to that, they can have that. If

that doesn't work, I have no alternative but to file cloture on that amendment. If I do that tonight, there will be a cloture vote on Saturday. I don't want a cloture vote on Saturday—no one does—but we have no alternative. We have to finish what we have to do here.

Now, if I file cloture on it, maybe they would agree to allow us to have the cloture vote tomorrow.

We have some other things we need to do. Everyone should be alerted. With the permission of the—well, I don't need to say the "permission." Whenever we finish the firefighters amendment sometime tomorrow, cloture will be sought on the bill. We still have Republican and Democratic amendments out there floating around. Some people don't come and offer them; some people won't debate their amendments. Once the firefighter issue is out of the way, we are going to see if we can invoke cloture on the bill.

I think there is general consensus that, as with immigration, we have had enough of farm legislation this year. We have all been very patient. It has been a very distressing issue on occasion. We have done a lot of finger-pointing. It is time now that we pass the farm bill. So the issue relating to firefighting is on the bill. It was one of the Republicans' amendments, and now it is a Democratic amendment.

That is where we are. That has nothing to do with some real good news. I just wanted to alert everyone as to what we are doing.

Mr. President, we had a little going away party sponsored by the Republican leader and me yesterday in the Mansfield Room. It was a wonderful occasion. It was the farewell to Senator TRENT LOTT. I said something there that I am saying again here today. Edmund Burke, the famous Irish statesman and philosopher, said:

All government, every virtue and every prudent act, is founded on compromise.

Listen to what this brilliant man said:

All government, every virtue and every prudent act, is founded on compromise.

"Compromise" is not a dirty word. Consensus building is what we have to do. It can be frustrating. It can be exasperating. It can be maddening. But at the end of the day, compromise leads to progress. That is what we have today. Progress. The last time America raised fuel economy standards was 30 years ago. We didn't have airbags, the Internet was a science fiction fantasy, and the closest thing to GPS was a map. You went to a service station and they gave it to you. Today we have hybrid cars, hydrogen cars, ethanol cars, fully electric cars.

Now, after 30 years, we are going to pass a new fuel economy standard. This is not only important, it is historic. This is a good energy bill. There are so many heroes. One just walked past me: DIANNE FEINSTEIN. There is lots of credit to go around. It will save consumers money. It will begin to reverse

our addiction to oil. It will take a small first step in our fight to turn the tide of global warming. Could this bill have been better? Of course it could have been better. Absolutely. But we are not going to talk today about what could have been in it to make it better. We have been through that. What we want to talk about today is this bill will be a win for the American people.

It may be a split decision, as we have in boxing matches, but if you have a split decision in a boxing match, there are still winners, and we have winners in this matter today. Who are the winners? Not me, not the Republican leader, none of the 98 other Senators are winners. It is a partnership. We have worked together. All Senators and all House Members are going to be able to walk out and hold their chests out, hold their heads high, and say: We passed an energy bill. Not only does Congress get credit for this, the White House gets credit for it. It sets new fuel economy standards for the first time in 30 years: 36 billion gallons of renewable fuel will replace oil by 2022. It creates new energy efficiency standards, everything from light bulbs, to refrigerators, to the construction of new buildings. Because of the Energy bill we will pass in just a few minutes, Americans will save money every day.

I say to the Senate, to the House of Representatives, to the President of the United States: Congratulations.

#### MAKING FURTHER CONTINUING APPROPRIATIONS FOR THE FISCAL YEAR 2008

Mr. REID. Mr. President, I ask unanimous consent that the Senate now proceed to the immediate consideration of H.J. Res. 69, the continuing resolution just received from the House; that the joint resolution be read three times, passed, and the motion to reconsider be laid upon the table, all without intervening action or debate.

I would tell everyone this is for 1 week.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The joint resolution (H.J. Res. 69) was ordered to a third reading, was read the third time, and passed.

#### ENERGY INDEPENDENCE AND SECURITY ACT OF 2007—Continued

The PRESIDING OFFICER. The question is on agreeing to the motion.

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

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Delaware (Mr. BIDEN), the Senator from New York (Mrs. CLINTON), the Senator from Connecticut (Mr. DODD), and the Senator from Illinois (Mr. OBAMA) are necessarily absent.

Mr. LOTT. The following Senators are necessarily absent: the Senator from Arizona (Mr. McCAIN) and the Senator from Nebraska (Mr. HAGEL).

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

The result was announced—yeas 86, nays 8, as follows:

[Rollcall Vote No. 430 Leg.]

#### YEAS—86

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

#### NAYS—8

Barrasso	Enzi	Kyl
Coburn	Hatch	Stabenow
DeMint	Inhofe	

#### NOT VOTING—6

Biden	Dodd	McCain
Clinton	Hagel	Obama

The motion was agreed to.

The PRESIDING OFFICER. Under the previous order, the Senate concurs in the House amendment to the Senate amendment to the title of the bill, and the motions to reconsider are laid on the table.

The Senator from California.

Mrs. FEINSTEIN. Mr. President, I ask unanimous consent to speak for a couple of minutes on the subject of the bill that passed.

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

Mrs. FEINSTEIN. Mr. President, many years ago, exactly 6, Senator SNOWE and I began this effort. Prior to that time—and I give credit to Senators Dick Bryan and Slade Gorton, who began this effort back in 1993 with me. We tried to do a sense of the Senate. We didn't succeed. Then Senator SNOWE and I did the SUV loophole closer, and we didn't succeed. Then suddenly the times changed and we had introduced this bill in committee. Both the chairman, Senator INOUYE, the ranking member, Senator STEVENS, and the Commerce Committee allowed us to come before them and ply our troth of this bill. And we did. The Commerce Committee unanimously passed out the bill. That was in itself a stellar moment.

Then there was the House and there was the negotiation with Representative DINGELL and others. A bill finally