

S. 2796

At the request of Mr. BARRASSO, his name was added as a cosponsor of S. 2796, a bill to extend the authority of the Secretary of Education to purchase guaranteed student loans for an additional year, and for other purposes.

S. 2917

At the request of Mr. BAUCUS, the name of the Senator from Indiana (Mr. BAYH) was added as a cosponsor of S. 2917, a bill to amend the Internal Revenue Code of 1986 to modify the penalty for failure to disclose certain reportable transactions and the penalty for submitting a bad check to the Internal Revenue Service, to modify certain rules relating to Federal vendors, and for other purposes.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. SPECTER:

S. 2918. A bill to make improvements to certain loan programs under the Small Business Act and the Small Business Investment Act of 1958, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

Mr. SPECTER. Mr. President, I have sought recognition to introduce the Helping Small Business Succeed Act of 2009. My legislation will make it easier for small businesses to access credit, credit which they desperately need to be able to cover their costs, grow their businesses, and create jobs.

Small businesses are the engine of economic growth in this country, responsible for 60 percent of new jobs created. The Commonwealth of Pennsylvania alone has 978,831 small businesses, which bring economic opportunities to diverse groups of people, innovate new technologies, and provide valuable services to their communities. Of these small businesses, 236,775 are small employers who represent 98.4 percent of Pennsylvania's employers and 49.9 percent of its private-sector employment. It is not an understatement to say that small businesses and their ability to grow are vital to the health of Pennsylvania and of the Nation.

Earlier this month, the Labor Department released jobs figures indicating that unemployment has dropped from 10.2 percent in October to 10 percent in November, and that the economy shed only 11,000 jobs, which was well below analysts' expectations. While these numbers are encouraging, leading economists such as Joseph Stiglitz have stated that recovery will be slow unless we continue to take strong measures.

When I voted for the stimulus, we were facing a recession that could well have developed into a full-fledged depression like we faced in 1929. The stimulus provided \$630 million to the Small Business Administration, SBA, to guarantee private sector loans to small businesses, which allowed the SBA to raise its loan caps, and increased SBA guarantees from 75–80 per-

cent to 90 percent in its two major business loan programs. These provisions have proven effective in providing credit to small business, but more needs to be done. My legislation permanently increases the loan limit from \$2 million to \$5 million on 7(a) loans, from \$1.5 million to \$5.5 million on 504 loans, and from \$35,000 to \$50,000 on microloans.

Simply raising loan limits is not enough, however. Raising the SBA's guarantee will increase commercial lenders' willingness to provide loans because it reduces the risk undertaken by lenders. My legislation raises the maximum loan guarantee percentage to 97.5 percent, which will quickly and efficiently incentivize the existing network of financial institutions to make affordable loans to small business. Additionally, my legislation extends the waivers for the 7(a) borrower fees and the 504 borrower and bank fees, which were enacted as part of the stimulus package, until 2011.

Finally, my legislation authorizes the SBA to declare certain communities "economic disaster areas" and to provide further assistance to small businesses within these areas. The economic situation in many towns across America has risen to emergency levels. Unemployment in some counties in Pennsylvania has risen as high as 12 and 14 percent. My legislation will provide the SBA with greater flexibility to use its funds to target areas of the country where the level of unemployment exceeds the national level and where small businesses have been hit the hardest.

According to the October 2009 Special Inspector General Report to Congress, taxpayers have seen \$73 billion in TARP funds returned so far with a 10 percent return on their investment. As of September 30, 2009, \$9.5 billion in interest, dividends, and other income has had been received by the federal government. My legislation uses this revenue, derived from investments made through TARP, to pay for these urgently needed adjustments.

Small businesses need access to credit and they need it now more than ever, if they are to weather current economic conditions. I look forward to working with my colleagues to provide further assistance to the small business community and to help restore their ability to create jobs and stimulate our economy.

By Mrs. FEINSTEIN:

S. 2921. A bill to provide for the conservation, enhanced recreation opportunities, and development of renewable energy in the California Desert Conservation Area, to require the Secretary of the Interior to designate certain offices to serve as Renewable Energy Coordination Offices for coordination of Federal permits for renewable energy projects and transmission lines to integrate renewable energy development, and for other purposes; to the Committee on Energy and Natural Resources.

Mrs. FEINSTEIN. Mr. President, I rise today to introduce the California Desert Protection Act of 2010.

I strongly believe that conservation, renewable energy development, and recreation can and must coexist in the California Desert—and this legislation strikes a carefully conceived balance between these sometimes competing concerns.

The key provisions of this bill would designate two new national monuments—the Mojave Trails and the Sand to Snow National Monuments.

It would add adjacent lands to the Joshua Tree and Death Valley National Parks and the Mojave National Preserve; designate 5 new BLM wilderness areas and protect 4 important waterways, such as the Amargosa River and Deep Creek, as Wild and Scenic Rivers; improve the process to permit large-scale wind and solar development on suitable public and private lands in the California desert; and enhance recreational opportunities in the desert, while ensuring that the training needs of the military are met.

This bill is the product of painstaking discussions with key stakeholders—including environmental groups, local and State government, off-highway recreation enthusiasts, hunters, cattle ranchers, mining interests, the Department of Defense, wind and solar energy companies, California's public utility companies, and many others. I am grateful for all of their efforts.

The bill is divided into two titles.

The first title primarily covers conservation, recreation, and other purposes.

The second title of the bill covers renewable energy development on suitable lands.

Taken together, this bill will shape the future of the Southern California Desert, and I believe it can serve as a model for future efforts to balance renewable energy development and conservation.

As of today, this bill has been endorsed by: the California Wilderness Coalition; the Wildlands Conservancy; the Wilderness Society; the National Parks Conservation Association; Friends of the River; Cogentrix Energy; Edison International, parent company of Southern California Edison; Friends of Big Morongo Canyon Preserve; Friends of the Desert Mountains; Mojave Desert Land Trust; Desert Protective Council; Amargosa Conservancy; Death Valley Conservancy; the Cities of Barstow, Desert Hot Springs, Hesperia, Indio, Palm Springs, San Bernardino and Yucaipa; Riverside County Supervisor Marion Ashley; San Bernardino County Supervisor Neil Derry; Imperial County Supervisor Wally Leimgruber; Coachella Valley Association of Governments; SummerTree Institute; and Route 66 Preservation Foundation.

The California Desert Protection Act, which was enacted in 1994, was a sweeping piece of legislation aimed at

conserving some of the most beautiful and ecologically significant lands in my home State.

The law created Death Valley National Park, Joshua Tree National Park and the Mojave National Preserve, as well as 69 desert wilderness areas managed by the Bureau of Land Management, BLM.

Collectively, it protected over 7 million acres of desert lands, making it the largest land conservation bill in the lower 48 States in U.S. history.

To this day, it remains one of my proudest accomplishments since joining this body.

Much has changed since the passage of the California Desert Protection Act. Many of the impediments that prevented conservation of other pristine desert lands in the area no longer exist.

Department of Defense concerns with designating some wilderness areas near Fort Irwin have been resolved.

Many mining areas inside national parks and potential wilderness have closed.

Grazing allotments on both BLM and National Park Service land have been retired by willing sellers.

Hundreds of thousands of acres of privately owned land has been donated to or acquired by the Federal Government.

Yet even as these issues were resolved, new challenges have emerged. There are now competing demands over how best to manage hundreds of thousands of acres of public lands in the desert.

Some believe the lands should be used for large-scale solar and wind facilities and transmission lines. Others would like to conserve critical habitat for threatened and endangered species.

Some would like more acreage available for grazing or for off-road recreation.

Finally, some would like to see additional lands made available for military training and base expansion.

Earlier this year, I learned that BLM had accepted applications to build vast solar and wind energy projects on former railroad lands previously owned by the Catellus Corporation. These lands had been donated to the Federal Government or acquired with taxpayer funds for conservation.

I believe the development of these new cleaner energy sources is vital to addressing climate change, yet we must be careful about selecting where these facilities are located. The current process doesn't work because it allows energy firms to propose the sites for renewable energy development, including land donated or acquired specifically for conservation.

Approximately \$45 million of private donations—including a \$5 million land discount from Catellus Corporation—and \$18 million in Federal Land and Water Conservation grants was spent to purchase these lands, with the intent of conserving them in perpetuity.

As the sponsor of the legislative provisions that helped secure the deal to

acquire the roughly 600,000 acres of former private land, I found the BLM's actions unacceptable.

We have an obligation to honor our commitment to conserve these lands—and I believe we can still accomplish that goal while also fulfilling California's commitment to develop a clean energy portfolio.

That is the purpose of this legislation.

The first title of the legislation is geared towards the goal of conserving the Desert's sensitive ecosystem.

First, this bill will ensure that hundreds of thousands of acres of land donated to the federal government for conservation will be protected by creating the Mojave Trails National Monument. This new monument would cover approximately 941,000 acres of Federal land, which includes approximately 266,000 acres of the former Catellus-owned railroad lands along historic Route 66. I visited the area earlier this year and was amazed by the beauty of the massive valleys, pristine dry lakes, and rugged mountains.

In addition to its iconic sweeping desert vistas and majestic mountain ranges, this area of the Eastern Mojave also contains critical wildlife corridors linking Joshua Tree National Park and the Mojave National Preserve. It also encompasses hundreds of thousands of acres designated as areas of critical environmental concern, critical habitat for the threatened desert tortoise, and ancient lava bed flows and craters. It is surrounded by more than a dozen BLM wilderness areas.

The BLM would be given the authority to both conserve the monument lands, and also to maintain existing recreational uses, including hunting, vehicular travel on open roads and trails, camping, horseback riding and rockhounding.

The bill also creates an advisory committee to help develop and oversee the implementation of the monument management plan. It would be comprised of representatives from local, State and Federal Government, conservation and recreation groups, and local Native American tribes.

Before I go on to the other conservation provisions in the bill, I would like to address one important issue—and that is what should be done about some of the proposed renewable energy development projects proposed for lands included in this monument.

Although it is true that the monument will prevent further consideration of some applications to develop solar and wind energy projects on former Catellus lands or adjoining lands in the monument, it is important to note that of the proposals in question, not a single one has been granted a permit nor is a single one under review at the California Energy Commission or under formal NEPA, National Environmental Policy Act, review at BLM.

To ensure that creation of the monument does not unnecessarily harm the

firms that worked in good faith and invested substantial time and resources to produce renewable energy in California, the legislation will offer these companies an opportunity to relocate their projects to federal renewable energy zones currently being developed by the Department of the Interior.

Additionally, the monument would not prevent the construction or expansion of necessary transmission lines critical to linking renewable energy generation facilities with the electricity grid.

Second, the bill would establish the "Sand to Snow National Monument," encompassing 134,000 acres of land from the desert floor in the Coachella Valley up to the top of Mount San Gorgonio, the highest peak in Southern California.

The boundaries of this second, smaller new monument would include two Areas of Critical Environmental Concern: Big Morongo Canyon and White-water Canyon, the BLM and U.S. Forest Service San Gorgonio Wilderness, the Wildlands Conservancy's Pipe's Canyon and Mission Creek Preserves, and additional public and private conservation lands, including two wildlife movement corridor areas connecting the Peninsular Ranges with the Transverse Ranges.

This area is truly remarkable, and would arguably be the most environmentally diverse national monument in the country. It serves as the intersection of three converging ecological systems—the Mojave Desert, the Colorado Desert, and the San Bernardino mountains—and is one of the most important wildlife corridors in Southern California.

This monument designation would protect 23.6 miles of the Pacific Crest Trail and the habitat for approximately 240 species of migrating and breeding birds, the second highest density of nesting birds in the U.S. It also serves as a home and a crucial migration corridor for animals traveling between Joshua Tree National Park, the oasis at Big Morongo, and the higher elevations of the San Bernardino Mountains.

I would like to make one additional point, and that is that despite its ecological significance, this area is not particularly well-known—largely because it is managed by a number of distinct entities, including the BLM, Forest Service, National Park Service and private preserves and conservation agencies. So, the monument designation would help to attract more attention to one of California's natural gems.

Third, the bill establishes new wilderness and allows more appropriate use of lands currently designated as Wilderness Study Areas.

The 1994 California Desert Protection Act extended wilderness protection to many areas in the desert, yet several areas near Fort Irwin were designated as wilderness study areas in order to allow the base to expand.

Now that Fort Irwin's expansion is complete, it is time to consider these areas for permanent wilderness designation.

The bill protects approximately 250,000 acres of BLM land as wilderness in five areas. These areas contain some of the most pristine and rugged landscapes in the California desert.

Beyond Fort Irwin, the bill also expands wilderness areas in Death Valley National Park, 90,000 acres, and the San Bernardino National Forest, 4,300 acres, inside the Sand to Snow National Monument created by this bill.

The bill also releases 126,000 acres of land from their existing wilderness study area designation in response to requests from local government and recreation users. This will allow the land to be made available for other purposes, including recreational off-highway vehicle use on designated routes.

Fourth, this bill would create the Vinagre Wash Special Management Area.

The agreed-upon designation for this area in Imperial County, near the Colorado River, was reached after careful discussion with key stakeholders.

Although the land possesses some wilderness characteristics, there are also competing interests. The Navy Seals currently use some of this area for occasional training. Additionally, many local residents enjoy touring the rolling hills in the area by jeep.

Through the combined efforts of conservation groups, local residents and county government, and the Department of Defense, a compromise conservation designation was developed.

For the land known as the Vinagre Wash, the bill will create a "special management area" covering 76,000 acres, including 12,000 acres of former railroad lands donated to the Federal Government.

Of these, 49,000 acres are designated as potential wilderness and only become permanent wilderness if and when the Department of Defense determines these lands are no longer needed for Navy Seal training.

This designation will permit the area to continue to be accessed by vehicles and be used for camping, hiking, mountain biking, sightseeing, and off-highway vehicle use on designated routes and protect tribal cultural assets in the area.

Fifth, the bill adds to or designates four new Wild and Scenic Rivers, totaling 76 miles in length. This designation will ensure they remain clean and free-flowing and that their immediate environments are preserved. These beautiful waterways are Deep Creek and the Whitewater River in and near the San Bernardino National Forest, as well as the Amargosa River and Surprise Canyon Creek near Death Valley National Park.

Sixth, the bill includes adds approximately 74,000 acres of adjacent lands to the three National Parks established by the 1994 California Desert Protection Act.

The bill adds 41,000 acres in Death Valley National Park. This includes former mining areas where the claims have been retired and a narrow strip of BLM land between National Park and Defense Department boundaries that has made BLM management difficult.

The bill adds 30,000 acres in the Mojave National Preserve. This land was not included in the original Monument because of the former Viceroy gold mine. However, the mining operations ceased several years ago, and the reclamation process is nearly complete. Additionally, a 2007 analysis by the Interior Department recommended that this area would be suitable to add to the Preserve.

The bill adds 2,900 acres in Joshua Tree National Park. This includes multiple small parcels of BLM land identified for disposal on its periphery. Transferring this land to the Park Service would help protect Joshua Tree by preserving these undeveloped areas that border residential communities.

Seventh, the bill designates new lands as Off-Highway Vehicle Recreation Areas.

One of the key goals I have strived for in this bill is to find balance to ensure that the many different needs and uses in the desert are accommodated with the least possible conflict. Some of the most frequent visitors to the desert are the off-highway recreation enthusiasts.

In California alone, there are over 1 million registered off-highway vehicles, many of which can be found exploring thousands of miles of desert trails or BLM designated open areas.

However, in order to meet military training needs, the Marine Corps is studying the potential expansion of Marine Corps Air Ground Combat Center at Twentynine Palms into Johnson Valley, the largest OHV area in the country. I strongly support providing our troops with the best possible training, but if the Marines need to expand the base into Johnson Valley, this could have potentially resulted in the loss of tens of thousands of acres of OHV recreation lands.

But over the past year I met with Major General Eugene Payne, Assistant Deputy Commandant for Installations and Logistics, and Brigadier General Melvin Spiese, Commanding General, Training and Education Command, to discuss this issue, and I am very grateful for their efforts to consider base expansion options that would preserve much of Johnson Valley for recreation.

As the result of those meetings, the Marine Corps has committed to studying an alternative that would allow for a portion of Johnson Valley to be used exclusively for military training, a portion exclusively for continued OHV recreation and a third area for joint use. While the environmental review process must first be completed, I am hopeful that this option will prevail for the benefit of the Marines and recreational users of Johnson Valley.

The lesson learned from Johnson Valley is that, despite the vast size of the California desert, there are relatively few areas dedicated to OHV recreation, and even those areas face increasing competition from other types of uses. These areas are important not only to the hundreds of thousands visitors who enjoy them, but also to the local economy that depends on their tourist dollars. Additionally, by protecting these areas, we also protect conservation areas by providing appropriate places for OHV recreation.

So, this bill will designate five existing OHV areas in the Mojave desert as permanent OHV areas, providing off-highway groups some certainty that these uses will be protected as much as conservation areas. Collectively, these areas could be as much as 314,000 acres, depending on what, if any, of Johnson Valley is ultimately needed by the Marines.

This section of the bill also requires the Secretary of the Interior to conduct a study to determine what, if any, lands adjacent to these recreation areas would be suitable for addition. This will help make up for some of the lost acres in Johnson Valley should the Marines decide to expand there.

Finally, this title of the bill includes other key provisions that address various challenges and opportunities in the California desert, including: state land exchanges.

There are currently about 370,000 acres of state lands spread across the California desert in isolated 640 acre parcels. Because many of these acres are inside national parks, wilderness, the proposed monuments or conservation areas, they are largely unusable. The bill seeks to remedy that problem by requiring the Department of the Interior to develop and implement a plan with the state to complete the exchange of these lands for other BLM or GSA owned property in the next ten years. These land exchanges will help consolidate the state lands into larger, more usable areas that could potentially provide the state with viable sites for renewable energy development, off-highway vehicle recreation or other commercial purposes.

The bill ensures the right of the Department of Defense to conduct low-level overflights over wilderness, national parks and national monuments.

The bill requires the Department of the Interior to study the impact of climate change on California desert species migration, incorporate the study's results and recommendations into land use management plans, and consider the study's findings when making decisions granting rights of way for projects on public lands.

The bill requires the Secretary to ensure access for tribal cultural activities within national parks, monuments, wilderness and other areas designated within the bill. It also requires the Secretary to develop a cultural resources management plan to protect a sacred tribal trail along the Colorado

River between southern Nevada and the California-Baja border.

In order to ensure that donated and acquired Catellus lands outside the Mojave Trails National Monument are maintained for conservation, the bill prohibits their use for development, mining, off-highway vehicle use, except designated routes, grazing, military training and other surface disturbing activities. The Secretary of the Interior is authorized to make limited exceptions in cases where it is deemed in the public interest, but comparable lands would have to be purchased and donated to the Federal Government as mitigation for lost acreage.

So, all of these provisions, when taken together, would serve to complement the lasting conservation established by the California Desert Protection Act—while ensuring that other important local uses are maintained in appropriate areas.

The Mojave Desert is a spectacular national treasure worthy of protection, but it is also a unique national solar resource.

The Mojave has more than 350 sunny days per year; has large flat valleys and mesas; is close to major transmission lines and millions of electricity consumers in Southern California; and lies above 4,000 feet in elevation, where the sun is strongest.

There is no question that we need to harness the desert's plentiful solar energy—but in order to do that, we need to cut through a bureaucratic backlog of stalled permits, and ensure that development occurs on the most appropriate lands.

That is exactly what the second title of this legislation is intended to do.

For too many years the promise of utilizing desert lands to produce clean, renewable solar power was out of reach. The up-front technology costs were too expensive, while coal was deemed to be cheap and plentiful.

But the economics of solar power began to shift in the right direction in 2005, when Congress established a 30 percent investment tax credit for solar power facilities, a provision I championed. I was proud to work with Senator SNOWE and other members of the Senate Finance Committee to extend this tax credit through 2016 during the last Congress.

On December 17, I introduced new legislation with Senator MERKLEY to make sure solar companies can fully realize the benefits of these tax incentives.

The other chief roadblock to developing solar in the desert has been the broken permitting process.

The Federal Government has failed to focus wind and solar development on appropriate lands where it can be readily permitted.

There are currently more than 110 applications to develop more than 42,000 megawatts of renewable energy capacity on BLM land in the California desert.

Until very recently, nothing was done to evaluate these development proposals.

All but a few proposals have not even begun the formal environmental review process required by the National Environmental Policy Act, NEPA. The BLM has been slow to direct development towards disturbed lands or to discourage proposals on lands acquired for the purpose of conservation.

Wind developers have had to wait more than three years to receive permission to measure the wind above public lands.

The Fish and Wildlife Service has told renewable energy developers seeking to use disturbed private lands that they would need to develop complex habitat conservation plans for their projects, a process expected to take nine years.

Contrast that with the recent announcement from Interior Secretary Ken Salazar, who has pledged that the BLM will complete permitting of 10 "fast track" solar projects on public lands by December 2010.

So, the good news is that this administration has taken steps in the right direction to encourage this important shift to renewable energy.

But it is critical, nonetheless, that this legislation is enacted in order to codify and build upon these improvements to the permitting process and help establish the transmission lines needed to carry cleaner energy from the desert to consumers.

Key provisions of the bill: first, the bill will require BLM to put personnel in place focused exclusively on renewable energy development in the desert, make the staff accountable to Congress, and provide a reliable stream of funding to expedite the review of applications.

The BLM began establishing renewable energy permitting offices earlier this year, but this legislation would codify this new administrative policy, establish that the offices have a clear Congressional mandate, and ensure that they will focus specifically on renewable energy development in each state with significant wind and solar resources on public land.

These offices would be funded from the existing BLM permit improvement fund—a fund which is currently only available to supervise the permitting for oil and natural gas development.

It makes sense that this fund should go towards providing cleaner energy sources as well.

Second, the bill would help cut through the backlog of pending renewable development applications with a "use it or lose it" approach.

This would replace the "first come-first serve" approach the BLM currently employs.

The legislation would establish strict deadlines for developers to conduct necessary biological and cultural studies, ensure connection to the grid, and develop a plan for water. This would ensure that serious development proposals are moved to the front of the line—and help put an end to unfettered speculation on desert lands.

Third, this legislation will expedite the application process for solar development on private lands.

When I toured the desert last spring, I asked developers why they wanted to develop pristine public lands, instead of using private lands.

The answer shocked me: they told me it was easier to permit a project on pristine public land than on private lands.

We need to ensure that it takes no longer to review an application to develop private lands than it does to develop public lands—without infringing upon important environmental regulations.

So, the bill would establish a pilot mitigation bank program—a new idea based on successful desert protection efforts in Nevada, wolf protection efforts in New Mexico, and Coral Reef protection efforts in the Caribbean.

The mitigation bank program would be a win-win, both accelerating permitting and coordinating endangered species protection efforts.

Developers seeking to utilize private lands would be able to contribute to a mitigation fund, instead of negotiating the terms of endangered species mitigation, which the Fish and Wildlife Service recently predicted would take nine years.

The interest from the funds contributed by developers would be used to better manage endangered species habitat in specific mitigation zones of federal land that would be permanently set aside for species protection.

The principal in this fund would be used to purchase new pristine habitat when it became available.

This Mitigation bank program would be run by BLM, and the Fish and Wildlife Service would consult with the BLM on renewable energy project review, just as they do now for renewable energy proposals on public land.

This would help level the playing field between public and private lands, and it could cut down the time it takes to permit projects for private lands considerably.

Fourth, the legislation would require the BLM, the Forest Service, and the military to complete Environmental Impact Statements to develop renewable energy on the lands they oversee.

This has two benefits.

First, it ensures that Federal land managers will proactively plan the use of public lands—instead of allowing private industry to make these de facto decisions.

Federal land managers will be required to identify renewable energy development areas where development is in the public interest through the programmatic EIS process. This will help avoid the sort of site-specific environmental conflicts that can delay projects for years.

The second benefit of this provision is that it will result in a formal evaluation of whether public land currently managed by the military will also be

considered for solar development, instead of concentrating this development only on BLM land. There are currently approximately 3 million acres of California desert that are managed by the military, and much of this land could be developed for renewable energy consistent with the military mission.

By requiring the military to evaluate the impacts of a program to develop its solar resource, the legislation ensures that all available public lands are properly considered for renewable energy development in California.

Fifth, this legislation expedites the permitting of temporary meteorological measurement devices.

In California, it sometimes takes a wind developer three years to get a permit simply to measure wind speed. Such barriers to research are unnecessary and unwise, and this legislation assures that this type of research qualifies for existing categorical exclusions from complex environmental reviews.

Sixth, the legislation would provide grants and loan guarantees to innovative electricity transmission technologies that will reduce the need to build massive, visually and environmentally disruptive transmission lines in the desert.

Finally, the legislation would return 25 percent of the revenue generated by new renewable energy projects to the State, and 25 percent to local county governments. This would ensure that these entities have the resources to support permitting, public lands protection, and local conservation efforts.

Bottom line: The permitting process is broken. It is not facilitating solar and wind development where it belongs. This legislation intends to fix that.

It may surprise my colleagues that I am introducing such comprehensive legislation to ensure the protection of California's desert heritage, the development of our renewable resources, and the continued enjoyment of desert recreation.

After all, I am not from the desert. I have lived in or near San Francisco for most of my life.

But over the years I have come to truly appreciate California's sweeping desert landscapes.

I remember my first visits to the desert years ago. It was treated like a waste dump. It was full of abandoned cars. Old appliances littered the landscape.

But we have worked very hard to clean it up.

We have worked to make sure that the vast vistas and pristine desert habitat are respected by humanity, and that we give to our children a healthier, more beautiful desert than we inherited.

But if we are to remain successful in the long run, we must not only protect the desert land itself, we must also protect the broader environment from the ravages of climate change, and we

must offer economic opportunity to those who live in these areas.

That is the purpose of this legislation. There are many places in the California desert where development and employment are essential and appropriate.

But there are also places that future generations will thank us for setting aside.

I have worked painstakingly with stakeholders to ensure that this legislation balances sometimes competing needs.

This bill, if enacted, will have a positive and enduring impact on the landscape of the Southern California desert, and I hope it will stand as a model for how to balance renewable energy development and conservation.

#### SUBMITTED RESOLUTIONS

#### SENATE RESOLUTION 382—SUPPORTING THE GOALS AND IDEALS OF OBSERVING THE NATIONAL SLAVERY AND TRAFFICKING PREVENTION MONTH FROM JANUARY 1 THROUGH FEBRUARY 1, 2010, TO RAISE AWARENESS OF, AND OPPOSITION TO MODERN SLAVERY

Mrs. FEINSTEIN (for herself, Mr. CORNYN, Mr. CARDIN, and Mr. BROWNBACK) submitted the following resolution; which was considered and agreed to:

#### S. RES. 382

Whereas the United States has a tradition of advancing fundamental human rights, having abolished the Transatlantic Slave Trade in 1808 and having abolished chattel slavery and prohibited involuntary servitude in 1865;

Whereas because the people of the United States remain committed to protecting individual freedom, there is a national imperative to eliminate human trafficking, which is the recruitment, harboring, transportation, provision, or obtaining of persons for labor or services through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery, and the inducement of a commercial sex act by force, fraud, or coercion, or in which the person induced to perform such act has not attained 18 years of age;

Whereas to combat human trafficking in the United States and globally, the people of the United States, the Federal Government, and State and local governments must be aware of the realities of human trafficking and must be dedicated to stopping this contemporary manifestation of slavery;

Whereas beyond all differences of race, creed, or political persuasion, the people of the United States face national threats together and refuse to let modern slavery exist in the United States and around the world;

Whereas the United States should actively oppose all individuals, groups, organizations, and nations who support, advance, or commit acts of human trafficking;

Whereas the United States must also work to end slavery in all of its forms around the world through education;

Whereas victims of modern slavery need support in order to escape and to recover from the physical, mental, emotional, and

spiritual trauma associated with their victimization;

Whereas human traffickers use many physical and psychological techniques to control their victims, including the use of violence or threats of violence against the victim or the victim's family, isolation from the public, isolation from the victim's family and religious or ethnic communities, language and cultural barriers, shame, control of the victim's possessions, confiscation of passports and other identification documents, and threats of arrest, deportation, or imprisonment if the victim attempts to reach out for assistance or to leave;

Whereas although laws to prosecute perpetrators of modern slavery and to assist and protect victims of human trafficking, such as the Trafficking Victims Protection Act of 2000 (division A of Public Law 106-386; 114 Stat. 1466) and the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (Public Law 110-457; 122 Stat. 5044), have been enacted in the United States, awareness of the issues surrounding slavery and trafficking by those people most likely to come into contact with victims is essential for effective enforcement because the techniques that traffickers use to keep their victims enslaved severely limit self-reporting;

Whereas January 1 is the anniversary of the effective date of the Emancipation Proclamation;

Whereas February 1 is the anniversary of the date that President Abraham Lincoln signed the joint resolution sending the 13th Amendment to the States for ratification, to forever declare that "Neither slavery nor involuntary servitude . . . shall exist within the United States, or any place subject to their jurisdiction" and is a date which has long been celebrated as National Freedom Day, as described in section 124 of title 36, United States Code;

Whereas, under its authority to enforce the 13th Amendment "by appropriate legislation," Congress in the Trafficking Victims Protection Act of 2000 updated the post-Civil War involuntary servitude and slavery statutes and adopted an approach known as the "3P" approach of victim protection, vigorous prosecution, and prevention of human trafficking; and

Whereas the effort by individuals, businesses, organizations, and governing bodies to commemorate January 11 as Human Trafficking Awareness Day represents one of the many positive examples of the commitment in the United States to raise awareness of and to actively oppose modern slavery: Now, therefore, be it

*Resolved*, That the Senate supports—

(1) the goals and ideals of observing the National Slavery and Trafficking Prevention Month from January 1 through February 1, 2010, to recognize the vital role that the people of the United States have in ending modern slavery;

(2) marking this observance with appropriate programs and activities culminating in the observance on February 1 of National Freedom Day, as described in section 124 of title 36, United States Code; and

(3) all other efforts to raise awareness of and opposition to human trafficking.

#### SENATE RESOLUTION 383—DESIGNATING JANUARY 2010 AS "NATIONAL MENTORING MONTH"

Mr. MCCAIN (for himself, Mr. KERRY, Mrs. LINCOLN, Mr. INOUE, Mr. BEGICH, Mr. FEINGOLD, Mr. SPETER, Mr. GRASSLEY, Mr. BURR, Ms. COLLINS, Ms.