

But even with the promise of electric vehicles, American families, drivers, and workers still will need a plentiful supply of transportation fuels to power their cars. I do agree we eventually need to lessen our dependence on fossil fuels, and that is why I have been a longtime supporter of using renewable biomass for fuel and for energy.

The biofuels industry has created good, often high-paying jobs which are critical to the Midwest where we have lost so many manufacturing jobs to the recession. I have been a longtime supporter of keeping tax incentives in place for the ethanol and biodiesel industry. These tax incentives, plus increased support for infrastructure to deliver these fuels, will be imperative as the industry becomes more competitive with traditional fuels. We must extend the volumetric excise tax credit, which we promised in the Congress to the farmers who set up the cooperatives to develop ethanol and biodiesel sources. In my opinion, one of the most exciting things about this industry is that it drives the development of low-carbon feedstocks.

So I will close by talking about the potential that my home State of Missouri has to be a leader in a large part of our clean energy future by providing some of this homegrown energy, or biomass.

We have made great progress in Missouri in the use of algae and carbon dioxide from fuel. Missouri also has abundant farmlands and forests that can provide diverse biomass feedstocks to generate electricity or produce renewable fuels. For example, a University of Missouri study found that Missouri's 2.5 million acres of corn and 5 million acres of soybeans produce a combined 13 million tons of dry crop residue each year which can be converted into electric energy or, through cellulosic operation, into fuels.

Now, our forests alone can potentially provide 150 million tons of wood residues from scrub timber annually on a renewable basis. Together, that is a lot of biomass feedstock that is homegrown and that is carbon neutral because it takes in energy as it grows, releases that energy when it is burned, and takes it in again as replacements are grown. If we do not harness it, that energy is released when the wood or the biomass degrades.

Missouri entrepreneurs are developing new technology to convert municipal solid waste into clean burning biochar, which can supplement our biomass producers. In addition, Missouri is home to some of the foremost researchers in clean-burning biomass at the University of Missouri-Columbia.

Last but not least, the State of Missouri Department of Agriculture is on the cutting edge in supporting burgeoning biomass technology.

By creating a thriving biomass industry, we would not only help create our clean energy future, we would also create much needed new jobs in Missouri and Midwestern States by providing in-

come to struggling farmers and agroforesters.

We must promote these clean energy strategies in a market-friendly way, and taxing our suffering families' and workers' use of energy is not the way. Produce more, do not tax more. Taxing it does not increase the production of it. Promoting these clean energy strategies is a bipartisan win-win-win, and I hope all of my colleagues will join me in helping this become a reality.

Madam President, I yield the floor and suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

The ACTING PRESIDENT pro tempore. The Senator from Florida.

Mr. NELSON of Florida. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### NASA

Mr. NELSON of Florida. Madam President, we had a hearing in the Commerce Committee yesterday about the future of NASA. We had the President's science officer, the head of the Office of Science and Technology Policy, Dr. Holdren; and the Chief Financial Officer of NASA, Dr. Robinson. We pointblank asked both of them if they intended to follow the new law, the NASA authorization bill, that sets out a visionary course for the future of our manned and unmanned space program. They both indicated they would absolutely follow the direction of policy within the administration; they would follow the law.

Clearly, this has the President's stamp of approval. For once, we passed the bill unanimously in the Senate and by a three-quarters vote in the House of Representatives. The President then signed the bill into law. It is the President's policy. It is a policy that balances a number of things.

We continue the International Space Station at least until the year 2020, a space station, by the way, that is just now being completed after over a decade of construction. It is designated as a national laboratory, but a host of nations are all participants in the International Space Station, and cutting-edge research will be done utilizing the unique property of zero gravity of orbit as the space station orbits the Earth at 17,500 miles an hour.

We will start to develop new rockets that, as we speak, are being developed to carry cargo to and from the International Space Station. Those rockets will be in a competition between commercial companies, a competition conducted by NASA for making those rockets safe enough in order to take crew to and from the International Space Station and, at the same time, realizing that NASA's real vision is to go out and explore the heavens.

The NASA authorization bill starts the development of a heavy-lift rocket that will be able to take components up into low Earth orbit, where they can be assembled, and then ultimately to fulfill the President's goal he has set, which is to go to Mars.

The path by which we go to Mars is yet to be determined. A lot of that will depend upon the development of technology. There is within this NASA bill a robust technology development program for such missions as going to Mars or to an asteroid or whether we go back to the Moon. We were on the Moon 40 years ago. Now it is time to venture on out into the cosmos.

Under conventional technology, it would take 10 months for us to get to Mars, and by the time you got there, the realignments of the planets as they orbit the Sun would cause us to have to stay on the surface of Mars for a year until the planets were realigned where Earth was going to be close enough to Mars for the 10-month return journey. So, naturally, there is development going on by a number of entities, but one in particular headed by the astronaut who has flown more than any other astronaut—seven times—Dr. Franklin Chang-Diaz. He has been developing over the years, even from the time he got his Ph.D. at MIT, a plasma rocket, and that rocket is being now sufficiently developed that they are ready to do the testing stage and carry a small version of the rocket to the International Space Station, where it would be attached. A plasma rocket gives a constant stream of plasma energy that would keep the space station boosted to its height instead of constantly having to boost it every year or so because the orbit degrades. That plasma rocket would take us to Mars, if perfected, in 2 months instead of 10 months. If you go to Mars that fast—and by the way, that is going at 400,000 miles per hour—if you go that fast, then you don't have to stay on the surface of Mars for a year because you can stay there for a first trip for a few days, and the planets are still aligned so they are close enough so that in a 2-month period, you would be able to get back.

These are exciting things for the future of both the human space program and the nonhuman space program. The development of technologies in Earth science, the unmanned portion—we have a fairly significant increase in the NASA budget with regard to the science portion.

There is a huge increase in the budget of NASA for aeronautics. Remember, the first "A" in NASA—it is the National Aeronautics and Space Administration. The first "A" is aeronautics. There is a huge increase in the research and development for aeronautics. A lot of the airplanes we take for granted today or the cutting-edge advances in our military aircraft, where do we think that originally came in? It came from the research and development through NASA.

So, naturally, the Commerce Committee wanted to make sure the administration, given some of the uncertainties of the actual funding levels, is on point to follow the NASA authorization law. We received those assurances yesterday.

It is our hope that as we now come to decide how we are going to fund the rest of the government for the rest of the fiscal year—we are already into the fiscal year, October and November and going into the third month of the fiscal year; a fiscal year that started October 1—we are hoping that, at the very least, we can take the existing appropriations from last year, the fiscal year 2010, and carry that forward, at the very least, for NASA. What that would mean is instead of having funding at \$19 billion for 2011, the funding would be at last year's level of \$18.724 billion. That would be \$276 million less than the authorized level. NASA can live with that. The exceptional goals that are set in this NASA bill can be achieved with that cut, which is less than 1.6 percent of the total NASA authorized level—clearly, it can be done under these very austere times.

So I am hopeful, on the basis of what we saw yesterday and heard in the Commerce Committee, we will be able to go forth. A third shuttle flight will be added that will fly next summer. As we transition into the new commercial rockets, as we transition into the development of the new heavy-lift rocket, along with its spacecraft known as a capsule, as we transition into the extension of the International Space Station, the modernization of our space facilities, particularly at the Kennedy Space Center—as we transition into all that, we will have less of a disruption of the employment in the space community than otherwise would have been the case with employment dropping precipitously off a cliff because of the shutdown of the space shuttle program.

I am encouraged, I am optimistic, I am grateful, and I was happy to hear the unequivocal statements by the administration yesterday in support of the NASA bill.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. UDALL of Colorado). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. LEAHY. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mrs. HAGAN). Without objection, it is so ordered.

#### UNANIMOUS-CONSENT REQUEST— EXECUTIVE CALENDAR

Mr. LEAHY. Madam President, in a letter sent yesterday to Senate leaders, former Deputy Attorneys General of the United States who served in both Republican and Democratic adminis-

trations urged the Senate to consider the nomination of James Cole to be the Deputy Attorney General without further delay.

The Deputy Attorney General is the No. 2 position at the Department of Justice. It is a critical national security and Federal law enforcement position. These former officials who served with distinction in that post write that the deputy is “the chief operating officer of the Department of Justice, supervising its day-to-day operations” and that “the deputy is also a key member of the President’s national security team, a function that has grown in importance and complexity in the years since the terror attacks of September 11.” These former Deputy Attorneys General are right. I thank them for speaking out to urge the Senate to complete consideration of this important nomination.

I ask unanimous consent that their letter be printed in the RECORD at the end of my statement.

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

(See exhibit 1.)

Mr. LEAHY. Incidentally, the Deputy Attorneys General who served in both Republican and Democratic administrations who signed this letter were Donald Ayer, Carol Dinkins, Mark Filip, Jamie Gorelick, Philip Heymann, Paul McNulty, David Ogden, and Larry Thompson.

Mr. Cole’s nomination has been pending on the Executive Calendar for 4½ months, since it was reported favorably by the Judiciary Committee in July. I have a hard time remembering any time, in either a Democratic or Republican administration, that the Deputy Attorney General has been held up like this.

Those Republican Senators who continue to block us from considering this well-qualified nominee should come forward and explain why they feel it is justified to continue to leave America without a crucial resource we need to combat terrorism and to keep the country safe. Instead of doing this anonymously, the Senators ought to step forward and say why we cannot confirm this Deputy Attorney General, the No. 2 law enforcement position for the whole United States of America.

Today, I will seek unanimous consent for a time agreement to debate this nomination and finally have a vote in the full Senate. I have alerted the distinguished ranking member of the Judiciary Committee of this request. Those who oppose the nomination are free to say why and they can vote no, but let’s end the stalling.

You have Senators say that they don’t want to vote yes and that they don’t want to vote no, but that they want to vote maybe. This is what is happening now with the nomination for the No. 2 law enforcement official of the country.

Madam President, we were all elected for 6-year terms, with the responsibility to vote yes or no in the best in-

terests of the United States. Voting maybe does not serve those interests.

President Obama nominated Jim Cole to be Deputy Attorney General on May 24. That was 6½ months ago. I thank the Judiciary Committee ranking member, Senator SESSIONS, for working with me to schedule a hearing on the Cole nomination while the committee was preparing for Justice Kagan’s confirmation hearing.

The problem was not with the Senator from Alabama. He helped me move forward with that hearing in the committee, and I wish we could have proceeded in the same spirit in the Senate. As the former Deputy Attorneys General wrote, “Because of the responsibilities of the position of Deputy Attorney General, votes on nominations to fill this position usually proceed quickly.” They also note that of the 11 nominations to fill this position over the last 20 years, from both Democratic and Republican Presidents, “none remained pending for longer than 32 days.” Indeed, all four of the Deputy Attorneys General who served under President Bush, three of whom signed the letter we received yesterday, were confirmed by the Senate by voice vote an average of 21 days after they were reported by the Judiciary Committee. In fact, we confirmed President Bush’s first nominee to be Deputy Attorney General the very same day it was reported by the committee.

We should treat the nomination of Jim Cole with the same urgency and seriousness with which we treated President Bush’s nominations of Larry Thompson, James Comey, Paul McNulty, and Mark Filip. We should reject the strategy of some Senate Republicans of elevating their partisan goal to weaken the Obama administration over taking actions to keep us safe.

In November, over 4 months after Mr. Cole responded to written questions following his confirmation hearing, only two Senators sent him additional followup questions on a topic covered extensively during the earlier questioning. Two weeks ago, Mr. Cole promptly answered even these additional questions. There is no reason for Republicans to continue blocking the Senate’s consideration of this nomination.

Jim Cole served as a career prosecutor at the Justice Department for a dozen years and has a well-deserved reputation for fairness, integrity, and toughness. He served under both Republican and Democratic Presidents. He clearly demonstrated during his confirmation hearing months ago that he understands the issues of crime and national security that are at the center of the Deputy Attorney General’s job.

The nomination received strong endorsement from Republican and Democratic public officials, and from high-ranking veterans of the Justice Department, including the letter to the Senate leaders yesterday from eight former Deputy Attorneys General who served in the administrations of President Reagan, President George H.W.