

years ago, that number was less than 25 gigatons. Twenty years from now it might be over 50 gigatons.

We know what that means. Carbon dioxide persists in the environment for decades. We know that. So as we pile on the gigatons every year, it piles up in our atmosphere. We know that. The concentration of carbon dioxide in the atmosphere has fluctuated in a range between 180 and 280 parts per million over most of the last million years. In 1900, the CO<sub>2</sub> concentration had popped out of that range up to 300 parts per million, and today the concentration exceeds 390 parts per million and is climbing at about 2 parts per million every year. We know what that means too.

We have known since the Irish scientist, John Tyndall, figured it out in 1859—the year Oregon was admitted as the 33rd State, when James Buchanan was President, and when, ironically, the first U.S. oil well was drilled—that carbon dioxide traps heat in our atmosphere. It is basic textbook science.

Unfortunately, basic textbook science has encountered basic textbook politics and lost.

The oil-and-gas sector spent \$250 million in lobbying expenses while we were working on a climate change bill between January 2009 and June 2010. The electric utilities kicked in another \$264 million in lobbying expenditures. The mining industry topped it off with \$29 million, for a grand total industry lobbying expense during this period of more than \$½ billion—\$543 million, to be exact.

So the judgment of history will be harsh not just because we were wrong, nor just because we were wrong in ways that we were able to understand were wrong. It will be harsh because we in this generation were entrusted with America's great democracy, as other generations before us have been entrusted with America's great democracy, and we will have failed that trust by failing in this challenge to meet the standards of a great democracy.

We fail that trust because this is no innocent mistake. This is not getting it wrong even though we tried our best. This is not even getting it wrong because we were lazy and not paying attention. This is no innocent mistake. This is the power of money in politics. This is the power of propaganda over truth. This is the deliberate poisoning of the public square with defective information, with manufactured doubt, with false choices, with a campaign of calculated deception. In the same "Atlantic" article I quoted earlier, James Fallows observed:

Heads of the major coal-mining and electric-power utilities in United States and China accept as settled fact that greenhouse gas emissions are an emergency they must confront because of the likely disruptive effect on the world climate.

Even they get it but not us. We, the generation that lives today, the Congress that serves today, the public servants in office today can begin to

turn the tide, and we must if we are to live up to our legacy as Americans and face up to the judgment of history. We can fight the propaganda. We can be servants of the truth. We can prevent manufactured doubt from ruling the day. But we haven't.

Losing another year in which we could have taken the action demanded of us by our economy, by our national security, by our planet was a mistake. Losing this great democracy to the inertia and cynicism of these political times would be a disaster.

But beyond the four walls of this Chamber, I believe there is reason to hope. Each day Americans are waking up to this challenge. Each day young people are joining together in their neighborhoods attempting small but significant local solutions to this large and imposing global problem. Each day our entrepreneurs seek new rays of opportunity in the clouds of dismay, finding ways to serve both their business instincts and their duty as citizens of the planet. Each day business leaders are looking at our inaction with growing regret and worry. And each day ordinary citizens from every walk of life are more and more, with clear eyes, seeing what we must face in the years ahead.

Many things influence our political institutions. Yes, money does; yes, partisanship does. But more than anything else, we are all servants. Each of us, given loud enough calls from our country, from our States, from our communities, will have no choice but to listen.

So even as I communicate to my colleagues my disappointment at this year's failure, I wish to challenge Americans to take into their own hands the job of creating next year's success. Call us. Write to us. Make us do this. You know we will be a stronger America if we do. You know we will be a safer America if we do. You know we will be a more respected America if we do. Make us do this.

Every American generation is given its chance to meet with honor, energy, and wisdom the great challenges of its day. Every American generation can rise to meet those challenges in a way that burnishes the gleam of our city on a hill, in a way that brightens the lamp America holds out in the darkness. That moment is upon us in this time and place, and we must rise to it.

I yield the floor, and I thank the majority leader for his courtesy.

The PRESIDING OFFICER. The majority leader.

#### PROVIDING FOR THE SINE DIE ADJOURNMENT OF THE SECOND SESSION OF THE ONE HUNDRED ELEVENTH CONGRESS

Mr. REID. Mr. President, I ask unanimous consent the Senate proceed to H. Con. Res. 336, which is at the desk.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 336) providing for the sine die adjournment of the second session of the 111th Congress.

The PRESIDING OFFICER. The message is privileged.

Without objection, the Senate proceeded to consider the resolution.

Mr. REID. Mr. President, I ask for a vote on this at this time.

The PRESIDING OFFICER. The question is on agreeing to the concurrent resolution.

The concurrent resolution (H. Con. Res. 336) was agreed to, as follows:

#### H. CON. RES. 336

*Resolved by the House of Representatives (the Senate concurring), That when the House adjourns on any legislative day from Friday, December 17, 2010, through Friday, December 24, 2010, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned sine die, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the Senate adjourns on any day from Sunday, December 19, 2010, through 11:59 a.m. on Monday, January 3, 2011, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned sine die, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first.*

SEC. 2. The Speaker of the House and the Majority Leader of the Senate, or their respective designees, acting jointly after consultation with the Minority Leader of the House and the Minority Leader of the Senate, shall notify the Members of the House and the Senate, respectively, to reassemble at such place and time as they may designate if, in their opinion, the public interest shall warrant it.

#### THANKING OUR SENATE PAGES

Mr. REID. I have a few brief words, so I would appreciate everyone's patience.

Through early mornings and late nights, weekdays and weekends, dedicated Senate pages often work as hard as do Senators and staffs. Their job is fast-paced. We ask a lot of these young men and women. They have significant responsibilities and much is expected of them. Sometimes, like this past week, those responsibilities and expectations are tremendous.

This past week has been one of those times. Thirty pages began working in September for this semester, and by now most of them have gone home to their families all across America—all but two of them, Rachel Bailey and Jarrod Nagurka. Rachel is from Maryland and Jarrod is from Virginia.

This past week has been very hectic. Through last weekend and during this week, historic legislation has been debated and passed right here on the Senate floor. The Senate floor cloakrooms have been extremely busy. Many amendments have been filed and called up. There has been an unusual situation where we have been in executive session with one of the rare treaties that are debated in this body. Senators have been heavily engaged trying to finish the work of the 111th Congress.

Without a single complaint, Rachel and Jarrod, these two pages, have been carrying the load of all 30 Democratic and Republican pages. These two fine young pages have worked both cloak-rooms. They haven't had any days off and have regularly worked up to 13 to 14 hours each day. That is a lot for anyone, and it is certainly a lot for a 16-year-old who is a student besides.

The Senate greatly appreciates Rachel and Jarrod's commitment and calmness while the Senate's work has been so hectic. They have made our work much easier. They have been exceedingly professional, and I thank them.

I want every one of their family members to know that in the minds of the Senate, these are two legislative heroes.

#### SBIR/STTR REAUTHORIZATION ACT OF 2010

Mr. NELSON of Florida. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. 4053, introduced earlier today.

The PRESIDING OFFICER. The clerk will report the bill by title.

The bill clerk read as follows:

A bill (S. 4053) to reauthorize and improve the SBIR and STTR programs, and for other purposes.

The ACTING PRESIDENT pro tempore. There being no objection, the Senate proceeded to consider the bill.

Mr. NELSON of Florida. Mr. President, I ask unanimous consent that the bill be read a third time and passed, the motion to reconsider be laid upon the table, and any statements relating to the bill be printed in the RECORD.

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

The bill (S. 4053) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 4053

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "SBIR/STTR Reauthorization Act of 2010".

#### SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

- Sec. 1. Short title.
- Sec. 2. Table of contents.
- Sec. 3. Definitions.

#### TITLE I—REAUTHORIZATION OF THE SBIR AND STTR PROGRAMS

- Sec. 101. Extension of termination dates.
- Sec. 102. Status of the Office of Technology.
- Sec. 103. SBIR allocation increase.
- Sec. 104. STTR allocation increase.
- Sec. 105. SBIR and STTR award levels.
- Sec. 106. Agency and program flexibility.
- Sec. 107. Elimination of Phase II invitations.
- Sec. 108. Participation by firms with substantial investment from multiple venture capital operating companies in a portion of the SBIR program.
- Sec. 109. SBIR and STTR special acquisition preference.

Sec. 110. Collaborating with Federal laboratories and research and development centers.

Sec. 111. Notice requirement.

Sec. 112. Express authority for an agency to award sequential Phase II awards for SBIR or STTR funded projects.

#### TITLE II—OUTREACH AND COMMERCIALIZATION INITIATIVES

- Sec. 201. Rural and State outreach.
- Sec. 202. SBIR—STEM Workforce Development Grant Pilot Program.
- Sec. 203. Technical assistance for awardees.
- Sec. 204. Commercialization Readiness Program at Department of Defense.
- Sec. 205. Commercialization Readiness Pilot Program for civilian agencies.
- Sec. 206. Accelerating cures.
- Sec. 207. Federal agency engagement with SBIR and STTR awardees that have been awarded multiple Phase I awards but have not been awarded Phase II awards.
- Sec. 208. Clarifying the definition of "Phase III".
- Sec. 209. Shortened period for final decisions on proposals and applications.

#### TITLE III—OVERSIGHT AND EVALUATION

- Sec. 301. Streamlining annual evaluation requirements.
- Sec. 302. Data collection from agencies for SBIR.
- Sec. 303. Data collection from agencies for STTR.
- Sec. 304. Public database.
- Sec. 305. Government database.
- Sec. 306. Accuracy in funding base calculations.
- Sec. 307. Continued evaluation by the National Academy of Sciences.
- Sec. 308. Technology insertion reporting requirements.
- Sec. 309. Intellectual property protections.
- Sec. 310. Obtaining consent from SBIR and STTR applicants to release contact information to economic development organizations.
- Sec. 311. Pilot to allow funding for administrative, oversight, and contract processing costs.
- Sec. 312. GAO study with respect to venture capital operating company involvement.
- Sec. 313. Reducing vulnerability of SBIR and STTR programs to fraud, waste, and abuse.
- Sec. 314. Interagency policy committee.

#### TITLE IV—POLICY DIRECTIVES

- Sec. 401. Conforming amendments to the SBIR and the STTR Policy Directives.

#### TITLE V—OTHER PROVISIONS

- Sec. 501. Research topics and program diversification.
- Sec. 502. Report on SBIR and STTR program goals.
- Sec. 503. Competitive selection procedures for SBIR and STTR programs.

#### SEC. 3. DEFINITIONS.

In this Act—

- (1) the terms "Administration" and "Administrator" mean the Small Business Administration and the Administrator thereof, respectively;
- (2) the terms "extramural budget", "Federal agency", "Small Business Innovation Research Program", "SBIR", "Small Business Technology Transfer Program", and "STTR" have the meanings given such terms in section 9 of the Small Business Act (15 U.S.C. 638); and
- (3) the term "small business concern" has the meaning given that term under section 3 of the Small Business Act (15 U.S.C. 632).

#### TITLE I—REAUTHORIZATION OF THE SBIR AND STTR PROGRAMS

##### SEC. 101. EXTENSION OF TERMINATION DATES.

(a) SBIR.—Section 9(m) of the Small Business Act (15 U.S.C. 638(m)) is amended—

(1) by striking "TERMINATION.—" and all that follows through "the authorization" and inserting "TERMINATION.—The authorization";

(2) by striking "2008" and inserting "2018"; and

(3) by striking paragraph (2).

(b) STTR.—Section 9(n)(1)(A) of the Small Business Act (15 U.S.C. 638(n)(1)(A)) is amended—

(1) by striking "IN GENERAL.—" and all that follows through "with respect" and inserting "IN GENERAL.—With respect";

(2) by striking "2009" and inserting "2018"; and

(3) by striking clause (ii).

##### SEC. 102. STATUS OF THE OFFICE OF TECHNOLOGY.

Section 9(b) of the Small Business Act (15 U.S.C. 638(b)) is amended—

(1) in paragraph (7), by striking "and" at the end;

(2) in paragraph (8), by striking the period at the end and inserting "and";

(3) by redesignating paragraph (8) as paragraph (9); and

(4) by adding at the end the following:

"(10) to maintain an Office of Technology to carry out the responsibilities of the Administration under this section, which shall be—

"(A) headed by the Assistant Administrator for Technology, who shall report directly to the Administrator; and

"(B) independent from the Office of Government Contracting of the Administration and sufficiently staffed and funded to comply with the oversight, reporting, and public database responsibilities assigned to the Office of Technology by the Administrator."

##### SEC. 103. SBIR ALLOCATION INCREASE.

Section 9(f) of the Small Business Act (15 U.S.C. 638(f)) is amended—

(1) in paragraph (1)—

(A) in the matter preceding subparagraph (A), by striking "Each" and inserting "Except as provided in paragraph (2)(B), each";

(B) in subparagraph (B), by striking "and" at the end; and

(C) by striking subparagraph (C) and inserting the following:

"(C) not less than 2.5 percent of such budget in fiscal year 2011;

"(D) not less than 2.6 percent of such budget in fiscal year 2012;

"(E) not less than 2.7 percent of such budget in fiscal year 2013;

"(F) not less than 2.8 percent of such budget in fiscal year 2014;

"(G) not less than 2.9 percent of such budget in fiscal year 2015;

"(H) not less than 3.0 percent of such budget in fiscal year 2016;

"(I) not less than 3.1 percent of such budget in fiscal year 2017;

"(J) not less than 3.2 percent of such budget in fiscal year 2018;

"(K) not less than 3.3 percent of such budget in fiscal year 2019;

"(L) not less than 3.4 percent of such budget in fiscal year 2020; and

"(M) not less than 3.5 percent of such budget in fiscal year 2021 and each fiscal year thereafter,"; and

(2) in paragraph (2)—

(A) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively, and adjusting the margins accordingly;

(B) by striking "A Federal agency" and inserting the following:

"(A) IN GENERAL.—A Federal agency"; and

(C) by adding at the end the following: