

A study by Lawrence Berkeley National Laboratory found that wind energy projects made possible by section 1603 were responsible for more than 55,000 jobs. Extending the grant program would continue this impressive job creation in a sector of promising growth and at a time when it is desperately needed.

Already I have seen the seeds of green innovation take root in Rhode Island. The U.S. Navy is decommissioning part of a naval station in Newport that it no longer needs. Instead of that land going to waste, a Portsmouth developer is planning to convert 85 of these acres for a large solar power energy project. His plans also include an incubator space for renewable energy projects and a green technology museum.

We have a company based in East Greenwich that develops renewable energy technologies and products to maximize energy efficiency. In the past year, the company has filed for patent protection on three different renewable energy technologies, including an exciting new technology that will generate electrical power from wind turbines mounted on boats and marinas.

Another example is Hodges Badge, the largest manufacturer of ribbons, buttons, and medals in the country. It is located in Portsmouth. If your kids have ever won a ribbon at a track meet or a horse show or some other competition, it was probably made at Hodges Badge in Portsmouth. This family-owned company is on track to become the first manufacturer in Rhode Island powered entirely by clean energy, having just broken ground this month on installation of a 149-foot tall wind turbine behind the factory.

Company President Eric Hodges said:

It'll be nice to say we're first, that we're 100-percent renewable. It's a nice marketing message. But really it's because it's the right thing to do.

Putting up the turbine will cost about \$900,000 and Hodges readily admits that he wouldn't have pursued the project if it were not for renewable energy grants from the State and Federal Government. That project and its jobs would be lost. Hodges Badge does the type of traditional manufacturing that Rhode Island has unfortunately been losing for decades, that our country has been losing for decades. Finding a way to save on energy is one way to ensure this company, which has 95 employees in Rhode Island, can succeed and doesn't leave our State. Extending the section 1603 program would proliferate hundreds of small renewable projects across the country.

For example, in Rhode Island the program would help a 100-kilowatt project at a low-income housing project in Portsmouth, a 1.5-megawatt project at a water treatment facility in Jamestown, and a 300-kilowatt solar project in Wakefield. Without the grant program, these types of projects and the jobs associated with them would dry up. That goes for large-scale

projects too. A renewable energy company in Rhode Island has proposed the country's largest offshore wind farm off the coast of Rhode Island, a 200-turbine, 1,000-megawatt project with a goal of starting construction in 2014. This impressive project would provide power to States all along the east coast. We cannot let innovative projects such as these, job-creating projects such as these, entrepreneurial projects such as these, be stopped in their tracks by this bill.

What would extending the Treasury grant program cost? The tax cuts for wealthy Americans that are part of the newly announced tax deal would pay for the extension of the Treasury grant program supporting these renewable jobs 20 times over.

It is time for us to lead again. Just imagine if every one of the wind turbines to be sited in Rhode Island waters and all up and down the Atlantic coast was manufactured in the United States or imagine if we converted brownfields across the country to solar farms, creating a profitable use for this property and bringing jobs to blighted neighborhoods or finally, for a minute, imagine 1 million more manufacturing facilities like Hodges Badge running their assembly lines entirely on solar, wind, geothermal and other renewable energy sources and no longer being held hostage to rising fuel costs. A clean energy economy beckons with vast promise and jobs, efficiencies, and entrepreneurship. We must not, we cannot ignore the call.

I urge our leaders to include in any tax compromise we take up an extension of the renewable energy tax credits and the 1603 program.

I thank the distinguished Senator from Oregon for his patience and yield the floor.

The PRESIDING OFFICER (Mr. MANCHIN). The Senator from New Hampshire.

START TREATY

Mrs. SHAHEEN. Mr. President, I think most of us believe we should not play partisan politics when it comes to nuclear weapons. But in a speech this morning at the Heritage Foundation, my colleagues, our colleague, Senator JIM DEMINT, claimed the new START treaty weakens our national security. I like our colleague from South Carolina. He has been the ranking member on the European Affairs Subcommittee of the Foreign Relations Committee, which I have chaired for the last 2 years, and we have worked very well together. But on this issue he is just wrong.

Nearly the entire foreign policy and national security establishment, Democrats and Republicans alike, completely disagree with him. Senator DEMINT is arguing that this treaty somehow weakens our national security and limits our strategic options. That argument has little basis in reality and is opposed by every living

former Republican Secretary of State, five former Secretaries of Defense, seven former commanders of our strategic nuclear weapons, foreign policy and national security giants from seven former Presidential administrations and former President George H.W. Bush. All of these national security heavyweights argue the exact opposite of Senator DEMINT, and they all agree the new START treaty strengthens our national security.

The new START treaty has the unanimous backing of America's military leadership and America's NATO allies. According to the most recent CBS news poll, the treaty now has the support of 82 percent of Americans. Now is the time to vote on the new START treaty. No one is rushing this treaty. Since the treaty was signed back in April, the Senate has had 245 days—I want to repeat that, 245 days—to thoroughly review and consider this agreement. After 20 Senate hearings, more than 31 witnesses, over 900 questions and answers, and 8 months of consideration, including a significant delay during the August recess for additional time before the Senate Foreign Relations Committee, the consensus is clear. New START is in our national security interest, and the Senate should not wait any longer to ratify this treaty.

I ask the opponents of this treaty to consider our broader national security interests. Think about the effect stalling this treaty or publicly rejecting it will have not only on our ability to monitor Russia—because we have had no inspectors on the ground in Russia for over a year now because the treaty expired on December 5, so it has been over a year—but on all of our counterproliferation efforts around the world. Failing to ratify New START this year tells the world we are not serious about the nuclear threat.

I know my colleagues don't want Iran or North Korea or al-Qaida to have the bomb. We have heard that from everyone in this Chamber. Everyone is clear about that. Last week five former Republican Secretaries of State from five former Republican Presidents connected the passage of New START to our efforts on Iran and North Korea.

Again, I ask opponents of this treaty, are ideological goals worth the risk to our national security? Delaying a vote on New START into next year is a dangerous and unnecessary gamble with this Nation's security. I hope the opponents of this treaty will reconsider their opposition and recognize how important it is to this country's security to pass this treaty this year in this Congress.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

RAY DAVES AIRPORT TRAFFIC CONTROL TOWER

Mr. WYDEN. Mr. President, I ask unanimous consent that the Commerce Committee be discharged from further consideration of H.R. 5591, and the Senate proceed to its immediate consideration.

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

The clerk will report the bill by title. The bill clerk read as follows:

A bill (H.R. 5591) to designate the airport traffic control tower located at Spokane International Airport in Spokane, Washington, as the "Ray Daves Airport Traffic Control Tower."

There being no objection, the Senate proceeded to consider the bill.

Mr. WYDEN. 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, with no intervening action or debate, and any statements related to the bill be printed in the RECORD.

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

The bill (H.R. 5591) was ordered to a third reading, was read the third time, and passed.

PEDESTRIAN SAFETY ENHANCEMENT ACT OF 2009

Mr. WYDEN. Mr. President, I ask unanimous consent that the Commerce Committee be discharged from further consideration of S. 841, and the Senate proceed to its immediate consideration.

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

The clerk will report the bill by title. The bill clerk read as follows:

A bill (S. 841) to direct the Secretary of Transportation to study and establish a motor vehicle safety standard that provides for a means of alerting blind and other pedestrians of motor vehicle operation.

There being no objection, the Senate proceeded to consider the bill.

Mr. WYDEN. Mr. President, I ask unanimous consent that a Kerry substitute amendment, which is at the desk, be agreed to, the bill, as amended, be read a third time and passed, the motions to reconsider be laid upon the table, with no intervening action or debate, and any statements related to the bill be printed in the RECORD.

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

The amendment (No. 4750) was agreed to, as follows:

(Purpose: To require the Secretary of Transportation to establish a motor vehicle safety standard for electric and hybrid vehicles that would require such vehicles to emit a sound to alert pedestrians to their operation)

Strike out all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Pedestrian Safety Enhancement Act of 2010".

SEC. 2. DEFINITIONS.

As used in this Act—

(1) the term "Secretary" means the Secretary of Transportation;

(2) the term "alert sound" (herein referred to as the "sound") means a vehicle-emitted sound to enable pedestrians to discern vehicle presence, direction, location, and operation;

(3) the term "cross-over speed" means the speed at which tire noise, wind resistance, or other factors eliminate the need for a separate alert sound as determined by the Secretary;

(4) the term "motor vehicle" has the meaning given such term in section 30102(a)(6) of title 49, United States Code, except that such term shall not include a trailer (as such term is defined in section 571.3 of title 49, Code of Federal Regulations);

(5) the term "conventional motor vehicle" means a motor vehicle powered by a gasoline, diesel, or alternative fueled internal combustion engine as its sole means of propulsion;

(6) the term "manufacturer" has the meaning given such term in section 30102(a)(5) of title 49, United States Code;

(7) the term "dealer" has the meaning given such term in section 30102(a)(1) of title 49, United States Code;

(8) the term "defect" has the meaning given such term in section 30102(a)(2) of title 49, United States Code;

(9) the term "hybrid vehicle" means a motor vehicle which has more than one means of propulsion; and

(10) the term "electric vehicle" means a motor vehicle with an electric motor as its sole means of propulsion.

SEC. 3. MINIMUM SOUND REQUIREMENT FOR MOTOR VEHICLES.

(a) RULEMAKING REQUIRED.—Not later than 18 months after the date of enactment of this Act the Secretary shall initiate rulemaking, under section 30111 of title 49, United States Code, to promulgate a motor vehicle safety standard—

(1) establishing performance requirements for an alert sound that allows blind and other pedestrians to reasonably detect a nearby electric or hybrid vehicle operating below the cross-over speed, if any; and

(2) requiring new electric or hybrid vehicles to provide an alert sound conforming to the requirements of the motor vehicle safety standard established under this subsection.

The motor vehicle safety standard established under this subsection shall not require either driver or pedestrian activation of the alert sound and shall allow the pedestrian to reasonably detect a nearby electric or hybrid vehicle in critical operating scenarios including, but not limited to, constant speed, accelerating, or decelerating. The Secretary shall allow manufacturers to provide each vehicle with one or more sounds that comply with the motor vehicle safety standard at the time of manufacture. Further, the Secretary shall require manufacturers to provide, within reasonable manufacturing tolerances, the same sound or set of sounds for all vehicles of the same make and model and shall prohibit manufacturers from providing any mechanism for anyone other than the manufacturer or the dealer to disable, alter, replace, or modify the sound or set of sounds, except that the manufacturer or dealer may alter, replace, or modify the sound or set of sounds in order to remedy a defect or non-compliance with the motor vehicle safety standard. The Secretary shall promulgate the required motor vehicle safety standard pursuant to this subsection not later than 36

months after the date of enactment of this Act.

(b) CONSIDERATION.—When conducting the required rulemaking, the Secretary shall—

(1) determine the minimum level of sound emitted from a motor vehicle that is necessary to provide blind and other pedestrians with the information needed to reasonably detect a nearby electric or hybrid vehicle operating at or below the cross-over speed, if any;

(2) determine the performance requirements for an alert sound that is recognizable to a pedestrian as a motor vehicle in operation; and

(3) consider the overall community noise impact.

(c) PHASE-IN REQUIRED.—The motor vehicle safety standard prescribed pursuant to subsection (a) of this section shall establish a phase-in period for compliance, as determined by the Secretary, and shall require full compliance with the required motor vehicle safety standard for motor vehicles manufactured on or after September 1st of the calendar year that begins 3 years after the date on which the final rule is issued.

(d) REQUIRED CONSULTATION.—When conducting the required study and rulemaking, the Secretary shall—

(1) consult with the Environmental Protection Agency to assure that the motor vehicle safety standard is consistent with existing noise requirements overseen by the Agency;

(2) consult consumer groups representing individuals who are blind;

(3) consult with automobile manufacturers and professional organizations representing them;

(4) consult technical standardization organizations responsible for measurement methods such as the Society of Automotive Engineers, the International Organization for Standardization, and the United Nations Economic Commission for Europe, World Forum for Harmonization of Vehicle Regulations.

(e) REQUIRED STUDY AND REPORT TO CONGRESS.—Not later than 48 months after the date of enactment of this Act, the Secretary shall complete a study and report to Congress as to whether there exists a safety need to apply the motor vehicle safety standard required by subsection (a) to conventional motor vehicles. In the event that the Secretary determines there exists a safety need, the Secretary shall initiate rulemaking under section 30111 of title 49, United States Code, to extend the standard to conventional motor vehicles.

SEC. 4. FUNDING.

Notwithstanding any other provision of law, \$2,000,000 of any amounts made available to the Secretary of Transportation under section 406 of title 23, United States Code, shall be made available to the Administrator of the National Highway Transportation Safety Administration for carrying out section 3 of this Act.

The bill (S. 841), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

NATIONAL FOUNDATION ON PHYSICAL FITNESS AND SPORTS ESTABLISHMENT ACT

Mr. WYDEN. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 677, S. 1275.

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

The bill clerk read as follows: