

proposed to H.R. 6, a bill to reduce our Nation's dependency on foreign oil by investing in clean, renewable, and alternative energy resources, promoting new emerging energy technologies, developing greater efficiency, and creating a Strategic Energy Efficiency and Renewables Reserve to invest in alternative energy, and for other purposes.

## AMENDMENT NO. 1574

At the request of Mr. LAUTENBERG, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of amendment No. 1574 intended to be proposed to H.R. 6, a bill to reduce our Nation's dependency on foreign oil by investing in clean, renewable, and alternative energy resources, promoting new emerging energy technologies, developing greater efficiency, and creating a Strategic Energy Efficiency and Renewables Reserve to invest in alternative energy, and for other purposes.

## STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. LEAHY (for himself, Mr. HATCH, Mr. REID, Mr. MCCONNELL, Mrs. FEINSTEIN, and Mr. GRAHAM):

S. 1638. A bill to adjust the salaries of Federal justices and judges, and for other purposes; to the Committee on the Judiciary.

Mr. LEAHY. Mr. President, today I am pleased to introduce the Federal Judicial Salary Restoration Act of 2007. Since 1969, the salaries of Federal judges have significantly declined when adjusted for inflation. This bill would demonstrate our respect and appreciation for our hardworking Federal judges by authorizing an immediate and substantial increase in judicial salaries. Our bill recognizes the important constitutional role judges play in administering justice, interpreting our laws, and providing the ultimate check and balance in our system of government. It is time Congress treated the Federal judiciary with the respect that a co-equal branch of government deserves.

Eight years ago, in 1999, the President's salary was doubled to \$400,000 a year. We are not proposing to increase judges' salaries by 100 percent, but by half that, by 50 percent. The increase is an important step in ensuring the independence of the judiciary. Judicial independence is critical for preserving our system of government and protecting the rights of all Americans. Surely we can do half as much for the judicial branch of Government as we did for the executive branch 8 years ago.

For too long, judicial salaries have failed even to keep up with inflation while public and private sector salaries have surged ahead. According to information provided by the Administrative Office of the United States Courts, judicial salaries have declined by nearly 25 percent in real terms since 1969. Dur-

ing the same time, private sector salaries have increased by more than 15 percent. In 1969, a Federal district court judge earned 20 percent more than a law school dean and about 30 percent more than a senior law professor at a top law school. By contrast, today top law school deans make twice as much as district court judges, and senior law professors at those schools make nearly 50 percent more. Many recent law school graduates will make more in their starting salary at a private law firm than we pay to an experienced district court judge. Those in the executive branch have enjoyed periodic raises that have taken their salaries well above those of judges. For example, SEC trial attorneys now make up to \$180,330, which is significantly higher than the annual salary of our Federal trial judges.

In addition, the workload for Federal judges has increased dramatically. Since 1960, the caseload for district court judges has climbed by almost 60 percent and the caseload of circuit court judges has jumped more than 200 percent. Judges who are working to preserve the rule of law in America and to make equal justice a reality should be respected, and their labor should be compensated.

Paul Volcker, the chair of the National Commission on the Public Service, recently noted in *The Wall Street Journal* that congressional inaction on judicial pay could erode the high professional standards and independence of the Judiciary. Chief Justice Rehnquist repeatedly called for an increase in judicial pay, warning that "[i]nadequate compensation seriously compromises the judicial independence fostered by life tenure" and that "... low salaries might force judges to return to the private sector rather than stay on the bench." Chief Justice Roberts pointed to an increasing trend in early retirement in his last "Year-End Report on the Federal Judiciary," noting that many of those retired judges have gone to work in the private sector. Justice Anthony Kennedy testified before the Senate Judiciary Committee in February about similar threats to judicial independence.

This bill addresses these concerns by granting a raise for all Federal judges. This bipartisan legislation has broad support. President Bush supports a significant pay raise for judges, as does the American Bar Association, as do the deans of 130 of the Nation's top law schools, civil rights groups, and others.

One of the first bills we passed in the Senate this year, S. 197, authorized cost-of-living adjustments for the salaries of United States judges. Senators SPECTER, FEINSTEIN and CORNYN joined me in cosponsoring this bill. Unfortunately, that bill has failed to move through the House of Representatives. Too often during the last several years our Federal judges have not been given a standard cost-of-living raise. That, too, has contributed to the diminution in their real compensation.

Our democracy and the rights we enjoy depend on a strong and independent judiciary. During the last few years it has been the courts that have acted to protect our liberties and our Constitution. The independence of the judiciary is compromised, however, if judges leave the bench for financial reasons. The quality of the judiciary is threatened if judges' salaries are inadequate to attract and retain our best legal minds. Given the essential role that the judiciary plays in our system of government, we should pass this raise to judicial salaries.

I thank my Judiciary Committee colleagues, Senator HATCH, Senator FEINSTEIN and Senator CORNYN for agreeing to join me in introducing this bill. I also thank Majority Leader REID, as well as Minority Leader MCCONNELL, for their support of this legislation and their commitment to the Federal judiciary.

## AMENDMENTS SUBMITTED AND PROPOSED

SA 1610. Mr. CARDIN (for himself, Ms. MIKULSKI, Mr. DODD, Mr. KERRY, Mr. REED, Mr. KENNEDY, Mr. WHITEHOUSE, and Ms. SNOWE) proposed an amendment to amendment SA 1502 proposed by Mr. REID to the bill H.R. 6, to reduce our Nation's dependency on foreign oil by investing in clean, renewable, and alternative energy resources, promoting new emerging energy technologies, developing greater efficiency, and creating a Strategic Energy Efficiency and Renewables Reserve to invest in alternative energy, and for other purposes.

SA 1611. Mr. COLEMAN submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. REID to the bill H.R. 6, supra; which was ordered to lie on the table.

SA 1612. Mr. COLEMAN submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. REID to the bill H.R. 6, supra; which was ordered to lie on the table.

SA 1613. Mr. COLEMAN submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. REID to the bill H.R. 6, supra; which was ordered to lie on the table.

SA 1614. Mr. TESTER (for himself, Mr. BYRD, Mr. ROCKEFELLER, Mr. SALAZAR, and Mr. BINGAMAN) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. REID to the bill H.R. 6, supra; which was ordered to lie on the table.

SA 1615. Ms. COLLINS (for herself, Ms. CANTWELL, Ms. SNOWE, and Mrs. MURRAY) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. REID to the bill H.R. 6, supra.

SA 1616. Mr. DURBIN (for himself and Mr. CARPER) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. REID to the bill H.R. 6, supra; which was ordered to lie on the table.

SA 1617. Mr. TESTER submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. REID to the bill H.R. 6, supra; which was ordered to lie on the table.

SA 1618. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill H.R. 6, supra; which was ordered to lie on the table.

SA 1619. Mr. INHOFE submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. REID to the bill H.R.

6, supra; which was ordered to lie on the table.

SA 1620. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill H.R. 6, supra; which was ordered to lie on the table.

SA 1621. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill H.R. 6, supra; which was ordered to lie on the table.

SA 1622. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill H.R. 6, supra; which was ordered to lie on the table.

#### TEXT OF AMENDMENTS

**SA 1610.** Mr. CARDIN (for himself, Ms. MIKULSKI, Mr. DODD, Mr. KERRY, Mr. REED, Mr. KENNEDY, Mr. WHITEHOUSE, and Ms. SNOWE) proposed an amendment to amendment SA 1502 proposed by Mr. REED to the bill H.R. 6, to reduce our Nation's dependency on foreign oil by investing in clean, renewable, and alternative energy resources, promoting new emerging energy technologies, developing greater efficiency, and creating a Strategic Energy Efficiency and Renewables Reserve to invest in alternative energy, and for other purposes; as follows:

At the appropriate place, insert the following:

#### SEC. \_\_\_\_\_. SITING, CONSTRUCTION, EXPANSION, AND OPERATION OF LNG TERMINALS.

Section 10 of the Act of March 3, 1899 (33 U.S.C. 403), is amended—

(1) by striking the section designation and all that follows through "creation" and inserting the following:

#### "SEC. 10. OBSTRUCTION OF NAVIGABLE WATERS; WHARVES AND PIERS; EXCAVATIONS AND FILLING IN.

"(a) IN GENERAL.—The creation"; and

(2) by adding at the end the following:

"(b) SITING, CONSTRUCTION, EXPANSION, AND OPERATION OF LNG TERMINALS.—

"(1) DEFINITION OF AFFECTED STATE.—In this subsection, the term 'affected State' means, with respect to a liquefied natural gas terminal that is the subject of an application for an authorization under this section, a State that—

"(A) would be directly connected by a pipeline to the liquefied natural gas terminal;

"(B) would be located within 15 miles of the liquefied natural gas terminal; or

"(C) is designated as an affected State by the Secretary due to a risk of damage to the coastal environment of the affected State that is equal to or greater than the risk of damage to the coastal environment of the State in which the liquefied natural gas terminal is proposed to be located.

"(2) LIMITATION.—The Secretary shall not approve or disapprove an application for an authorization under this section for the siting, construction, expansion, or operation of a liquefied natural gas terminal pursuant to this section without the express concurrence of the Governor of each affected State."

**SA 1611.** Mr. COLEMAN submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. REID to the bill H.R. 6, to reduce our Nation's dependency on foreign oil by investing in clean, renewable, and alternative energy resources, promoting new emerging energy technologies, developing greater efficiency, and cre-

ating a Strategic Energy Efficiency and Renewables Reserve to invest in alternative energy, and for other purposes; which was ordered to lie on the table; as follows:

On page 38, strike lines 11 through 17 and insert the following:

"(4) PROJECT DESIGN.—

"(A) IN GENERAL.—A project for which a guarantee is made under this subsection shall have a project design that—

"(i) has been validated through the operation of a continuous process pilot facility with an annual output of at least 50,000 gallons of ethanol or the energy equivalent volume of other advanced biofuels; or

"(ii) provides for upgrades to an existing ethanol production facility that would increase ethanol production at the facility through the addition of cellulosic production capabilities, if the Secretary certifies that—

"(I) the upgrades would increase total ethanol production at the facility; and

"(II) the facility has the cellulosic transportation and logistical resources and cellulosic process technologies necessary to provide the increase in ethanol production required under subclause (I).

"(B) PRIORITY.—In providing guarantees under this subsection, the Secretary shall give priority to projects to be carried out in communities with a population of 25,000 or less residents.

**SA 1612.** Mr. COLEMAN submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. REID to the bill H.R. 6, to reduce our Nation's dependency on foreign oil by investing in clean, renewable, and alternative energy resources, promoting new emerging energy technologies, developing greater efficiency, and creating a Strategic Energy Efficiency and Renewables Reserve to invest in alternative energy, and for other purposes; which was ordered to lie on the table; as follows:

On page 47, after line 23, add the following:

#### SEC. 131. RENEWABLE FUEL COMPREHENSIVE STRATEGIC COORDINATION.

(a) IN GENERAL.—The Secretary shall develop a comprehensive strategic program to coordinate, to the maximum extent practicable—

(1) the renewable fuel standards required by this Act; and

(2) the distribution infrastructure development and vehicle production levels necessary to minimize economic disruption as a result of those standards.

(b) REPORT.—The Secretary shall submit to Congress a report that contains—

(1) a determination of the Secretary with respect to the effectiveness and practicability of using, on a national scale, an ethanol blend fuel (such as E-15 or E-20 blended fuel) to achieve the most efficient expansion of ethanol use; and

(2) if the Secretary determines that use of an ethanol blend fuel as described in paragraph (1) would be effective and practicable, recommendations of the Secretary relating to—

(A) the appropriate type and level of use of ethanol blend fuels; and

(B) an interagency plan to achieve that type and level.

**SA 1613.** Mr. COLEMAN submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. REID to the bill H.R. 6, to reduce our Nation's dependency on foreign oil by

investing in clean, renewable, and alternative energy resources, promoting new emerging energy technologies, developing greater efficiency, and creating a Strategic Energy Efficiency and Renewables Reserve to invest in alternative energy, and for other purposes; which was ordered to lie on the table; as follows:

On page 12, strike the table between lines 15 and 16 and insert the following:

Calendar year:	"Applicable volume of renewable fuel (in billions of gallons):"
2008 .....	8.5
2009 .....	10.5
2010 .....	12.0
2011 .....	12.6
2012 .....	14.2
2013 .....	15.8
2014 .....	18.4
2015 .....	23.0
2016 .....	26.0
2017 .....	29.0
2018 .....	32.0
2019 .....	35.0
2020 .....	38.0
2021 .....	41.0
2022 .....	44.0."

On page 13, line 3, strike "2016" and insert "2012".

On page 13, strike the table between lines 5 and 6 and insert the following:

Calendar year:	"Applicable volume of advanced biofuels (in billions of gallons):"
2012 .....	1.0
2013 .....	2.0
2014 .....	4.0
2015 .....	8.0
2016 .....	11.0
2017 .....	14.0
2018 .....	17.0
2019 .....	20.0
2020 .....	23.0
2021 .....	27.0
2022 .....	30.0."

**SA 1614.** Mr. TESTER (for himself, Mr. BYRD, Mr. ROCKEFELLER, Mr. SALAZAR, and Mr. BINGAMAN) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. REID to the bill H.R. 6, to reduce our Nation's dependency on foreign oil by investing in clean, renewable, and alternative energy resources, promoting new emerging energy technologies, developing greater efficiency, and creating a Strategic Energy Efficiency and Renewables Reserve to invest in alternative energy, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

#### SEC. 3 \_\_\_\_\_. COAL INNOVATION DIRECT LOAN PROGRAM.

(a) IN GENERAL.—Title XXXI of the Energy Policy Act of 1992 (42 U.S.C. 13571 et seq.) is amended by adding at the end the following:

#### "SEC. 3105. COAL INNOVATION DIRECT LOAN PROGRAM.

"(a) DEFINITIONS.—In this section:

"(1) CARBON CAPTURE.—The term 'carbon capture' means the capture, separation, and compression of carbon dioxide that would otherwise be released to the atmosphere at a facility in the production of end products of a project prior to transportation of the carbon dioxide to a long-term storage site.