

S. RES. 142

At the request of Mr. BIDEN, the names of the Senator from New Jersey (Mr. LAUTENBERG), the Senator from Illinois (Mr. DURBIN), the Senator from Wisconsin (Mr. FEINGOLD), the Senator from Maryland (Mr. CARDIN), the Senator from Florida (Mr. NELSON), the Senator from California (Mrs. FEINSTEIN) and the Senator from New Jersey (Mr. MENENDEZ) were added as cosponsors of S. Res. 142, a resolution observing Yom Hashoah, Holocaust Memorial Day, and calling on the remaining member countries of the International Commission of the International Tracing Service to ratify the May 2006 amendments to the 1955 Bonn Accords immediately to allow open access to the Bad Arolsen archives.

At the request of Mr. COLEMAN, his name was added as a cosponsor of S. Res. 142, supra.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Ms. MURKOWSKI (for herself and Mr. STEVENS):

S. 1089. A bill to amend the Alaska Natural Gas Pipeline Act to allow the Federal Coordinator for Alaska Natural Gas Transportation Projects to hire employees more efficiently, and for other purposes; to the Committee on Energy and Natural Resources.

Ms. MURKOWSKI. Mr. President, I rise today to introduce legislation that should allow the entity we created just 2½ years ago to oversee and expedite construction of a gas line to bring Alaska's huge reserves of natural gas to markets in the lower 48 States to work better and function more smoothly and quickly.

I, and Senator TED STEVENS who is co-sponsoring this legislation, are introducing this bill in an effort to help speed the full functioning of the Office of Pipeline Coordinator, the entity that we created in fall 2004 to oversee the permitting, design and then construction of an Alaska Natural Gas Pipeline project, intended to bring Alaska's reserves of gas to a Nation in need of additional natural gas supplies.

In 2004 we passed two sets of provisions. The first in that year's Military Construction Appropriations Act, H.R. 4837, P.L. 108-324/15 U.S.C. 720, set up an Office of Federal Pipeline Coordinator to oversee the 15 Federal agencies that will have a role to play in construction and financing of a pipeline system. The bill also set up a streamlined permitting and expedited court review process to limit unnecessary delays in the project—and hopefully prevent costly delays from driving up the project's price. That bill also included an \$18 billion Federal loan guarantee. The second of that year's pipeline related bills, the FSC-ETI Act (H.R. 4520/P.L. 108-357) provided the Federal financial incentives expected to be needed to aid financing of the project. They included a tax credit for the cost of the pipe in Alaska and a tax credit for the cost of

construction of an Alaskan North Slope gas conditioning plant. The two credits were believed to produce about three-quarters of a billion dollars of benefit to the project.

The project itself involves building a system, either an overland pipeline through Canada or a pipeline through Alaska leading to a natural gas liquefaction facility at tidewater in Alaska, to move gas to markets in the lower 48 States. Alaska has 35 trillion cubic feet of known gas in the Prudhoe Bay oil field and likely holds another 150 to 200 trillion cubic feet of gas both on and offshore in northern Alaska. Getting that gas to market would help to meet a likely gas shortage in the lower 48 States within a decade, helping to keep the United States from becoming even more dependent on imported LNG from foreign suppliers.

Currently Alaska's new Governor is in the process of calling for proposals from gas producers, pipeline companies and others interested in building the project, one currently estimated to cost between \$30 billion and about half that amount—depending on whether the line through Canada or an LNG project is deemed most economic.

Congress last year funded the creation of the Federal Coordinator's office to begin the process of bringing Federal and State agencies together to oversee the permitting, design, and construction of a pipeline. The Office of the Federal Coordinator was funded for fiscal year 2007 initially with a \$403,000 transfer of funds from the Department of Energy, with perhaps another \$450,000 to \$500,000 soon to be transferred. A coordinator, Alaskan former State Senate President Drue Pearce, was also named, confirmed and is now at work, and the office has reached an agreement with all of the 15 Federal agencies it will oversee on how a pipeline is to be permitted.

The Bush administration has proposed \$2.3 million in its fiscal year 2008 budget request to better fund the Coordinator's Office. But development of the office has shown three problems that need corrective action by Congress, the first immediately.

First, the 2004 act made the Coordinator follow Federal personnel law, specifically Title 5 that is a slow and cumbersome personnel process. This bill grants a waiver to Title 5 hiring procedures so that the Federal Coordinator can hire and fire her staff, based on their competence. That should cut the time needed to staff the office with experts in pipeline construction by 6 to 9 months. Given how important it is that the agency has specialists quickly to assist the State of Alaska in its efforts to select a pipeline builder, passing legislation to speed the hiring of Office staff is vital.

The waiver, also is common practice for smaller Federal agencies as a host of agencies, from the Election Assistance Commission to the Vietnam Education Foundation, enjoy the hiring waiver.

Second, the bill gives the coordinator the ability to establish reasonable permit filing and service fees and charges to defray the cost of regulating and the oversight of any pipeline project. While the proposed budget may pay for a half dozen to a dozen employees, nearly 400 were employed in oversight of construction of the Trans-Alaska Oil Pipeline, some 30 years ago. The bill copies the structure that is currently employed by the Bureau of Land Management's oil and gas leasing division, FLP&MA Section 304, so that it follows a known process in allowing the Federal Coordinator to set and collect fees.

Third, the bill in its Section 2 clarifies part of the original 2004 act's Section 107. That section set up an expedited review process so that any suit concerning the pipeline under its enabling legislation or concerning its compliance with the National Environmental Policy Act would go first to the U.S. Circuit Court of Appeals, D.C. Circuit. All cases would have to be filed within 60 days of an action and the court would have to "expedite" decisions on all such cases. This action simply also adds that suits stemming from the pipeline's permitting or construction that relates to the Administrative Procedures Act, the Endangered Species Act, and the National Historic Preservation Act, besides NEPA, would also go to the D.C. Circuit for expedited review. It clearly follows the original intent of the 2004 act, but does not limit litigation unfairly.

The goal of this legislation, if it can be approved quickly by this Congress, would be to help the Pipeline Coordinator staff her office more quickly and then to provide the office the possibility of a more readily available source of funding, should a pipeline applicant move to proceed: The bill also will clarify the legal process for review of a pipeline, helping to speed the project and reduce the chances for cost overruns in construction of potentially the largest private capital construction project in the world's history.

This is a vital project. It has the ability to move from 4.5 to 6 billion cubic feet of gas a day, about 5 percent of the Nation's total gas needs in 2018—the first year the pipeline could go into service, if a final overland project was selected and proposed within the next year. It would likely produce about a third of that initially, if an LNG project was selected to be built.

This should not be a controversial measure. It should have no non-appropriated costs involved in carrying out its provisions. Section 2 of the bill will save the Nation untold millions of dollars in overseeing permitting and construction of a pipeline, once a firm project is selected. Some will say that the bill is not needed since the State of Alaska has yet to reach final agreement with Alaska North Slope gas producers on a firm agreement to build a line. I would argue, however, that this bill needs to pass now to provide additional assistance to help the State

hammer out such an agreement and so the regulatory process is clearly in place, once such an agreement is reached. The Coordinator's Office is already involved in a host of discussions and actions relating to a pipeline and the pace is likely to quicken in coming months, provided the office has the expertise it needs to provide technical information to further a project.

I hope the Senate and the Congress will review and approve this bill quickly.

The Alaska gas line project is too important for this Nation's energy future, for our energy security, for our national security and for our balance of payments deficit for it to be delayed needlessly. These changes will likely speed the process of proceeding with a pipeline.

By Ms. STABENOW (for herself and Mr. DOMENICI):

S. 1090. A bill to amend the Agriculture and Consumer Protection Act of 1973 to assist the neediest of senior citizens by modifying the eligibility criteria for supplemental foods provided under the commodity supplemental food program to take into account the extraordinarily high out-of-pocket medical expenses that senior citizens pay, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

Ms. STABENOW. Mr. President, I rise today to introduce the Senior Nutrition Act, which will make needed improvements to the Commodity Supplemental Food Program to prevent our seniors from having to make the terrible choice between food and medicine as they try to balance their budgets.

I am pleased to have the support of my friend, Senator DOMENICI of New Mexico, who has been one of the Senate's strongest supporters of CSFP.

Nationally, 32 States and the District of Columbia participate in CSFP, which works to improve the health of both women with children and seniors by supplementing their diets with nutritious USDA commodity foods. According to USDA, nearly half a million people each month participated in CSFP during fiscal year 2006, with the overwhelming majority being seniors.

My State of Michigan has one of the largest and oldest CSFP network in the Nation. Last year, over 80,000 people in Michigan benefited from this important program.

The bill I am introducing today will make the following important changes to CSFP.

First, categorical eligibility is granted for seniors for CSFP if the individual participates or is eligible to participate in the Food Stamp Program. No further verification of income would be necessary in such cases. The Food Stamp Program provides a medical expense deduction, which seniors may use to account for their high prescription drug costs.

Second, this bill says that the same income standard that is currently used

to determine eligibility for women, infants and children in CSFP 185 percent of the Poverty Income Guidelines—would be applied to seniors as well. The current income eligibility standard for seniors has been capped at just 130 percent. Under the current Federal poverty guidelines, a single senior cannot earn more than \$13,273 per year to qualify. By raising the standard to 185 percent of poverty, the same senior can earn as much as \$18,888 to qualify for food. This will make a major difference in the lives of so many seniors who are struggling with the high cost of prescription drugs.

This bill has been endorsed by the National CSFP Association and America's Second Harvest. I ask unanimous consent that a copy of these support letters be printed in the RECORD following my remarks.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

NATIONAL CSFP ASSOCIATION,  
March 19, 2007.

Hon. DEBBIE STABENOW  
U.S. Senate,  
Washington, DC.

DEAR SENATOR STABENOW: Thank you for your continuing support of the Commodity Supplemental Food Program (CSFP) which provides an important buffer for our vulnerable children and seniors each month. Your support has made a tremendous difference and we appreciate your tireless efforts.

The National CSFP Association strongly supports your efforts to re-introduce and pass the Senior Nutrition Act and will work diligently to see that it happens this year. As you know, 91% of our recipients are now seniors living below 130% of Federal Poverty Level. For a household of one, this is only a maximum of \$1,062 per month. While some changes have been made in Medicare to help seniors buy prescriptions, the rising medical and fuel costs are still of great concern to those on fixed incomes and many of those seniors qualifying for food stamps due to medical cost deductions will lose the deductions to income and subsequently their food stamps.

By amending the eligibility criteria for seniors served by CSFP through the Senior Nutrition Act, the neediest of seniors will continue to receive nutrition assistance, which is crucial if they are to remain in good health.

Again, thank you for championing the causes of our nation's elderly.

Sincerely,

FRANK KUBIK,  
President.

AMERICA'S SECOND HARVEST,  
THE NATION'S FOOD BANK NETWORK,  
March 27, 2007.

Hon. DEBBIE STABENOW,  
U.S. Senate,  
Washington, DC.

DEAR SENATOR STABENOW: I am writing on behalf of the more than 200 food banks and approximately 50,000 emergency feeding organizations that are part of America's Second Harvest—The Nation's Food Bank Network, to thank you for your continuing support for the Commodity Supplemental Food Program (CSFP) and your persistent efforts to improve the nutrition and health of millions of this nation's elderly.

With approximately 27 percent of our food bank members distributing nutritious food boxes through the CSFP, we know how very necessary it is to expand this program so

that it can reach more of the nation's needy seniors. Strengthening the nutrition safety net for older Americans is a matter of paramount importance as this population grows and ages.

We strongly endorse the Senior Nutrition Act and support your and Senator Domenici's effort to expand the number of elderly eligible for the program by broadening the income eligibility standards and permitting categorical eligibility for seniors who participate in or are eligible to participate in the Food Stamp Program.

As you know, the CSFP provides critical nutrients to supplement the diets of thousands of low-income elderly who could not replace this food at the same low price as that provided by the CSFP food package. Moreover, as you are aware, this program also helps to support our nation's farmers who grow the food that feeds this needy population, along with millions of others who depend on our country's food and nutrition programs.

We are very grateful for your efforts to expand eligibility for this important program and for the contribution you have always made in waging the war against hunger in America. Thank you very much.

Sincerely,

VICKI ESCARRA,  
President and CEO.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 840. Mr. HARKIN (for Mr. LUGAR) proposed an amendment to the resolution S. Res. 76, calling on the United States Government and the international community to promptly develop, fund, and implement a comprehensive regional strategy in Africa to protect civilians, facilitate humanitarian operations, contain and reduce violence, and contribute to conditions for sustainable peace in eastern Chad, northern Central African Republic, and Darfur, Sudan.

SA 841. Mr. HARKIN (for Mr. LUGAR) proposed an amendment to the resolution S. Res. 76, supra.

#### TEXT OF AMENDMENTS

SA 840. Mr. HARKIN (for Mr. LUGAR) proposed an amendment to the resolution S. Res. 76, calling on the United States Government and the international community to promptly develop, fund, and implement a comprehensive regional strategy in Africa to protect civilians, facilitate humanitarian operations, contain and reduce violence, and contribute to conditions for sustainable peace in eastern Chad, northern Central African Republic, and Darfur, Sudan; as follows:

On page 5, after line 25, insert the following:

(6) urges the Government of the Central African Republic—

(A) to engage in constructive and inclusive dialogue with rebels in the northwestern region of the country;

(B) to hold accountable security forces engaging in human rights violations; and

(C) to strengthen government services in order to meet the needs of affected populations;

On page 6, line 1 strike “(6)” and insert “(7)”.

On page 6, lines 1 and 2, strike “advocate for the appointment of” and insert “urge the United Nations Security Council to appoint”.

On page 6, line 8, strike “(7)” and insert “(8)”.