prepared by the Secretary of Commerce.

S. 3424

At the request of Mr. DURBIN, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 3424, a bill to amend the Animal Welfare Act to provide further protection for puppies.

S. 3466

At the request of Mr. LEAHY, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 3466, a bill to require restitution for victims of criminal violations of the Federal Water Pollution Control Act, and for other purposes.

S. 3489

At the request of Mr. VITTER, the name of the Senator from Utah (Mr. HATCH) was added as a cosponsor of S. 3489, a bill to terminate the moratorium on deepwater drilling issued by the Secretary of the Interior.

S. 3512

At the request of Mrs. HUTCHISON, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of S. 3512, a bill to provide a statutory waiver of compliance with the Jones Act to foreign flagged vessels assisting in responding to the Deepwater Horizon oil spill.

S. 3519

At the request of Ms. SNOWE, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 3519, a bill to stabilize the matching requirement for participants in the Hollings Manufacturing Partnership Program.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. WHITEHOUSE (for himself and Mr. VITTER):

S. 3540. A bill to amend the Federal Water Pollution Control Act to reauthorize the National Estuary Program, and for other purposes; to the Committee on Environment and Public Works.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 3540

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 ''Clean Estuaries Act of 2010''.

SEC. 2. NATIONAL ESTUARY PROGRAM AMENDMENTS.

(a) PURPOSES OF CONFERENCE.—

(1) DEVELOPMENT OF COMPREHENSIVE CONSERVATION AND MANAGEMENT PLANS.—Section 320(b) of the Federal Water Pollution Control Act (33 U.S.C. 1330(b)) is amended by striking paragraph (4) and inserting the following:

''(4) develop and submit to the Administrator a comprehensive conservation and management plan that—

''(A) identifies the estuary and the associated upstream waters of the estuary to be addressed by the plan, with consideration given to hydrological boundaries;

''(B) recommends priority corrective actions and compliance schedules addressing—

''(i) point and nonpoint sources of pollution; and

''(ii) protection and conservation actions—

''(I) to restore and maintain the chemical, physical, and biological integrity of the estuary, including—

''(aa) restoration and maintenance of water quality, wetlands, and natural hydrologic flows;

''(bb) a resilient and diverse indigenous population of shellfish, fish, and wildlife; and

''(cc) recreational activities in the estuary; and

''(II) to ensure that the designated uses of the estuary are protected;

''(C) identifies healthy watershed components for protection and conservation by carrying out integrated assessments, where appropriate, of—

''(i) aquatic habitat and biological integrity;

''(ii) water quality; and

''(iii) natural hydrologic flows;

''(D) considers current and future sustainable commercial activities in the estuary;

''(E) addresses the impacts of climate change on the estuary, including—

''(i) the identification and assessment of vulnerabilities in the estuary;

''(ii) the development and implementation of adaptation strategies; and

''(iii) the impacts of changes in sea level on estuarine water quality, estuarine habitat, and infrastructure located in the estuary;

''(F) increases public education and awareness with respect to—

''(i) the ecological health of the estuary;

''(ii) the water quality conditions of the estuary; and

''(iii) ocean, estuarine, land, and atmospheric connections and interactions;

''(G)(i) identifies and assesses impairments, including upstream impairments, coming from outside of the area addressed by the plan, and the sources of those impairments; and

''(ii) provides the applicable State with any information on such impairments or the sources of such impairments;

''(H) includes performance measures and goals to track implementation of the plan; and

''(I) includes a coordinated monitoring strategy for Federal, State, and local governments and other entities.''.

(2) MONITORING AND MAKING RESULTS AVAILABLE.—Section 320(b) of the Federal Water Pollution Control Act (33 U.S.C. 1330(b)) is amended by striking paragraph (6) and inserting the following:

''(6) monitor (and make results available to the public regarding)—

''(A) water quality conditions in the estuary and the associated upstream waters of the estuary identified under paragraph (4)(A);

''(B) healthy watershed and habitat conditions that relate to the ecological health and water quality conditions of the estuary; and

''(C) the effectiveness of actions taken pursuant to the comprehensive conservation and management plan developed for the estuary under this subsection;''.

(3) INFORMATION AND EDUCATIONAL ACTIVITIES.—Section 320(b) of the Federal Water Pollution Control Act (33 U.S.C. 1330(b)) is amended—

(A) by redesignating paragraph (7) as paragraph (8); and

(B) by inserting after paragraph (6) the following:

''(7) provide information and educational activities on the ecological health and water quality conditions of the estuary; and''.

(4) CONFORMING AMENDMENT.—The sentence following section 320(b)(8) of the Federal Water Pollution Control Act (as so redesignated) (33 U.S.C. 1330(b)(8)) is amended by striking ''paragraph (7)'' and inserting ''paragraph (8)''.

(b) MEMBERS OF CONFERENCE; COLLABORATIVE PROCESSES.—

(1) MEMBERS OF CONFERENCE.—Section 320(c)(5) of the Federal Water Pollution Control Act (33 U.S.C. 1330(c)(5)) is amended by inserting ''not-for-profit organizations,'' after ''institutions,''.

(2) COLLABORATIVE PROCESSES.—Section 320(d) of the Federal Water Pollution Control Act (33 U.S.C. 1330(d)) is amended—

(A) by striking ''(d)'' and all that follows through ''In developing'' and inserting the following:

''(d) USE OF EXISTING DATA AND COLLABORATIVE PROCESSES.—

''(1) USE OF EXISTING DATA.—In developing''; and

(B) by adding at the end the following:

''(2) USE OF COLLABORATIVE PROCESSES.—In updating a plan under subsection (f)(4) or developing a new plan under subsection (b), a management conference shall make use of collaborative processes—

''(A) to ensure equitable inclusion of affected interests;

''(B) to engage with members of the management conference, including through—

''(i) the use of consensus-based decision rules; and

''(ii) assistance from impartial facilitators, as appropriate;

''(C) to ensure relevant information, including scientific, technical, and cultural information, is accessible to members;

''(D) to promote accountability and transparency by ensuring members are informed in a timely manner of—

''(i) the purposes and objectives of the management conference; and

''(ii) the results of an evaluation conducted under subsection (f)(3);

''(E) to identify the roles and responsibilities of members—

''(i) in the management conference proceedings; and

''(ii) in the implementation of the plan; and

''(F) to seek resolution of conflicts or disputes as necessary.''.

(c) ADMINISTRATION OF PLANS.—Section 320 of the Federal Water Pollution Control Act (33 U.S.C. 1330) is amended by striking subsection (f) and inserting the following:

''(f) ADMINISTRATION OF PLANS.—

''(1) APPROVAL.—Not later than 120 days after the date on which a management conference submits to the Administrator a comprehensive conservation and management plan under this section, and after providing for public review and comment, the Administrator shall approve the plan, if—

''(A) the Administrator determines that the plan meets the requirements of this section; and

''(B) each affected Governor concurs.

''(2) IMPLEMENTATION.—

''(A) IN GENERAL.—On the approval of a comprehensive conservation and management plan under this section, the plan shall be implemented.

''(B) USE OF AUTHORIZED AMOUNTS.—Amounts authorized to be appropriated under titles II and VI and section 319 may be used in accordance with the applicable requirements of this Act to assist States with the implementation of a plan approved under paragraph (1).

''(3) EVALUATION.—

''(A) IN GENERAL.—Not later than 5 years after the date of enactment of this paragraph, and every 5 years thereafter, the Administrator shall carry out—

''(i) an evaluation of the implementation of each comprehensive conservation and management plan developed under this section to determine the degree to which the goals of the plan have been met; and

''(ii) a review of the program designed to implement the plan.

''(B) REVIEW AND COMMENT BY MANAGEMENT CONFERENCE.—In completing an evaluation under subparagraph (A), the Administrator shall submit the results of the evaluation to the appropriate management conference for review and comment.

''(C) REPORT.—

''(i) IN GENERAL.—In completing an evaluation under subparagraph (A), and after providing an opportunity for a management conference to submit comments under subparagraph (B), the Administrator shall issue a report on the results of the evaluation, including the findings and recommendations of the Administrator and any comments received from the management conference.

''(ii) AVAILABILITY TO PUBLIC.—The Administrator shall make a report issued under this subparagraph available to the public, including through publication in the Federal Register and on the Internet.

''(D) SPECIAL RULE FOR NEW PLANS.—Notwithstanding subparagraph (A), if a management conference submits a new comprehensive conservation and management plan to the Administrator after the date of enactment of this paragraph, the Administrator shall complete the evaluation of the implementation of the plan required by subparagraph (A) not later than 5 years after the date of such submission and every 5 years thereafter.

''(4) UPDATES.—

''(A) REQUIREMENT.—Not later than 18 months after the date on which the Administrator makes an evaluation of the implementation of a comprehensive conservation and management plan available to the public under paragraph (3)(C), a management conference convened under this section shall submit to the Administrator an update of the plan that reflects, to the maximum extent practicable, the results of the program evaluation.

''(B) APPROVAL OF UPDATES.—Not later than 120 days after the date on which a management conference submits to the Administrator an updated comprehensive conservation and management plan under subparagraph (A), and after providing for public review and comment, the Administrator shall approve the updated plan, if the Administrator determines that the updated plan meets the requirements of this section.

''(5) PROBATIONARY STATUS.—The Administrator may consider a management conference convened under this section to be in probationary status, if the management conference has not received approval for an updated comprehensive conservation and management plan under paragraph (4)(B) on or before the last day of the 3-year period beginning on the date on which the Administrator makes an evaluation of the plan available to the public under paragraph (3)(C).''.

(d) FEDERAL AGENCIES.—Section 320 of the Federal Water Pollution Control Act (33 U.S.C. 1330) is amended—

(1) by redesignating subsections (g), (h), (i), (j), and (k) as subsections (h), (i), (j), (k), and (m), respectively; and

(2) by inserting after subsection (f) the following:

''(g) FEDERAL AGENCIES.—

''(1) ACTIVITIES CONDUCTED WITHIN ESTUARIES WITH APPROVED PLANS.—After approval of a comprehensive conservation and management plan by the Administrator, any Federal action or activity affecting the estuary shall be conducted, to the maximum extent practicable, in a manner consistent with the plan.

''(2) COORDINATION AND COOPERATION.—

''(A) IN GENERAL.—The Secretary of the Army (acting through the Chief of Engineers), the Administrator of the National Oceanic and Atmospheric Administration, the Director of the United States Fish and Wildlife Service, the Secretary of the Department of Agriculture, the Director of the United States Geological Survey, the Secretary of the Department of Transportation, the Secretary of the Department of Housing and Urban Development, and the heads of other appropriate Federal agencies, as determined by the Administrator, shall, to the maximum extent practicable, cooperate and coordinate activities, including monitoring activities, related to the implementation of a comprehensive conservation and management plan approved by the Administrator.

''(B) LEAD COORDINATING AGENCY.—The Environmental Protection Agency shall serve as the lead coordinating agency under this paragraph.

''(3) CONSIDERATION OF PLANS IN AGENCY BUDGET REQUESTS.—In making an annual budget request for a Federal agency referred to in paragraph (2), the head of such agency shall consider the responsibilities of the agency under this section, including under comprehensive conservation and management plans approved by the Administrator.

''(4) MONITORING.—The heads of the Federal agencies referred to in paragraph (2) shall collaborate on the development of tools and methodologies for monitoring the ecological health and water quality conditions of estuaries covered by a management conference convened under this section.''.

(e) GRANTS.—

(1) IN GENERAL.—Subsection (h) (as redesignated by subsection (d)) of section 320 of the Federal Water Pollution Control Act (33 U.S.C. 1330) is amended—

(A) in paragraph (1), by striking ''other public'' and all that follows before the period at the end and inserting ''and other public or nonprofit private agencies, institutions, and organizations''; and

(B) by adding at the end the following:

''(4) EFFECTS OF PROBATIONARY STATUS.—

''(A) REDUCTIONS IN GRANT AMOUNTS.—The Administrator shall reduce, by an amount to be determined by the Administrator, grants for the implementation of a comprehensive conservation and management plan developed by a management conference convened under this section, if the Administrator determines that the management conference is in probationary status under subsection (f)(5).

''(B) TERMINATION OF MANAGEMENT CONFERENCES.—The Administrator shall terminate a management conference convened under this section, and cease funding for the implementation of the comprehensive conservation and management plan developed by the management conference, if the Administrator determines that the management conference has been in probationary status for 2 consecutive years.''.

(2) CONFORMING AMENDMENT.—Section 320(i) the Federal Water Pollution Control Act (as redesignated by subsection (d)) is amended by striking ''subsection (g)'' and inserting ''subsection (h)''.

(f) AUTHORIZATION OF APPROPRIATIONS.—Section 320 of the Federal Water Pollution Control Act (33 U.S.C. 1330) (as redesignated by subsection (d)) is amended by striking subsection (j) and inserting the following:

''(j) AUTHORIZATION OF APPROPRIATIONS.—

''(1) IN GENERAL.—There is authorized to be appropriated to the Administrator $75,000,000 for each of fiscal years 2011 through 2016 for—

''(A) expenses relating to the administration of management conferences by the Administrator under this section, except that such expenses shall not exceed 10 percent of the amount appropriated under this subsection;

''(B) making grants under subsection (h); and

''(C) monitoring the implementation of a conservation and management plan by the management conference, or by the Administrator in any case in which the conference has been terminated.

''(2) ALLOCATIONS.—Of the sums authorized to be appropriated under this subsection, the Administrator shall provide—

''(A) at least $1,250,000 per fiscal year, subject to the availability of appropriations, for the development, implementation, and monitoring of each conservation and management plan eligible for grant assistance under subsection (h); and

''(B) up to $5,000,000 per fiscal year to carry out subsection (k).''.

(g) RESEARCH.—Section 320(k)(1)(A) of the Federal Water Pollution Control Act (as redesignated by subsection (d)) is amended—

(1) by striking ''paramenters'' and inserting ''parameters''; and

(2) by inserting ''(including monitoring of both pathways and ecosystems to track the introduction and establishment of nonnative species)'' before '', to provide the Administrator''.

(h) NATIONAL ESTUARY PROGRAM EVALUATION.—Section 320 of the Federal Water Pollution Control Act (33 U.S.C. 1330) is amended by inserting after subsection (k) (as redesignated by subsection (d)) the following:

''(l) NATIONAL ESTUARY PROGRAM EVALUATION.—

''(1) IN GENERAL.—Not later than 5 years after the date of enactment of this paragraph, and every 5 years thereafter, the Administrator shall complete an evaluation of the national estuary program established under this section.

''(2) SPECIFIC ASSESSMENTS.—In conducting an evaluation under this subsection, the Administrator shall—

''(A) assess the effectiveness of the national estuary program in improving water quality, natural resources, and sustainable uses of the estuaries covered by management conferences convened under this section;

''(B) identify best practices for improving water quality, natural resources, and sustainable uses of the estuaries covered by management conferences convened under this section, including those practices funded through the use of technical assistance from the Environmental Protection Agency and other Federal agencies;

''(C) assess the reasons why the best practices described in subparagraph (B) resulted in the achievement of program goals;

''(D) identify any redundant requirements for reporting by recipients of a grant under this section; and

''(E) develop and recommend a plan for limiting reporting any redundancies.

''(3) REPORT.—In completing an evaluation under this subsection, the Administrator shall issue a report on the results of the evaluation, including the findings and recommendations of the Administrator.

''(4) AVAILABILITY.—The Administrator shall make a report issued under this subsection available to management conferences convened under this section and the public, including through publication in the Federal Register and on the Internet.''.

(i) CONVENING OF CONFERENCE.—Section 320(a)(2) of the Federal Water Pollution Control Act (33 U.S.C. 1330(a)(2)) is amended—

(1) by striking ''(2) CONVENING OF CONFERENCE.—'' and all that follows through ''In any case'' and inserting the following:

''(2) CONVENING OF CONFERENCE.—In any case''; and

(2) by striking subparagraph (B).

(j) GREAT LAKES ESTUARIES.—Section 320(m) of the Federal Water Pollution Control Act (as redesignated by subsection (d)) is amended by striking the subsection designation and all that follows through ''and those portions of tributaries'' and inserting the following:

''(m) DEFINITIONS.—In this section, the terms 'estuary' and 'estuarine zone' have the meanings given the terms in section 104(n)(4), except that—

''(1) the term 'estuary' also includes near coastal waters and other bodies of water within the Great Lakes that are similar in form and function to the waters described in the definition of 'estuary' in section 104(n)(4); and

''(2) the term 'estuarine zone' also includes—

''(A) waters within the Great Lakes described in paragraph (1) and transitional areas from such waters that are similar in form and function to the transitional areas described in the definition of 'estuarine zone' in section 104(n)(4);

''(B) associated aquatic ecosystems; and

''(C) those portions of tributaries''.

By Mrs. FEINSTEIN:

S. 3541. A bill to prohibit royalty incentives for deepwater drilling, and for other purposes; to the Committee on Energy and Natural Resources.

Mrs. FEINSTEIN. Mr. President, I rise today to introduce the Deepwater Drilling Royalty Prohibition Act.

The purpose of this bill is to ensure that taxpayer dollars are not used to incentivize the dangerous and often dirty business of offshore drilling in deep waters.

Over the past decades, Congress has established a number of royalty-relief programs to encourage domestic exploration and production in deep waters. This may have made sense in times when oil prices were too low to provide energy companies with an incentive to drill in difficult places, and before we were ready to deploy large-scale renewable energy production.

But that is no longer the case. The events of the last weeks have shown that safety and response technologies are not sufficient in deep waters. I believe taxpayer-funded incentives should go to clean, renewable energy, not deepwater drilling for oil.

The disastrous impacts of the leak from the Deepwater Horizon have shown that offshore drilling has enormous environmental and safety risks—particularly in deep waters. Eleven people died and 17 others were injured when the Deepwater Horizon caught fire. All these weeks later, we continue to watch in horror as the scope of the disaster keeps expanding:

Oil slicks spread inexorably across the Gulf of Mexico;

Pelicans and other wildlife struggle to free themselves from crude oil; tar balls spoil the pristine white sand beaches of Florida; Wetlands are coated with toxic sludge; More than 1/3 of Federal waters in the Gulf have been closed to fishing; The plumes of oil under water may create zones of toxicity or low oxygen for aquatic life; The oil may spread into the Atlantic Ocean via the Loop Current; The response techniques, such as the use of dispersants, may have their own toxic consequences; and

Upcoming storms may delay or prevent continued containment and response efforts.

The impacts of an oil spill are so dramatic and devastating, it seems clear to me that regulation, oversight and prevention technologies should be rigorous. But that is clearly not the case.

Regulators failed to ensure appropriate safety and response technologies were in place.

MMS gave BP a categorical exclusion from an environmental impact analysis that in my opinion should never have been allowed.

MMS allowed BP to run a drilling operation without the demonstrated ability to shut off the flow of gas and oil in an emergency.

MMS allowed BP to operate without remote shutoff capability in case the drilling rig became disabled.

MMS did not have an inspector on the rig to settle the heated argument between the BP, Transocean, and Halliburton officials on how they would stop drilling and plug the well.

MMS did not have—and did not require the industry to have—emergency equipment stationed in the Gulf of Mexico that could respond immediately to an emergency.

MMS did not have a plan for responding to disasters.

MMS did not, in fact, have a real inspection and compliance program. It relied on the expertise and advice of the industry on how and how much they should be inspected.

This is not how things should be done. We expect more from our government.

Prevention and response technologies show similar unacceptable deficits: they are not good enough.

These have not improved much since the oil spill in 1969 off the California coast near Santa Barbara. That too was caused by a natural gas blowout when pressure in the drill hole fluctuated. It was successfully plugged with mud and cement after 11 and a half days, but oil and gas continued to seep for months. The Santa Barbara spill was devastating, but it was a tiny fraction of the size of the Deepwater Horizon spill.

The old technology was not good enough, but now it appears that even the newest safety technology fails to prevent wellhead blowouts.

The Deepwater Horizon drill rig was just completed in 2001.

The drill rig that caused the 2009 spill in the Montara oil and gas field in the Timor Sea—one of the worst in Australia's history—was designed and built in 2007. That spill continued unchecked for 74 days.

The New York Times reports that the blind shear rams in the blowout preventers—the last line of defense to prevent wellhead leaks are ''surprisingly vulnerable'' to failure. One study found that blowout preventers have a failure rate of 45 percent.

These technologies are insufficient, and they are particularly vulnerable in deep waters.

Methane hydrate crystals form when methane gas mixes with pressurized cold ocean waters—and the likelihood of these crystals forming increases dramatically at about 400 meters depth. These crystals interfere with response and containment technologies. They formed in the cofferdam dome that was lowered onto the gushing oil in the Gulf, and prevented it from working. When a remotely operated underwater vehicle bumped the valves in the ''top hat'' device, the containment cap had to be removed and slowly replaced to prevent formation of these crystals again.

Other risks increase too, as explained by the Wall Street Journal:

> Drilling in deeper water doesn't change the fundamental process, but it makes virtually everything harder. Rigs must be bigger so they can hold more drilling pipe to stretch vast distances. The pipes themselves must be stronger to withstand ocean currents. Equipment on the sea floor must be sturdier to face extreme pressures at depth. Drill bits must be tougher so they don't melt in the 400-degree temperatures they encounter deep in the earth. And it is harder for drillers to exert just the right amount of pressure down the well bore, enough to keep oil and gas from spurting upwards—a blowout—but not so much that they crack open the rocks beneath the surface, which could also lead to a blowout.

It is clear that prevention, containment, and clean-up measures are not sufficient to handle oil leaks, particularly in deep waters.

American taxpayers should not forego revenue to incentivize offshore drilling. It is not good environmental policy, and it is not good energy policy either.

We need to move to clearer renewable fuels.

I believe that global warming is the biggest environmental crisis we face—and the biggest culprit of global warming is manmade emissions produced by the combustion of fossil fuels, like oil and coal.

Taxpayer funded incentives should not finance production of fossil fuels—particularly in places where the production itself poses potential devastation, but rather should be used to develop and deploy clean energy technologies like wind and solar. I very much believe this.

That is why I have worked with my colleagues on a number of legislative initiatives designed to reduce greenhouse gas emissions, increase energy efficiency and incentivize the use of renewable energy.

One of our biggest victories was the enactment of the aggressive fuel economy law, called the Ten in Ten Fuel Economy Act, which was passed by Congress and signed into law by then-President Bush in the 110th Congress. This law, which I authored with Senator SNOWE, will improve fuel economy

standards for passenger vehicles at the maximum feasible rate. The good news is that the administration has taken the framework of this law and implemented aggressive standards that require raising fleetwide fuel economy to 35.5 mpg in 2016—a 40 percent increase above today's standard.

The other positive development is that the domestic renewable energy industry has grown dramatically over the last few years. Last year, the United States added more new capacity to produce renewable electricity than it did to produce electricity from natural gas, or oil, or coal. A great deal of this growth can be attributed to government renewable energy incentives. That is where public investment in energy development should go.

It is clear that the clean energy sector is the next frontier in jobs creation.

We need to ensure that developers can access financing to launch wind, solar and geothermal projects, so that they can put people to work. Programs like The Recovery Act grant program run by the Treasury Department have been very successful in encouraging private investment in this sector. So far, the program has helped to bring 4,250 megawatts of clean power online and is expected to generate more than 143,000 green jobs by the end of the year, according to the Lawrence Berkeley National Laboratory. The program, however, is set to expire at the end of year if we don't act. So, I'm working on legislation that will extend this successful program for an additional 2 years.

All told, these types of measures are helping to foster the incentives that will push the United States to adopt a cleaner energy future, and to move away from fossil fuels.

Let me make one final point clear, I don't believe the oil companies need taxpayer dollars to help them out. They are already reaping record profits.

Last year, the top 10 U.S. oil companies' combined revenues were almost $850 billion. Yet we continue to use money that should come to the U.S. Treasury, to add to their bottom line. This is unacceptable.

Oil reserves are a public resource. When a private company profits from those public resources, American taxpayers should benefit too.

I urge my colleagues to support this legislation and ensure that royalties owed to the taxpayers are not waived to incentivize risky off-shore drilling. In these critical economic times, every cent of the people's money should be spent wisely, on clean, efficient and safe technologies.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 3541

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 ''Deepwater Drilling Royalty Prohibition Act''.

SEC. 2. PROHIBITION ON ROYALTY INCENTIVES FOR DEEPWATER DRILLING.

(a) IN GENERAL.—Notwithstanding any other provision of law, the Secretary of the Interior shall not issue any oil or gas lease sale under the Outer Continental Shelf Lands Act (43 U.S.C. 1331 et seq.) with royalty-based incentives in any tract located in water depths of 400 meters or more on the outer Continental Shelf.

(b) ROYALTY RELIEF FOR DEEP WATER PRODUCTION.—Section 345 of the Energy Policy Act of 2005 (42 U.S.C. 15905) is repealed.

(c) ROYALTY RELIEF.—Section 8(a)(3) of the Outer Continental Shelf Lands Act (43 U.S.C. 1337(a)(3)) is amended by adding at the end the following:

''(D) PROHIBITION.—Notwithstanding subparagraphs (A) through (C) or any other provision of law, the Secretary shall not reduce or eliminate any royalty or net profit share for any lease or unit located in water depths of 400 meters or more on the outer Continental Shelf.''.

(d) APPLICATION.—This section and the amendments made by this section—

(1) apply beginning with the first lease sale held on or after the date of enactment of this Act for which a final notice of sale has not been published as of that date; and

(2) do not apply to a lease in effect on the date of enactment of this Act.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 567—TO ELECT DANIEL K. INOUYE, A SENATOR FROM THE STATE OF HAWAII, TO BE PRESIDENT PRO TEMPORE OF THE SENATE OF THE UNITED STATES

Mr. REID (for himself and Mr. MCCONNELL) submitted the following resolution; which was considered and agreed to:

S. RES. 567

Resolved, That Daniel K. Inouye, a Senator from the State of Hawaii, be, and he is hereby, elected President of the Senate pro tempore.

SENATE RESOLUTION 568—NOTIFYING THE HOUSE OF REPRESENTATIVES OF THE ELECTION OF A PRESIDENT PRO TEMPORE

Mr. REID (for himself and Mr. MCCONNELL) submitted the following resolution; which was considered and agreed to:

S. RES. 568

Resolved, That the House of Representatives be notified of the election of the Honorable Daniel K. Inouye as President of the Senate pro tempore.

SENATE RESOLUTION 569—NOTIFYING THE PRESIDENT OF THE UNITED STATES OF THE ELECTION OF A PRESIDENT PRO TEMPORE

Mr. REID (for himself and Mr. MCCONNELL) submitted the following resolution; which was considered and agreed to:

S. RES. 569

Resolved, That the President of the United States be notified of the election of the Honorable Daniel K. Inouye as President of the Senate pro tempore.

SENATE RESOLUTION 570—CALLING FOR CONTINUED SUPPORT FOR AND AN INCREASED EFFORT BY THE GOVERNMENTS OF PAKISTAN, AFGHANISTAN, AND OTHER CENTRAL ASIAN COUNTRIES TO EFFECTIVELY MONITOR AND REGULATE THE MANUFACTURE, SALE, TRANSPORT, AND USE OF AMMONIUM NITRATE FERTILIZER IN ORDER TO PREVENT THE TRANSPORT OF AMMONIUM NITRATE INTO AFGHANISTAN WHERE THE AMMONIUM NITRATE IS USED IN IMPROVISED EXPLOSIVE DEVICES

Mr. CASEY (for himself, Mr. LEVIN, Mr. KAUFMAN, Mr. WEBB, Mr. REED, Ms. SNOWE, and Mr. KYL) submitted the following resolution; which was considered and agreed to:

S. RES. 570

Whereas it is illegal to manufacture, own, or use ammonium nitrate fertilizer in Afghanistan since a ban was instituted by Afghan President Hamid Karzai in January 2010;

Whereas ammonium nitrate fertilizer has historically been and continues to be 1 of the primary explosive ingredients used in improvised explosive devices (referred to in this preamble as ''IEDs'') by Taliban insurgents in Afghanistan against the United States and coalition forces;

Whereas 275 United States troops were killed by IEDs in Afghanistan in 2009;

Whereas large amounts of ammonium nitrate are shipped into Afghanistan from Pakistan, Iran, and other Central Asian countries;

Whereas the Government of Pakistan has indicated a willingness to work collaboratively with the Governments of the United States and Afghanistan to address the regulation and interdiction of ammonium nitrate fertilizer and other IED precursors; and

Whereas the United States government currently provides assistance to Pakistan for agricultural development and capacity building: Now, therefore, be it

Resolved, That the Senate—

(1) urges the Governments of Pakistan, Afghanistan, and other Central Asian countries to fully commit to regulating the sale, transport, and use of ammonium nitrate in the region;

(2) calls on the Secretary of State—

(A) to continue to diplomatically engage with the Governments of Pakistan, Afghanistan, and other Central Asian countries to address the proliferation and transportation of ammonium nitrate and other improvised explosive device (''IED'') precursors in the region; and

(B) to work with the World Customs Organization and other international bodies, as the Secretary of State determines to be appropriate, on initiatives to improve controls globally on IED components; and

(3) urges the Secretary of State to work with the Governments of Pakistan, Afghanistan, and other Central Asian countries to encourage and support improvements in infrastructure and procedures at border crossings to prevent the flow of ammonium nitrate and other IED precursors or components into the region.