

their residences. That is an 8-year extension of that provision, which is very good news for many Americans.

For both of these tax incentives, the bill expands the classes of qualifying equipment. This means businesses and families will have added flexibility in choosing the energy-saving technologies that make the most sense for them. Both credits are expanded to include small wind technologies that are used for onsite energy production, and geothermal heat pumps, which can use the Earth as either a heat source, when operating in heating mode, or a heat sink, when operating in cooling mode. There are already more than 1 million geothermal heat pumps installed in the United States, and those who have installed them can save up to 70 percent annually on their utility bills. So when this bill becomes law, families will be able to choose among installing solar technology, small wind technology, and geothermal heat pumps in their homes, and the 30 percent tax credit will be available for any of those installations. In case of solar electric investments, we greatly improve the incentive by removing the current \$2,000 credit cap.

The bill also expands the business credit to include combined heat and power systems, which use a heat engine or power station to simultaneously generate both electricity and useful heat. Businesses that install these systems are able to get both heat and electricity from the same source, which decreases both energy costs and greenhouse gas emissions.

The benefits of these investments, these incentives, go far beyond energy independence, greenhouse gas reduction, and energy cost savings. They will enable U.S. firms of all sizes to add a great many "green" jobs on American soil. The Navigant Consulting organization recently put out a report estimating that the 8-year extension of the solar credit that I have just talked about will create 1.2 million employment opportunities in this country, including 440,000 permanent jobs, and \$232 billion in domestic investment. Solar energy is already an important economic engine in my State of New Mexico. I am very pleased this extension is anticipated to add an additional 12,000 direct jobs in my State and 7,000 indirect jobs.

Shifting to the need to reduce demand for petroleum, the bill creates a new plug-in electric drive vehicle credit. We are hopeful that plug-in electric vehicles will come to the market next year and that the Government will help individuals purchase these vehicles through tax credits. This bill provides those tax credits will start at \$2,500, and they will climb as high as \$7,500, depending upon the battery capacity of the particular vehicle.

For commercial vehicles, the bill adds incentives for idling reduction units, which provides an alternative source of power used to heat, cool, or provide electricity to the cab or other

parts of the truck. There are more than 200,000 trucks carrying refrigerated cargo around this country any day. The fleet owners will be incentivized to install advanced insulation on those trucks that can dramatically reduce the amount of gasoline those trucks consume trying to keep that cargo cool. So this is a very important provision.

Finally, the bill addresses our conservation and efficiency needs. It extends credits for energy-efficient improvements to new and existing homes and commercial buildings. Because energy used to heat and cool residential and commercial buildings accounts for nearly 40 percent of U.S. energy consumption—and nearly as much of our carbon dioxide emissions—these tax incentives are especially important. Owners of existing homes will be able to claim a tax credit of up to 10 percent of the combined costs from all qualified electric efficiency improvements, such as installing insulation in their homes, replacing windows, water heaters, and high-efficiency cooling and heating equipment. For new homes, there is a \$2,000 tax credit for a home builder who constructs a qualified new energy-efficient home, certified to achieve a 50-percent reduction in energy usage. With new homes likely to remain part of our Nation's housing stock for more than 60 years, we need to make sure that builders have the right incentives to make energy efficiency a top priority. Owners of commercial buildings will continue to be able to deduct up to \$1.80 per square foot of building floor area if they achieve a 50-percent energy savings target through energy reductions for the building's HVAC and interior lighting system.

With this addition to the provisions related to energy, American businesses are counting on Congress to enact this package because it contains an extension of the R&D development tax credit. It contains important tax relief for American families. It patches the alternative minimum tax to prevent it from engulfing millions of additional hard-working families. It lowers the income threshold for the \$1,000 child tax credit from \$12,000 to \$8,500. That change alone enables 25,000 New Mexico children to newly qualify and an additional 94,000 to receive a larger credit than under prior law.

It extends the qualified tuition deduction for higher education expenses. That is a deduction of up to \$4,000 that helps more than 4.4 million middle-class families meet the cost of sending their children to college.

Finally, the bill includes the secure world schools provisions and the payment in lieu of taxes provisions. These are extremely important for Western States in particular but for virtually all of our States.

As to the payment in lieu of taxes, let me talk specifically about that issue. We increase funding for payment in lieu of taxes in the current fiscal

year. We fully fund the program for 4 years. These Federal payments are essential to local governments, including many in my State, in order to offset the losses and property taxes due to nontaxable Federal lands located within their boundaries. This funding is long overdue, and it is more desperately needed now than ever before.

Passage of this legislation, this energy incentives package, will demonstrate to the American people that we are willing to shift our tax priorities in a new direction toward a national energy policy that promotes diversified domestic sources of clean energy.

It furthers the significant progress we made in recent years with respect to promoting investment in efficiency and the renewable energy technologies that can help grow our economy. And beyond energy issues, it addresses key concerns of American families, businesses, and municipalities.

I applaud the various Senators who have had a major part in the development of this legislation, particularly Senator BAUCUS and Senator GRASSLEY, but also our leadership, both the Democratic and Republican leaders, for bringing us together around this package.

Mr. President, I yield the floor.

Mr. REID. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. REID. Mr. President I ask unanimous consent that the order for the quorum call be rescinded.

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

UNANIMOUS-CONSENT REQUEST— H.R. 6049

Mr. REID. Mr. President, as we speak, the financial turmoil of this country is ongoing. One way we can help is create some jobs, and that is what this legislation regarding the tax extenders would do.

We have waited for months for this legislation—months. It seems to me we should move forward. I am so disappointed that it has taken so long to get where we are. It has been months.

Senators have worked for a long period of time. We had a problem early on about how we were going to pay for it. I admire and respect the work done by Senators CANTWELL and ENSIGN. They have worked very hard. It was a bipartisan effort to move forward. We have Senators BAUCUS and GRASSLEY who have worked very hard, joining with Senators CANTWELL and ENSIGN to move this legislation forward. We have a program to do this.

The longer we wait, the more difficult it is. We are in the waning hours of this legislative session, and there is going to be a lot of hue and cry that we not go home now. There is all this financial turmoil.

I tell everyone here, we should try to complete our work. The committees have a right to meet, even if we are not in session. And if there is something they come up with that we need to do, the President can call us back within a matter of minutes.

So let's try to get the work done that we know we have to get done now. The work we know we have to get done now is to get the tax extenders passed. We have to do something on energy that is nontax related, we have to do something on stimulus, and we have to do something on a CR. There are other issues we can work together to get done. But here it is Thursday afternoon. It is 2:30 in the afternoon.

I am going to ask for consent. It is something I have discussed at length publicly. I have discussed it privately with the Republican leader. We want to get this done. I think that is a fair statement.

It is never quite enough. There are some people who never can quite get enough. They want a little bit more. In the Senate, as it is set up, a person or two can wreak havoc with what is going on around here. I hope people understand that if we don't get this bill done, it is going to add to the financial catastrophe we are facing in our country.

Mr. President, I ask unanimous consent that the Senate proceed to the consideration of H.R. 6049, energy extenders, at a time to be determined by the majority leader, following consultation with the Republican leader; that when the bill is considered, it be considered under the following limitations: that there be 60 minutes of general debate on the bill, equally divided and controlled by the leaders or their designees; that the only first-degree amendments in order be the following, with no other amendments in order and that they be subject to an affirmative 60-vote threshold, and that if the amendment achieves that threshold, then it be agreed to and the motion to reconsider be laid upon the table; that if the amendment does not achieve that threshold, then it be withdrawn; that each amendment be subject to a debate limitation of 60 minutes equally divided and controlled in the usual form: Baucus-Grassley substitute amendment regarding energy tax extenders with offsets; Reid or designee perfecting amendment regarding AMT with offset; Baucus-Grassley perfecting amendment regarding tax extenders, amendment without full offset; that it be in order for Senator CONRAD to raise a budget point of order against the amendment; that once the debate time has been used or yielded back, the motion to waive the applicable point of order be considered to have been made; further, that if the motion to waive is successful, then the amendment be agreed to and the motion to reconsider be laid upon the table; that if the motion to waive is not successful, the amendment be withdrawn, and that Senator CONRAD control up to 10 min-

utes of time during debate on this amendment; provided further, that regardless of the outcome of the vote with respect to the Baucus-Grassley substitute amendment, the Senate vote in relation to the remaining two amendments covered in this agreement; that the votes in relation to the above-listed amendments occur in the order listed after the use or yielding back of time; that upon disposition of all amendments, the bill be read a third time and the Senate proceed to vote on passage of the bill, as amended, if amended, with no intervening action or debate.

I will say this before asking for acceptance of this consent request. It is Thursday afternoon at 2:30. This bill has to go to the House of Representatives. I had somewhat long conversations with the Republican leader. I think this is going to work out fine. The longer we wait, the more difficult time we are having getting this through all the hoops that need to be jumped. So I hope people will allow us to go forward with this bill.

The PRESIDING OFFICER. Is there objection?

The Senator from Texas.

Mr. CORNYN. Mr. President, reserving the right to object, I share the majority leader's hope that we will be on a glidepath toward completion of the Senate's business on a timely basis. I largely support the provisions of this bill.

We have been consulting with the Finance Committee chairman, Senator BAUCUS, and Senator GRASSLEY, the ranking member, and in good consultation with the staff. The problem is that as proposed, my State, the State of Texas, where 2 million people are without power because of the devastation of Hurricane Ike, are being treated in a discriminatory manner under some of the provisions of this bill.

I am hopeful—indeed, I am optimistic—that we can work through these issues. Our initial discussions have been very productive. I expect we will be able to reach some resolution, but we are not there yet.

For that reason, I reluctantly object.

Mr. REID. I ask through the Chair a question: When? That is the question. When is all this going to be worked out, if it is going to be worked out?

Mr. CORNYN. Mr. President, I say to the distinguished majority leader, we have had productive meetings, as I said, with the Finance Committee staff and the Joint Tax staff. We are consulting now with the Governor of our State and with other officials who have responsibilities in the areas most affected by this devastating hurricane.

We think after consultation, hopefully over the course of the afternoon, we can wrap this up. But it is going to take all of us working together to try to reach that resolution. I am hopeful we can get there, but we are not there yet.

Mr. REID. Mr. President, I will say this: I received a call from the Gov-

ernor of Louisiana and the Lieutenant Governor of Louisiana. Everyone wants more. When is enough enough? We know Texas has been hit hard by this storm, and our hearts go out to the people without homes and without power. We understand that. But this is not the last train through this body. We are going to have a stimulus bill and a continuing resolution. Let's finish this bill. No one wants to leave Texas without the resources they need, but we need to complete this legislation now.

I say, if I heard my friend right, they are going to have to work through the afternoon to do this? What do we do with the State of Louisiana? Do we have to wait now to match that, that they get their fair share, as comparing it to Texas? As I said, there is other business we have to complete before we leave. One of them is a continuing resolution.

I say to my friend, if he doesn't get everything he wants on this bill, wait until then. We need to get this done; otherwise, we are going to be in a bottleneck, and there is no way in the world we can finish this work we have to do by a week from tomorrow.

The PRESIDING OFFICER (Mr. NELSON of Nebraska). The objection is heard.

The Republican leader.

Mr. MCCONNELL. Mr. President, let me say to my good friend from Nevada, this is a very legitimate concern that the Texas Senators have. They are working diligently, as the junior Senator from Texas indicated, with Senator BAUCUS and Senator GRASSLEY.

I support this bill; the majority leader supports this bill. It has broad bipartisan support. I assure my good friend the majority leader that there is not an effort here to try to slow down the passage of this extender package. But we would like to get it right, if we can, and this is a legitimate concern the Texas Senators have. I am convinced that they are working as rapidly as possible; that Senator BAUCUS and Senator GRASSLEY are sympathetic to their concerns and, apparently, think they are legitimate concerns that could be addressed. So I would like to try to cheer up my good friend the majority leader that maybe progress is just around the corner.

Mr. ENSIGN. Mr. President, I hope this can be worked out very quickly, and I applaud both the majority leader and the Republican leader for their efforts to get passed the renewable energy tax bill that Senator CANTWELL and I have worked so hard on this entire year. I also want to thank Chairman BAUCUS and Ranking Member GRASSLEY for their work in putting this whole package together. We have been working the last couple of weeks trying to come up with a compromise and we are finally almost there.

The Ensign-Cantwell Clean Energy Tax Stimulus Act passed the Senate by a vote of 88 to 8 back in April. The bill was not paid for at that time, and the

House of Representatives did not want to see a bill like this enacted into law without it being paid for. So over the last couple of weeks, we have worked to make sure there was an offset and to make sure this offset was not going to be damaging to further exploration of other new energy. While producing more green energy, we do not want to hurt the production of other types of energy. So we worked hard to do that, and I think we have succeeded in this bill.

This bill will create at least 440,000 permanent jobs just in the solar energy sector alone, and Senator CANTWELL and I are very proud of this legislation. It is critical we get this passed before we leave town. We need to enact proper policies to help create more jobs all over the United States right now. The economy is in trouble, and this is a shot in the arm to the economy which also will produce more green power for the United States, makes us less dependent on foreign sources of energy, and it is the right thing to do.

We want to join together to push this important legislation through, and obviously we have to work to make sure the House of Representatives takes up the bill and passes it in time to get to the President's desk. I am convinced the President will sign it.

The renewable energy tax extenders will be combined with AMT relief and other business extenders that are important for our entire economy, especially to the high-tech sector of our economy.

The American people are calling for bipartisanship. Senator CANTWELL and I have joined together and have been working very hard to get the rest of the Senate, including the two leaders and the Chairman and Ranking Member of the Finance Committee, to go along with us. This is the time for bipartisanship to show that we are Americans first and that we can join together to accomplish important tasks.

I hope we can go to this bill as quickly as possible, get it passed through the Senate and on to the House of Representatives, where I hope they will pass it. Then we can send this bill off to the President so we can see these renewable projects begin—these important projects on solar, on wind, on geothermal, on biofuels, and on so many other things.

In my State, there are a lot of people who would like to add solar panels to their homes to help produce their own electricity. Current law just doesn't work effectively enough to incentivize that activity. The credits are not right. There is no predictability. Financially, it just doesn't pay off. With the bill we have on the floor, there would be a financial payoff to actually encourage homeowners to put solar panels on their homes where there are States, such as mine, that have a lot of sunshine.

This is an important bill, and once again I thank my colleague from the State of Washington, Senator CANT-

WELL. She has been absolutely fabulous to work with this on this, both she and her staff. I appreciate both our staffs. Jason Mulvihill on my staff, and Lauren Bazel and Amit Ronen on Senator CANTWELL's staff, are working together on this so that hopefully we can get this bill done as soon as possible.

I yield the floor so Senator CANTWELL can make a few comments.

The PRESIDING OFFICER. The Senator from Washington.

Ms. CANTWELL. Mr. President, I do wish to be recognized, along with my colleague from Nevada, to talk about the importance of the passage of this legislation, and not just the extenders—which are good for not only the States of Washington and Nevada as it relates to sales tax and R&D tax credits and county payments and a whole variety of things—but most importantly these renewable energy credits, where we are trying to change the focus and the direction of our country by unleashing the power of the solar industry to help create about 400,000 new jobs for our country. So we do want to get to this package done.

I thank the leaders as well, Senators REID and MCCONNELL, for trying to get this legislation on the floor. I hope we can get through this last hiccup and actually get this legislation before our colleagues and get it passed today—hopefully today—because I think that is how important it is to send out this message.

I certainly thank Senator BAUCUS and Senator GRASSLEY for their perseverance in continuing to try to work through vote after vote on this so we could have a package.

I want to say to the Senator from Nevada, Mr. ENSIGN, how much I appreciate his willingness to engage in this subject starting really the beginning of this year and for understanding what the opportunity was to look at renewable energy and to make sure the tax credits were more predictable and there was more long-term certainty for businesses so that we could take advantage of the manufacturing base that could be created in the United States. I certainly applaud him and his staff for their perseverance in trying to come up with a funding mechanism for this package of green energy tax credits in the last 2 weeks and coming up with a breakthrough on exactly how to pay for them.

So we are at this momentous point now where the bipartisan efforts of working across the aisle have paid off. Frankly, I think we need more of that—working across the aisle—on some of these solutions so that we can actually move legislation. I hope we can come back in the next few hours and actually talk about some more of the specifics of this legislation because it is really breakthrough legislation.

For the first time, we are giving an extension of the solar investment tax credit and fuel cell tax credit that will, I believe, change investment patterns in such a significant way that we will

be reaping the benefits of that kind of generation of power to replace what we are currently doing on our grid today.

We also have incentivizing new provisions for plug-in electric cars, which will help in that transition so that people understand our future source of energy and power for our transportation sector has a very bright future. We provide for tax breaks for participating in that transition and help them realize they will be able to drive for \$1.00 a gallon in these plug-in electric cars instead of for \$3.50 or \$4 a gallon using fossil fuel.

In this legislation there is over \$10,000 in consumer tax breaks and credits on all sorts of things, from home improvements to making sure that consumers, particularly in the northeast part of our country, get a tax break for moving off of home heating oil and on to wood stoves that will help them reduce the cost in their heating bills in the future.

There are a lot of breakthroughs in this legislation which I hope to get back to this afternoon. So I hope we can get our colleague from Texas to remove his objection and that we will be able to move forward on this important legislation.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I congratulate the Senators from Washington and Nevada not just for the product of their work but for the way they are working together. I think what the American people want to see the Senate focus more on the biggest issues facing our country and work across party lines to get a result.

I was one of the few Senators earlier who voted against the Ensign-Cantwell legislation because I thought it disproportionately favored one form of renewable energy. I think this is a great improvement over what had been done before, and I especially like the fact that solar has a chance to move up the line as a developing energy. It is not proven yet, it is not able yet to do all we hope it will do, but this should help. And the idea that we would use this vast reservoir of unused electricity we have at night around the country to plug in our cars, rather than spend money on gasoline that we send overseas to unfriendly people, is a very appealing idea.

All those ideas have broad support on both sides of the aisle, and Senators Cantwell and Ensign have been persistent in their efforts to fashion a bipartisan result. So I congratulate them for what they have done, and I thank them for it. I feel confident, with the support of the majority and Republican leaders, that we will get to a result.

My colleagues' work on this bill, and the majority leader and the Republican leader's work on this bill, to bring us toward a bipartisan result on one of the largest issues facing our country is in great contrast to some of what I

heard this morning from the Democratic side of the aisle about today's financial structure. What I heard was what I call kindergarten politics. It looked as if somebody had been down in the War Room with crayons and paper on the floor coming up with how do we score political points about the financial crisis in the country today, instead of saying: What can we do, working together, to reassure the American people we are going to take every step we need to take here to make certain we restore the vibrancy of our economy?

I came to the Senate, not as a Senator but as a staff member, more than 40 years ago, and what was going through my mind is the way Lyndon Johnson and Everett Dirksen would have worked when Everett Dirksen was the Republican leader and Lyndon Johnson was the President. When it was important, they worked together, and they let the American people know that. So did President Kennedy and Senator Dirksen, when he was the Republican leader. So did Senator Mansfield, from the Democratic side of the aisle, and President Nixon, a Republican.

I remember Senator BYRD telling me that both he and Senator Baker, the Democratic and Republican leaders when President Carter was here, changed their minds about the Panama Canal, and they cast controversial votes because they thought it was the right thing to do. We had a major issue before the country, and some in the country didn't like the result, but they respected the fact that Senators had the instinct to recognize that when something is important, threatening our country, that people expect us not to play kindergarten politics but to put that aside, leave it off the Senate floor, and come here and do our jobs.

The same was true with President Reagan and Tip O'Neill, the Speaker of the House, who had very different points of view. But when Social Security was nearly broken, they worked together.

Now we have a serious financial crisis facing our country, and what do we get from some of the Members of the other side of the aisle but a lot of kindergarten partisan politics, which should be left in the trash can somewhere. We even had the majority leader criticizing a former Republican Senator for something the majority leader himself voted for. Why was it even being discussed? Because somebody over in the kindergarten room wrote out a press release and handed it to somebody. So instead of seeing what we just saw on the Senate floor a few minutes ago, which was a Democratic and Republican Senator saying: Let's work together on energy, we saw something much different.

From the Republican side of the aisle, we could come and say: Well, this whole financial crisis is caused fundamentally by a collapse in housing prices. And one of the greatest factors

in that is the great housing institutions, Fannie Mae and Freddie Mac. When we brought up a bill to reform Fannie Mae and Freddie Mac, all the Democrats voted no and all the Republicans voted yes. We could say that. We could say it was a Democratic President who stopped us from bringing in oil from Alaska 10 years ago, which today would have kept gas prices from going up. We could say it was a Democratic President who encouraged a lot of people to buy homes who didn't have the money to pay it back.

But that is not what we should be doing here. We should put all that aside, and we should say to the President and say to the Speaker and say to each other: We have a serious financial crisis facing our country. What can we do, working together, to reassure the American people we are going to take any step we can to ensure the security of their savings accounts, the values of their homes, the security of their money markets, of their accounts? We can do that. We should do that. That is what most of us are elected to do, or we feel we are elected to do.

So I was very disappointed to see so much of the partisan kindergarten-talk coming from the other side of the aisle this morning. I would much rather see the kind of action that the Senator from Washington and the Senator from Nevada have demonstrated throughout the year and did today, as did the majority leader and the Republican leader when they said: We are very close to having a renewable energy bill that meets the objections many have had. And that is one step we can take to deal with the problem of the high price of energy, because we need to, as we say, find more American energy as well as use less energy, including alternative and renewable energy.

There is one other thing that we could do together and I would like to briefly outline it today. It was pointed out in an article in the Washington Post last week by Susan Hockfield, the President of MIT, one of our great research universities.

I ask unanimous consent that her op-ed be printed in the RECORD at the conclusion of my remarks.

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

(See exhibit 1.)

Mr. ALEXANDER. She suggested that we should have a dramatic new investment, a new Federal investment in energy research and development; that our current spending for energy research and development had shrunk, in her words, "almost to irrelevancy"; and that the \$2 billion to \$3 billion that the Federal Government is spending annually on energy R&D is less than half of what our largest pharmaceutical company spends on research each year.

Yesterday, I had a visit from the President of Yale University who made the point that, since 1973, we have found as much oil as we have used. Mr. President, 1973 was the year we had the

big oil shock. He pointed out the reason we were able to do that was because of extensive science and technology advances.

Most of our wealth since World War II in this country has been created by our brainpower advantage, and we worked together as a Senate and as a Congress, with everyone taking credit, to pass legislation to help. We called it the America COMPETES Act—to help keep America's brainpower advantage so we can keep growing good jobs here.

What the president of MIT and the president of Yale are saying, and most of our research universities would say and most of us know, is we need to keep pushing on science and technology. As we stand here today, thinking about how we deal with high gasoline prices and electricity prices that are increasing and the national security issues that arise from depending so much on other countries in the world for oil; and as we think about the financial markets and how over the long-term we strengthen our country so we are able to withstand any sort of jolt to the system—one of the most important things we should consider doing, and doing in a bipartisan way, is to make a dramatic new Federal investment in energy research and development. I may have more to say about that next week. It is a tremendous opportunity for the next President to take.

Let me give an example of what I mean by it. In May, I went to the Oak Ridge National Laboratory in Tennessee, along with BART GORDON, the Democratic chairman of the House Science Committee. I proposed that the United States set as a goal putting our country on a path to clean energy independence within the next 5 years and do it in a way that we have done it before, with a new Manhattan Project for clean energy independence.

The Manhattan Project was the project the United States launched during World War II to create the atom bomb before Germany did, because we were afraid that if Germany beat us in that, it would blackmail us in the same way many oil-producing countries are blackmailing us today. We succeeded in that. But we did it because we put a clear focus on it, we put an objective, we dedicated the money, we drafted companies, we assembled the best scientists in the world, and we won that race.

We could do the same with energy. What I suggested in May was that we adopt seven grand challenges. First, of course, we ought to do what we already know how to do, which is to drill offshore and create more nuclear power. But then there are some things we don't know how to do, and most of the legislation we are considering—whether it is the legislation that Senators ENSIGN and CANTWELL have proposed or the Gang of 20 legislation or the bill that Senator BINGAMAN and others might propose—does not do much for energy research and development.

Energy research and development would be this, for example: To make, within the next 5 years, electric cars and trucks commonplace—which would mean research on advanced batteries; and to make solar energy competitive within the next 5 years with fossil fuels.

Incentives will help with that. That is in the tax extenders bill that will be coming before the Senate. But in order to accomplish that, we need money for research and development.

Among the other challenges, I suggested carbon capture and sequestration. We need to be able to use our coal plants and we need other ways of capturing carbon than taking it and putting it into the ground. We need it within 5 years as well.

I see my time has come to an end. My point is the same. I like what Senators ENSIGN and CANTWELL have been doing. I like the approach. I would like to see more of that rather than the finger-pointing and blame calling, and one of the areas in which I hope we will work is a dramatic new Federal investment in energy research and development.

EXHIBIT 1

[From the Washington Post, Sept. 11, 2008]

REIMAGINING ENERGY

(By Susan Hockfield)

Almost 70 years ago, as Germany invaded France, President Franklin D. Roosevelt received an urgent visit from Vannevar Bush, then chairman of the National Advisory Committee on Aeronautics and formerly vice president and dean of engineering at the Massachusetts Institute of Technology.

Bush's message was simple: For America to win the war that was to come, it had no choice but to make aggressive, focused investments in basic science. The case was so compelling that Roosevelt approved it in 10 minutes. From radar to the Manhattan Project, the innovations that decision unleashed produced the military tools that won the war.

That same presidential decision launched the enduring partnership between the federal government and research universities, a partnership that has vastly enhanced America's military capabilities and security, initiated many important industries, produced countless medical advances and spawned virtually all of the technologies that account for our modern quality of life.

Today, the United States is tangled in a triple knot: a shaky economy, battered by volatile energy prices; world politics weighed down by issues of energy consumption and security; and mounting evidence of global climate change.

Building on the wisdom of Vannevar Bush, I believe we can address all three problems at once with dramatic new federal investment in energy research and development. If one advance could transform America's prospects, it would be ready access, at scale, to a range of affordable, renewable, low-carbon energy technologies—from large-scale solar and wind energy to safe nuclear power. Only one path will lead to such transformative technologies: research. Yet federal funding for energy research has dwindled to irrelevance. In 1980, 10 percent of federal research dollars went to energy. Today, the share is 2 percent.

Research investment by U.S. energy companies has mirrored this drop. In 2004, it stood at \$1.2 billion in today's dollars. This might suit a cost-efficient, technologically

mature, fossil-fuel-based energy sector, but it is insufficient for any industry that depends on innovation. Pharmaceutical companies invest 18 percent of revenue in R&D. Semiconductor firms invest 16 percent. Energy companies invest less than one-quarter of 1 percent. With this pattern of investment, we cannot expect an energy technology revolution.

While industry must support technology development, only government can prime the research pump. Congress must lead.

The potential gains—from the economy to global security to the climate—are boundless. Other nations are also chasing these technologies. We must be first to market with the most innovative solutions. We must make sure that in the energy technology markets of the future, we have the power to invent, produce and sell—not the obligation to buy.

How much should we invest? In 2006 the government spent between \$2.4 billion and \$3.4 billion (less than half of the annual R&D budget of our largest pharmaceutical company). Many experts, including the Council on Competitiveness, recommend that federal energy research spending climb to twice or even 10 times current levels. In my view, the nation should move promptly to triple current rates, then increase funding further as the Energy Department builds its capacity to convert basic research into marketable technologies.

Vannevar Bush's insight was his appreciation of the value of basic research in powering innovation. I believe that we stand on the verge of a global energy technology revolution. Will America lead it and reap the rewards? Or will we surrender that advantage to other countries with clearer vision? I believe we can chart a profoundly hopeful, practical path to America's future—through rapid, sustained, broad-based and intensive investment in basic energy research.

The PRESIDING OFFICER. The Senator from Louisiana is recognized.

Mr. VITTER. Mr. President, before I begin, I ask unanimous consent that my remarks be immediately followed by Senator SCHUMER of New York.

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

UNANIMOUS-CONSENT REQUEST— S. RES. 626

Mr. VITTER. Mr. President, last night the majority leader filed cloture on an unusual bill. It is a bill he drafted, combining 36 completely unrelated bills, making it one big package, the so-called Reid omnibus, which is the anti-Coburn omnibus, or my favorite term, the "Tomnibus."

That is a very unusual and suspect way for the Senate to proceed. Senator REID says it is necessary because all these measures are being blocked by one or two Senators. The only problem with that argument is there are other measures that are being blocked by one or two Senators, but he has not included those in his omnibus because they are his Members who are doing the blocking, who are doing the obstructing, who are in the tiny narrow majority on those bills.

I have one of those bills. I wish to talk about it today. That is S. Res. 626. This is very simple, very straightforward and has the support of the huge majority of the American people

and the huge majority of the Senate. It is a resolution expressing the sense of the Senate that the Supreme Court of the United States erroneously decided the case *Kennedy v. Louisiana* and that the eighth amendment to the Constitution of the United States allows the imposition of the death penalty for the rape of a child.

First of all, I would like to thank my cosponsors in this Senate resolution, Senators CRAPO, BURR, CORNYN, DOLE, SESSIONS, KYL, DEMINT, GRAHAM, and COBURN.

I would like to thank so many other Senators who agree with this important resolution and agree with everything stated therein.

As you know, the Supreme Court, in a very narrowly decided 5-to-4 decision, has now construed the Constitution to categorically bar the imposition of the death penalty for the crime of child rape, even though, of course, the document says nothing of the kind. The majority noted that a child rapist could face the ultimate penalty, the death penalty, in only 6 States and not in any of the 30 other States that have the death penalty and not under the jurisdiction of the Federal Government.

One big problem is that Justice Kennedy's confident assertion about the complete absence of Federal law in this area is wrong. It is completely wrong. It is clear that it is wrong. The Federal Government does have jurisdiction and there is a Federal law applying the death penalty, making that available for the rape of a child. Congress—yes, Congress—revised the sex crimes section of the Uniform Code of Military Justice a few years ago, in 2006, to add child rape as offense punishable by death.

The revisions were in the National Defense Authorization Act of that year. President Bush signed that bill into law and then issued an Executive order which put the provisions of that act into the 2008 edition of the Manual for Courts Martial.

My resolution is simple and straightforward. It asks the Supreme Court to rehear the case of *Kennedy v. Louisiana* because they got that aspect of Federal law so very wrong. It says that among the worst of all crimes is the crime of child rape and that there is nothing in the Constitution to take away the death penalty from States, in terms of appropriate penalties for that crime.

The Louisiana district attorney's office in Jefferson Parish has asked for a rehearing on this case on July 21, 2008, based specifically on that very false assertion made before the Supreme Court about Federal law, so that rehearing is being actively considered. It is very appropriate in this context, as the Supreme Court considers right now, as we speak, possibly rehearing the case, that the Senate be allowed to speak on the matter; that the Senate make its voice heard on the matter and point out that rehearing should go forward and that the case was erroneously decided.