

INTRODUCTION OF BILLS AND  
JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. KOHL:

S. 3289. An original bill making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2009, and for other purposes; from the Committee on Appropriations; placed on the calendar.

By Mr. BARRASSO (for himself, Mr. JOHNSON, and Mr. ENZI):

S. 3290. A bill to provide for a program for circulating quarter dollar coins that are emblematic of a national park or other national site in each State, the District of Columbia, and certain territories and insular areas of the United States, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. HARKIN (for himself and Mr. LUGAR):

S. 3291. A bill to amend the Internal Revenue Code of 1986 to treat certain income and gains relating to fuels as qualifying income for publicly traded partnerships; to the Committee on Finance.

By Mr. KERRY (for himself, Mr. CARDIN, Mr. KENNEDY, Mr. LIEBERMAN, Mr. MENENDEZ, Mr. WHITEHOUSE, Ms. CANTWELL, and Mr. DODD):

S. 3292. A bill to provide emergency energy assistance, and for other purposes; to the Committee on Finance.

By Mr. BINGAMAN (for himself, Mrs. HUTCHISON, Mr. DOMENICI, and Mr. CORNYN):

S. 3293. A bill to provide financial aid to local law enforcement officials along the Nation's borders, and for other purposes; to the Committee on the Judiciary.

By Mr. LEAHY (for himself and Mr. SPECTER):

S. 3294. A bill to provide for the continued performance of the functions of the United States Parole Commission; considered and passed.

By Mr. LEAHY (for himself and Mr. SPECTER):

S. 3295. A bill to amend title 35, United States Code, and the Trademark Act of 1946 to provide that the Secretary of Commerce, in consultation with the Director of the United States Patent and Trademark Office, shall appoint administrative patent judges and administrative trademark judges, and for other purposes; to the Committee on the Judiciary.

By Mr. LEAHY (for himself and Mr. SPECTER):

S. 3296. A bill to extend the authority of the United States Supreme Court Police to protect court officials off the Supreme Court Grounds and change the title of the Administrative Assistant to the Chief Justice; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND  
SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mrs. LINCOLN (for herself and Ms. SNOWE):

S. Res. 616. A resolution reducing maternal mortality both at home and abroad; to the Committee on Health, Education, Labor, and Pensions.

## ADDITIONAL COSPONSORS

S. 561

At the request of Mr. BUNNING, the name of the Senator from Indiana (Mr. BAYH) was added as a cosponsor of S. 561, a bill to repeal the sunset of the Economic Growth and Tax Relief Reconciliation Act of 2001 with respect to the expansion of the adoption credit and adoption assistance programs.

S. 901

At the request of Mr. WYDEN, his name was added as a cosponsor of S. 901, a bill to amend the Public Health Service Act to reauthorize the Community Health Centers program, the National Health Service Corps, and rural health care programs.

S. 953

At the request of Mr. ROCKEFELLER, the name of the Senator from Wisconsin (Mr. FEINGOLD) was added as a cosponsor of S. 953, a bill to amend title 49, United States Code, to ensure competition in the rail industry, enable rail customers to obtain reliable rail service, and provide those customers with a reasonable process for challenging rate and service disputes.

S. 1097

At the request of Mrs. CLINTON, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 1097, a bill to amend title 10, United States Code, to provide for the award of a military service medal to members of the Armed Forces who served honorably during the Cold War era.

S. 1223

At the request of Ms. LANDRIEU, the name of the Senator from Nebraska (Mr. NELSON) was added as a cosponsor of S. 1223, a bill to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to support efforts by local or regional television or radio broadcasters to provide essential public information programming in the event of a major disaster, and for other purposes.

S. 1232

At the request of Mr. DODD, the name of the Senator from Minnesota (Mr. COLEMAN) was added as a cosponsor of S. 1232, a bill to direct the Secretary of Health and Human Services, in consultation with the Secretary of Education, to develop a voluntary policy for managing the risk of food allergy and anaphylaxis in schools, to establish school-based food allergy management grants, and for other purposes.

S. 1638

At the request of Mr. LEAHY, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 1638, a bill to adjust the salaries of Federal justices and judges, and for other purposes.

S. 1812

At the request of Mrs. CLINTON, the name of the Senator from Delaware (Mr. CARPER) was added as a cosponsor of S. 1812, a bill to amend the Elementary and Secondary Education Act of

1965 to strengthen mentoring programs, and for other purposes.

S. 1846

At the request of Mr. BOND, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. 1846, a bill to improve defense cooperation between the Republic of Korea and the United States.

S. 2040

At the request of Mr. BOND, the name of the Senator from Iowa (Mr. HARKIN) was added as a cosponsor of S. 2040, a bill to amend the Internal Revenue Code of 1986 to increase the alternative tax liability limitation for small property and casualty insurance companies.

S. 2059

At the request of Mrs. CLINTON, the name of the Senator from New Mexico (Mr. BINGAMAN) was added as a cosponsor of S. 2059, a bill to amend the Family and Medical Leave Act of 1993 to clarify the eligibility requirements with respect to airline flight crews.

S. 2458

At the request of Ms. LANDRIEU, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. 2458, a bill to promote and enhance the operation of local building code enforcement administration across the country by establishing a competitive Federal matching grant program.

S. 2920

At the request of Mr. KERRY, the names of the Senator from Wyoming (Mr. ENZI) and the Senator from Oregon (Mr. SMITH) were added as cosponsors of S. 2920, a bill to reauthorize and improve the financing and entrepreneurial development programs of the Small Business Administration, and for other purposes.

S. 3038

At the request of Mr. GRASSLEY, the names of the Senator from Indiana (Mr. BAYH) and the Senator from South Dakota (Mr. JOHNSON) were added as cosponsors of S. 3038, a bill to amend part E of title IV of the Social Security Act to extend the adoption incentives program, to authorize States to establish a relative guardianship program, to promote the adoption of children with special needs, and for other purposes.

S. 3114

At the request of Mr. LIEBERMAN, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 3114, a bill to provide safeguards against faulty asylum procedures, to improve conditions of detention for detainees, and for other purposes.

S. 3140

At the request of Mr. WEBB, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 3140, a bill to provide that 4 of the 12 weeks of parental leave made available to a Federal employee shall be paid leave, and for other purposes.

S. 3200

At the request of Mr. KERRY, the name of the Senator from Delaware

(Mr. CARPER) was added as a cosponsor of S. 3200, a bill to develop capacity and infrastructure for mentoring programs.

S. 3223

At the request of Mr. KERRY, the name of the Senator from Arkansas (Mr. PRYOR) was added as a cosponsor of S. 3223, a bill to establish a small business energy emergency disaster loan program.

S. 3242

At the request of Mrs. LINCOLN, the name of the Senator from Minnesota (Mr. COLEMAN) was added as a cosponsor of S. 3242, a bill to suspend temporarily the duty on digital-to-analog converter boxes, and for other purposes.

S. 3255

At the request of Mr. LEVIN, the name of the Senator from Minnesota (Mr. COLEMAN) was added as a cosponsor of S. 3255, a bill to amend the Commodity Exchange Act to provide for the oversight of large trades of over-the-counter energy and agricultural contracts to prevent price manipulation and excessive speculation, and for other purposes.

S. 3268

At the request of Mr. REID, the names of the Senator from Rhode Island (Mr. REED), the Senator from New Jersey (Mr. LAUTENBERG), the Senator from Oregon (Mr. WYDEN) and the Senator from South Dakota (Mr. JOHNSON) were added as cosponsors of S. 3268, a bill to amend the Commodity Exchange Act, to prevent excessive price speculation with respect to energy commodities, and for other purposes.

S. 3272

At the request of Mr. SPECTER, the names of the Senator from Minnesota (Mr. COLEMAN), the Senator from Maine (Ms. COLLINS), the Senator from Texas (Mrs. HUTCHISON), the Senator from Massachusetts (Mr. KENNEDY) and the Senator from Oregon (Mr. SMITH) were added as cosponsors of S. 3272, a bill to make emergency supplemental appropriations for the National Institutes of Health for the fiscal year ending September 30, 2008, and for other purposes.

S.J. RES. 24

At the request of Mr. GRAHAM, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S.J. Res. 24, a joint resolution proposing a balanced budget amendment to the Constitution of the United States.

S.J. RES. 44

At the request of Mr. ROCKEFELLER, the names of the Senator from Connecticut (Mr. LIEBERMAN), the Senator from Minnesota (Mr. COLEMAN) and the Senator from Indiana (Mr. BAYH) were added as cosponsors of S.J. Res. 44, a joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule set forth as requirements contained in the August 17, 2007, letter to State Health Officials from the Director of

the Center for Medicaid and State Operations in the Centers for Medicare & Medicaid Services and the State Health Official Letter 08-003, dated May 7, 2008, from such Center.

S. CON. RES. 80

At the request of Mr. HAGEL, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. Con. Res. 80, a concurrent resolution urging the President to designate a National Airborne Day in recognition of persons who are serving or have served in the airborne forces of the Armed Services.

S. RES. 273

At the request of Ms. MIKULSKI, the name of the Senator from Minnesota (Mr. COLEMAN) was added as a cosponsor of S. Res. 273, a resolution expressing the sense of the Senate that the United States Postal Service should issue a semipostal stamp to support medical research relating to Alzheimer's disease.

S. RES. 580

At the request of Mr. BAYH, the name of the Senator from Texas (Mrs. HUTCHISON) was added as a cosponsor of S. Res. 580, a resolution expressing the sense of the Senate on preventing Iran from acquiring a nuclear weapons capability.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. HARKIN (for himself and Mr. LUGAR):

S. 3291. A bill to amend the Internal Revenue Code of 1986 to treat certain income and gains relating to fuels as qualifying income for publicly traded partnerships; to the Committee on Finance.

Mr. HARKIN, Mr. President, I am pleased to join with Senator LUGAR in introducing the Biofuels Pipeline Act of 2008. This bill provides that the movement of biofuels by pipeline will receive the same tax treatment as petroleum-based fuels.

Earlier this session, Congress adopted a Renewable Fuels Standard that will require us to consume 15.2 billion gallons by 2012, and 36 billion gallons by 2022. Biodiesel and ethanol already have the capacity to meet a substantial share of our energy needs. In future years, second-generation ethanol from switch grass and other cellulosic feedstocks will further increase our liquid fuel supply.

But it is not enough to establish renewable fuels standards and mandates in order to spur production. We also need to clear the way for development of the infrastructure for storing, transporting, and marketing vast new quantities of renewable fuels.

In this regard, we have a problem. The lion's share of our renewable fuels are produced in the Midwest and in the Plains states, and we currently do not have the most efficient infrastructure in place to transport these liquid fuels to population centers in the East and elsewhere.

Currently, biodiesel and ethanol are transported by barge, rail, or truck. But these forms of transportation are far more expensive than the pipeline alternative. Simply stated, there aren't enough barges, rail cars, and trucks to move renewable liquid fuels from where they are produced to where they will be consumed.

While the most efficient mode for transporting liquid fuels is by pipeline, there are multiple obstacles—both technical and man-made—that have to be overcome.

The industry is overcoming the technical challenges associated with transporting so-called "neat" renewable fuels by pipeline, and is actively studying the prospect of transporting gasoline/ethanol blends via pipeline.

Since the rate of return on the transportation of oil and gas is highly regulated and limited, oil and natural gas companies have been selling their pipelines to companies that operate as Publicly Traded Partnerships—PTPs—whose core business is the transportation, storage and marketing of oil and gas.

However, by law, Publicly Traded Partnerships must earn 90 percent of their income from "qualifying income," which is defined under the tax code as income from the exploration, transportation, storage, or marketing of depletable natural resources, including oil, gas, and coal.

By their very nature, renewable liquid fuels are not a depletable natural resource. And that means that the income produced from the transportation, storage, and marketing of these fuels is not qualifying income.

Since the penalty for PTPs that earn more than 10 percent of their income from a non-qualifying source is loss of PTP status, they cannot, and will not, invest in pipelines designed to transport renewable liquid fuels.

We simply have to remove this obstacle. Publicly Traded Partnerships now own and operate 50 percent of America's liquids pipelines. Some would argue that there are also others who would be willing to step in and meet the need with regard to renewable liquid fuels.

However, vertically integrated energy companies that own pipelines may not view the opportunity associated with renewable fuel pipelines in the same manner as a PTP. In fact, since the mid-1980s, when the PTP structure was originally codified, several major oil companies have been divesting themselves of pipelines, which they have been selling to Publicly Traded Partnerships.

As a result, since the PTP pipeline industry's core business is the transportation, storage, and marketing of liquid fuels, these PTP's are the most likely industry to build the pipeline infrastructure that we will need to transport alternative liquid fuels from the Midwest to far-flung parts of the country.

Bear in mind, too, that PTPs have crucial right of way that would make