

today what we have to do. I told Senators what we have to do. I am tremendously disappointed that the tax extenders were not passed. I was just given a note by the chairman of the Environment and Public Works Committee about something that also is in this bill that would create lots of jobs, at least 150,000 high-paying jobs, and that is to replenish the money from the highway trust funds. Those moneys are not going to be there, which will cause people not only to not have jobs, but it will stop projects from going forward that are already in progress.

The schedule in August is up to the Republican leader. As I have said before on a number of occasions, we basically have finished what we have to do this work period. We have tried mightily during the last 18, 19 months to get things done. We have had to deal with about 90 filibusters. Whatever the number is, we increased it by one today. We will see what happens on the legislation dealing with higher education and see what is going to happen with the Republicans as it relates to the consumer product safety legislation. That may add two more filibusters. Of course, we have the Defense authorization bill to which we wish to proceed. We will have a vote on that on Friday. It is up to the minority to determine what we will do on that.

As I have indicated on a number of occasions, we have the conventions coming up in August, which is important to every Senator. We have other important items we have been working on that need to be done at home. We can't do them in Washington. But we await word from Republicans, if they are going to negotiate seriously on the tax extenders. Other than that, I have stated, I believe pretty clearly, where we are.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. KYL. I wish to note that the energy tax extenders would have been law as of 7 a.m. this morning if they had not been taken out of the housing bill by the Democratic majority. We should be aware of the fact that one of the reasons why this issue remains is the strategy from the majority on the housing bill.

Mr. REID. Understand, though, that is the whole problem. They don't want to pay for anything. The bill that is before the Senate is paid for. What he is talking about is the flimflam where you pass all these things and don't pay for them. That is why we have a staggering deficit that during this administration has gone up more than \$3 trillion. When George Bush took office, over 10 years there was a surplus of about \$10 trillion. That is long since gone. I appreciate very much the statement of my friend from Arizona, but the fact is, that is what we are talking about here. They don't want to pay for anything. The tax extenders in our package are paid for, as they should be. The American people should not be burdened and leave a legacy looking

forward of their children, grandchildren, and great-grandchildren buried by Bush deficits.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. KYL. I note that 88 Senators voted in favor of that approach dealing with this subject.

Mr. REID. I appreciate the statement of my friend from Arizona. I believe in these extenders so strongly that even though I would much rather have them paid for, we all know the debt has to stop someplace. As I indicated, the House of Representatives, to their credit, will not accept these not being paid for. That is the way it should be. We should not be running up massive deficits that the Bush administration—first year, second year, third year, fourth year, fifth year, seventh year, and now in the eighth year—is willing to accept. The war in Iraq, \$5,000 a second; it doesn't matter.

We are where we are, but I am very disappointed that we are where we are. As I said, my Senators are waiting to hear from the Republican leader what he wants to do the rest of this week and into the future.

#### JOBS, ENERGY, FAMILIES, AND DISASTER RELIEF ACT OF 2008—MOTION TO PROCEED

##### CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the clerk will report the motion to invoke cloture.

The assistant legislative clerk read as follows:

##### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the motion to proceed to Calendar No. 898, S. 3335, the Jobs, Energy, Families, and Disaster Relief Act of 2008.

Harry Reid, Max Baucus, Bernard Sanders, Christopher J. Dodd, Maria Cantwell, Benjamin L. Cardin, Daniel K. Inouye, Hillary Rodham Clinton, Patty Murray, Ron Wyden, Debbie Stabenow, Patrick J. Leahy, Dianne Feinstein, Richard Durbin, Robert Menendez, Sherrod Brown, Carl Levin.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the motion to proceed to S. 3335, a bill to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes, shall be brought to a close.

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Massachusetts (Mr. KENNEDY), the Senator from Missouri (Mrs. MCCASKILL), the Senator from Illinois (Mr. OBAMA), and the Senator from West Virginia (Mr. ROCKEFELLER) are necessarily absent.

Mr. KYL. The following Senators are necessarily absent: the Senator from

Arizona (Mr. MCCAIN) and the Senator from Mississippi (Mr. WICKER).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 51, nays 43, as follows:

[Rollcall Vote No. 192 Leg.]

##### YEAS—51

Akaka	Dole	Menendez
Baucus	Dorgan	Mikulski
Bayh	Durbin	Murray
Biden	Feingold	Nelson (FL)
Bingaman	Feinstein	Nelson (NE)
Boxer	Harkin	Pryor
Brown	Inouye	Reed
Byrd	Johnson	Salazar
Cantwell	Kerry	Sanders
Cardin	Klobuchar	Schumer
Carper	Kohl	Smith
Casey	Landrieu	Snowe
Clinton	Lautenberg	Stabenow
Coleman	Leahy	Tester
Collins	Levin	Webb
Conrad	Lieberman	Whitehouse
Dodd	Lincoln	Wyden

##### NAYS—43

Alexander	DeMint	McConnell
Allard	Domenici	Murkowski
Barrasso	Ensign	Reid
Bennett	Enzi	Roberts
Bond	Graham	Sessions
Brownback	Grassley	Shelby
Bunning	Gregg	Specter
Burr	Hagel	Stevens
Chambliss	Hatch	Sununu
Coburn	Hutchison	Thune
Cochran	Inhofe	Vitter
Corker	Isakson	Voivovich
Cornyn	Kyl	Warner
Craig	Lugar	
Crapo	Martinez	

##### NOT VOTING—6

Kennedy	McCaskill	Rockefeller
McCain	Obama	Wicker

The PRESIDING OFFICER. On this vote, the yeas are 51, the nays are 43. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

Mr. REID. Mr. President, I enter a motion to reconsider the vote by which cloture was not invoked on the motion to proceed to the energy renewables package.

The PRESIDING OFFICER. The motion is entered.

#### FREE FLOW OF INFORMATION ACT OF 2007—MOTION TO PROCEED—Continued

The PRESIDING OFFICER. The assistant majority leader is recognized.

Mr. DURBIN. Mr. President, it is my understanding until 12:30 the Democrats control the time; is that correct?

The PRESIDING OFFICER. There is no agreement in order.

Mr. DURBIN. Mr. President, I ask unanimous consent that I be recognized for 5 minutes and Senator STABENOW be recognized for 20 minutes following me.

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

##### ENERGY

Mr. DURBIN. Mr. President, this vote that was cast is something America should not miss. This was about an energy program for America, and it was defeated. It was defeated because only four Republicans—maybe five—managed to cross the aisle and help us.

This is 2 days running that the Republicans—who have given us speech after speech about why we need an energy policy—have voted no. That is all they do: vote no.

What did this proposal include? It included energy tax credits desperately needed by America. This morning, Senator STABENOW gathered together Governors, leaders in business and leaders in labor and they all told us the same thing: Pass the energy tax credits, and pass it now. Jobs are at stake across America.

I had a major company in Chicago that came in—the CEO came in to see Senator REID and myself last week—facing bankruptcy because we cannot pass this bill. Why? Because the Tax Code was written year to year, creating incentives for investment in wind power. That is the power that does not pollute but creates electricity. Wind turbines all over my State and all over the country are doing the right thing for our future. They will not continue without these tax credits, and the Republicans consistently vote no. And then—hang on—after lunch they will be on the floor saying we desperately need an energy policy.

Where were they when we needed them? That was not the only thing in this bill. This bill also put \$8 billion in the highway trust fund that has gone broke. Across America, we are losing jobs, at a time when we need good-paying jobs right here at home, because Republicans refuse to do this. They will not vote for it.

There was another provision or two in there equally important, but I wish to focus on those two. Let me explain to you why they would not vote for it. They would not vote for it because on the Democratic side we insisted that if you are going to have tax credits given, we pay for them so that, ultimately, it does not add to our national deficit.

This President inherited a surplus from President Clinton and has now taken the gold, the silver, and the bronze medals for the biggest deficits—top three deficits—in the history of the United States in his 8 years. We are saying this has to end. We cannot broker America's future for our children. So we want to pay for these tax credits. We do it in a way that even the business community says: That is reasonable. We can live with it. But not the Republicans. Only four or five will cross the aisle to help us.

A minute ago, I met in my office with the CEO of American Airlines, Gerard Arpey. This poor man is struggling to keep one of the major airlines in America out of bankruptcy. He is cutting back on schedule, reducing the number of employees because, unfortunately, when oil is \$125, \$135 a barrel, the cost of jet fuel is bankrupting his airline. He is begging me—begging me—the United States and the Congress to show some leadership.

Now, what can we do? First, we can get some Republicans to join us for this energy policy. If they want to

produce more energy in America, have them vote for it, not give more speeches with their “produce more, use less” slogans on the floor. Produce some votes for us. A few less speeches and a few more votes and we would have an energy policy. That is the reality.

There is something that can be done immediately, though, and it is something this President can do and does not need to wait on Congress, and he ought to do it today. President Bush should announce he is going to start selling off oil from the Strategic Petroleum Reserve to bring the price of a barrel of oil down to \$100 a barrel. That is our target price for America. That will turn this economy on. That will give the airlines a chance. That will put the truckers back to work. That will give the farmers a break.

The President can do it without any congressional approval. His father did it. It is not a radical idea. Seven hundred million barrels of oil—if the President released and sold 10 percent of that, saying: My goal is to get to \$100 a barrel, that oil on the market would start the price coming down.

All this discussion on the Republican side and from the President about drilling—if we decided today to start drilling certain acreage, you would not see the first drop of oil for 8 to 14 years. You would have to wait 8 to 14 hours for the President's announcement about releasing oil from SPR to see an impact on the market.

It is time for Presidential leadership. The fact that the President comes out of the oil industry and the Vice President does as well, they understand it. And the oil industry has never done better.

Now it is time for the President to show leadership. He can do it. We should call on him in Congress, on a bipartisan basis: Release this oil from the SPR, bring down the price of a barrel of oil, give American families a fighting chance when they go to the gas station, and give these companies a chance to create more good-paying jobs in America. That is what is at stake.

Mrs. BOXER. Mr. President, will the Senator yield for a couple questions?

Mr. DURBIN. Mr. President, I am happy to yield.

Mrs. BOXER. First of all, Mr. President, I have known my friend from Illinois, the senior Senator from Illinois, for many years. We served in the House together. He is one of the most collegial Members of the Senate. I say to the Senator, I do not think I have ever seen you quite as upset and angry as you are.

I wish to ask my friend—because he touched on this—as to the real impact on America's families that he started to discuss. As chair of the Environment and Public Works Committee, I know, as he does, we have to fund our highway program. I know my colleague from Michigan and my colleague from Minnesota both are going to talk about the need for safe and sound infrastructure and the fact that with it comes good jobs.

But here is where we are at this point. Because of the no, no, no votes by that side—what they said no to today was making sure we can pay for the highway projects we have already authorized, we have already told the States to go ahead and start constructing.

I say to the Senator, \$8 billion was in this bill that they just said no to, again—\$8 billion to replenish the highway trust fund. That translates to—and hold on to your hats, folks—400,000 good-paying jobs that will be lost if we do not replenish this fund, not to mention the jobs that are already being lost because they refuse to renew these tax credits for solar, wind, and geothermal.

Mrs. BOXER. In my State, we have a horrible housing crisis. It is terrible. Construction is down. What has been keeping us afloat, I say to my colleagues, is the renewable energy industry. Four hundred solar companies have moved in. They are taking these workers. So how could we have—Mr. President, I ask unanimous consent that the Senator have 1 more minute.

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

Mrs. BOXER. So I say to my friend, this Republican Party here, they are the recession party. They stand for recession and moving into depression with their votes, does my friend not agree, with their votes today?

Mr. DURBIN. This is the second time in 24 hours we have given the Republicans a chance to show whether they are for an energy policy which will produce more clean energy and more jobs for America, and four of them came forward to support us—only four. There are 49 of those Senators, and 4 voted with us.

Mrs. BOXER. And the trust fund.

Mr. DURBIN. And the trust fund, of course—a critical point—which can create 400,000 jobs across America.

Middle-income families are struggling to survive. We need more good-paying jobs right here in this country. How can they come down here and consistently vote no and say they want an energy policy?

The President should release oil from SPR this week. Our goal should be \$100-a-barrel oil. The President doesn't need Congress. Let him show some leadership in this energy crisis.

Mr. President, I yield the floor to the Senator from Michigan.

The PRESIDING OFFICER. The Senator from Michigan is recognized.

Ms. STABENOW. Mr. President, I ask unanimous consent that the majority control the time until 12:30, the Republicans control the next 30 minutes, the majority control the next 30 minutes, and the time until 6 p.m. be controlled in 30 minute blocks in an alternating fashion.

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

#### AMERICA'S PRIORITIES

Ms. STABENOW. Mr. President, I wish to thank my colleagues, our assistant majority leader from Illinois

and the Senator from California, for speaking today, because we are quite astounded, I have to tell my colleagues. Coming from the great State of Michigan where we care about jobs—and I know the Presiding Officer does, coming from the great State of Pennsylvania—our folks are desperate for good-paying jobs, middle-class jobs that allow them to pay that mortgage and pay those outrageous gas prices and to be able to keep their families afloat and put food on the table.

What we had happen in front of us today was an effort to once again block the future of alternative energy jobs and block today, by stopping it, an investment in the highway trust fund that would keep 400,000 jobs going in our country. That is a lot of jobs—400,000 jobs.

Now, why would they do that? When you look around, since this President and Vice President have taken office, gas prices have tripled. Oil prices are four times higher. Families and businesses are being squeezed on every side. Why can't we get action? Who benefits? I wonder who would like this picture.

Well, let's look at who would like this picture. I only pick on one company because they happen to be the ones showing the highest profits. During this time that families and truckers on the road are trying to make a living, and businesses, small and large, are trying to hold it together, during this time of crisis, \$185 billion profit since our President and the Vice President—two oilmen from Texas—took office. Mr. President, \$185 billion in profits. What we have here is an oil agenda. We have had an oil company agenda since they took office on every step of the way.

The bill that was turned down today—it wasn't just turned down today; it was, in fact, turned down on June 10 of this year, June 17 of this year, July 29, and today. This isn't the only time. We have gone back as far as last year, a year ago. Tax incentives in the Energy bill were blocked twice by Republican colleagues on behalf of big oil on June 21, 2007, and December 13, 2007. We can go on. February 7 of this year, Republicans blocked adding critical energy production tax incentives to the stimulus that was passed. They are willing to give everybody a little bit of a check, a little bit of a rebate check, but when we are talking about creating jobs and investing in competition with the oil companies, oh, no. Oh, no.

Who wouldn't want that competition? Let me see. Maybe these folks wouldn't want that competition. Maybe they were the ones who said: No, no, we don't want to be focusing on electric vehicles and investing in battery technology or consumer credits for new vehicles. No, no, we don't want to be investing in solar and wind and geothermal. No, no. Getting off of oil? No, no, no, no. This is the oil administration. We don't want to get off of oil; we want to embrace it. We want to continue it.

Unfortunately, that is exactly what has happened.

Record profits. The total combined net profits of the big five oil companies since our President took office are upwards of \$556 billion. If I sound a little upset, I am because I have folks in my State who are just struggling to try to make it. Are they investing here at home with that \$556 billion? The oil companies spent \$188 billion buying back their own stock in the last 5 years. Exporting. A record 1.6 million barrels a day were exported, 33 percent higher than before.

We are in a global economy. Unfortunately, even though I think it is important to have a domestic oil supply, it is in a global economy. It is not necessarily going to stay here. The drill-only, the drill-forever crowd, that is the oil agenda. It is the oil profits agenda in a global economy.

Let me share for a moment some folks who are suffering under the oil agenda of this President and Vice President and the Republicans who have been in charge.

In South Haven, MI, a beautiful little town along Lake Michigan, this was in the paper. Early last month, Jeanne Fair, who is 62 years old, got her first hot meals delivered to her home in this little lake community in the rural southwestern part of the State. After two deliveries of meals, they stopped because the volunteers couldn't afford the gas to get her the food. "They called and said I was outside of the delivery area," said Mrs. Fair, who is homebound and hasn't been able to use her left arm since a stroke in 1997.

Faced with soaring gasoline prices, agencies around the country that provide services to the elderly say they are having to cut back on programs such as Meals on Wheels, transportation assistance, and home care, especially in rural areas that depend on volunteers to provide their own gas. In a recent survey by the National Association of Area Agencies on Aging, more than half said they already cut back on programs because of gas prices. Ninety percent say they are expected to cut them back in 2009.

This is the United States of America, and we have volunteers who have to stop giving meals to people in rural Michigan so these folks can keep up this agenda here: \$185 billion profit since George Bush took office. And our folks can't afford gas.

Let me share something else, a letter from a gentleman:

As my family's only breadwinner, I drive over an hour each day to my job at LifeWays in Jackson . . . The reason I drive over an hour each way is because jobs for professionals are extremely rare in Hillsdale County where I live. Over 16 car industry-related plants have closed in Hillsdale County in the past 10 years, leaving the unemployment rate sky high and wages extremely low. The newest hit is the high prices for energy which are hurting me and my family. Not even looking at the 55-cent increase per gallon of propane we were just notified of, my commute costs me \$28 a day and I drive a

mid-sized car. I urge Congress to act immediately.

Mr. President, we had a chance to act immediately today to do something that would make a difference, a real difference, and Congress didn't do it.

I also have one other letter from a 17-year-old high school student who has a job. She says: I make \$7.15 an hour and put in about 20 hours a week. My job sometimes interferes with my education because I am trying to make money that I need. My job affects school because I need to work. It makes it difficult for me. I am paid every 2 weeks and spend about \$100 a week on gas to get back and forth to school and work. She says: Even during school time, I ride the bus to try to save money, but now I probably won't be riding the bus because school districts are cutting back on transportation to school. They are doing this because they don't have enough money to fill up the buses' gas tanks.

What is going on? What is going on here? We are fighting for the people of this country who expect to be able to put gas in the schoolbus, who expect to be able to have seniors get Meals on Wheels, who expect to be able to drive to work. That is what this is about. It is about time we change the agenda of this country and who decisions are being made for. The reality is—I think it is, unfortunately, way too simple, but it is true—we have had 8 years of two oilmen in the White House and it has gotten us paying \$4-a-gallon gasoline, maybe a little less, maybe a little more. That is the reality. We have seen over and over not only efforts on this floor to block what we are doing but on top of that, to add insult to injury, a free ride for the oil companies.

In January of 2006, the New York Times reported that the Bush administration was allowing oil and gas companies to forgo royalty payments—forgo royalty payments—on leases in Federal waters, public waters in the Gulf of Mexico. It would cost American taxpayers more than \$60 billion. Sixty billion dollars would equal 38 days of free gas for every American. How about that. So not only are they blocking us from creating alternatives, not only are they blocking us from taking taxpayer money—the same people I just read about are subsidizing the oil companies because we can't stop these subsidies going to the most profitable companies in the world—the world. We can't get that stopped when we are trying to say: Take those dollars and move them over to the future, which is alternative energy that will allow gas prices to go down, that will free us from foreign oil, get us off of a policy that depends on those around the world who aren't exactly our friends, and make us stronger in terms of national security. We can't get that done. Then, to add insult to injury, they waive oil and gas leases—\$60 billion. I would love to have been able to waive some house payments. I would love to have been able to say to folks who were trying to

make it and not lose their house in foreclosure: We will give you 90 days, don't worry about it, because we care about families and we want to make sure you keep your house.

We finally have a housing bill. It is too late for many people, but we finally have one, thank goodness, that the President would sign.

Where are the priorities of this country? Who are we making decisions for? That is the question. Who are we making decisions for?

So I have extreme concern about the direction in which we are going. I have to tell my colleagues, as somebody who comes from a State where there is such a little bit of support right now, it would give us a whole lot more impact in the short run if we were to invest—and I know that. I am so grateful to our Senate leadership for supporting our efforts to retool our auto plants, to keep jobs in America for new vehicles. We are now focusing our talk so many times on this floor on what we are doing to support the advanced battery research and development so we are making those new batteries in America, not only for automobiles but for energy storage, and making sure we are the energy producers and creating the jobs of the future. A few investments we can do immediately within the next couple of years would tremendously impact us.

I know my time is up. Let me just indicate that it is time to change the agenda. The American people have had enough. This big-oil agenda which has been driving the train here on the Senate floor and which has been driving the train in the White House has to stop.

We have to take away their track and turn this thing around, so that we are focusing on what the American people want us to focus on to help them and their families in this country.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming is recognized.

Mr. ENZI. Mr. President, I rise today to continue the discussion we are having on our Nation's energy situation and to point out that it is a discussion, it is not action.

I point out that the other side of the aisle could be called the "great pretenders." They are pretending to be interested in energy, but they are not doing anything about energy. The only thing we have been allowed to debate on this has been the bill on speculators. I have talked about speculators and the role they have and what the possibilities are for them to skew the market. It is the blame game. For every person who gains a dollar, a person loses a dollar.

Our airlines rely on the speculation, rely on those markets to hedge their prices, and we call it speculation. It has allowed them to lock in a reasonable price some of the time.

So it is the great pretender package, because it doesn't solve energy. If we

don't find some ways to use less and find more, we are not going to be able to make the transition to renewable energies. We are being blocked from doing that.

What we are doing is "gotcha" politics. We have been doing it for several months now, and it is wrong. How can you tell when it is "gotcha" politics? When a bill doesn't go through the regular process, when it doesn't go to committee so that there can be extensive debate among the people who are expert in that area, so that the people in that specific committee have a chance to make amendments. That is where a lot of the legislating happens. By the time it gets to the floor, it is kind of take it or leave it—maybe a few amendments but not many are ever allowed. On this one, the most we have been allowed is four amendments, which have been written by the other side of the aisle.

That is unconscionable. It has never been done in the history of the United States. And then they demand a 60-vote margin on those. It will not happen, and neither is anything else, until we do something about energy because it is the No. 1 concern of people in America now. There is good reason for that. I know trucking firms that are going out of business. People want to take vacations, and they are either having to reduce the distance they are going or eliminate the vacation altogether. I know people who are having trouble getting to work.

We can put quick solutions, medium, and long-range solutions, in there that would resolve the energy problem for America. The world is becoming more energy oriented. The world understands energy. China understands energy. China is buying up every source of energy it can find around the world, because it grows their economy. They are using some of the worst stuff they can possibly use. That is why housing at the Olympic village isn't going to be able to be used for the athletes, because they won't be able to breathe properly—even though they have bought clean Wyoming coal, and they tried to buy an oil company in the United States so they could take that oil to China. India is also competing for energy. That competition is driving up the prices.

Unless we find more and use less and transition into renewables, we are going to have a long problem in the economy of this country. As long as we keep bringing bills to the floor that have not been through committee, where people with disagreements can move off to the side and work that out and bring it in, it is not going to work. We are going to have a higher education bill this week, and that will make a difference to students throughout the United States—in high school, going to college, and those in college continuing with college. That went through the whole process. That has been through the committees in both the House and the Senate. A lot of

changes were made. That has been passed in the Senate and passed in the House on the floor, and changes were made. Now it has been confederated. Last night, it took us all of an hour and a half to work out the differences and finish the bill. That will be a privileged motion that will come here. So we will finish up a major bill in about an hour and a half because it went through the process.

You cannot take something such as energy, put out a phony bill, expect it to pass, and check off the box on energy. It is not going to work. We are not going to do that. That has never been the way we have done work in the Senate. We take a bill to committee, get it worked out, bring it to the floor, and let people make amendments. That is the way we do things here. It takes time, but it doesn't take nearly as much time as forcing all of these filibusters by putting up bills that the tree will be filled on, which means nobody can do any amendments—a take-it-or-leave-it bill.

As long as we are doing take-it-or-leave-it bills, nothing is going to happen. It makes good publicity because they will run ads in Wyoming that will say Senator ENZI voted against this and that. And you know, I think the people in Wyoming kind of have it figured out. They know we are actually trying to get something done. They know what a crisis it is on energy. We have to make a difference there.

So, remember, if a bill hasn't been to committee, it is a "gotcha" bill, designed by one party. Several times there have been negotiations started between the two parties, such as on the tax extenders bill. But thinking that would be a good "gotcha" vote, we had the package that you saw earlier that didn't make it through cloture. That could be negotiated out. That could make it through the process. It needs to make it through the process. But it is not going to make it through the process if one side says let's put this out there, and the other side will have a lot of trouble voting for this, and we can claim they don't like tax extenders. I don't think that has been the history of the country. I know it hasn't been the history of the Senate.

Energy is so important. Energy impacts every part of our lives. When gasoline and diesel fuel are more expensive, you pay more to fill up your vehicle at the pump. So do truckers who transport the items we need, such as food. In turn, you pay more at the grocery store. You pay more for gifts you buy for loved ones. The high cost of fuel makes it harder for families to fill up their gas tanks. They are canceling vacations or they are picking ones closer to home. Because they are forced to cancel vacations, main street shops are closing down because they don't have consumers to buy their products.

Low energy costs make it possible for our economy to flourish, and at a time of economic concern, we should be doing everything we can to improve

our Nation's energy situation as opposed to hindering it. The "energy bill" we are debating ignores this fact because it only deals with a small part of our energy situation—energy speculation.

I have noticed that whenever a situation gets bad, Congress plays the blame game. In this instance, the price of gas is making you angry. It makes me angry, too. I am sick of paying \$4 a gallon to fill my gas tank. I want action. Instead of action, the majority has given us the legislation to punish speculators. Never mind that speculators are pension funds, airlines, and other consumers who are looking for certainty in an uncertain market. They have given us a bill that clamps down on speculators even though the Chairman of the Federal Reserve has said there is no evidence that speculation is impacting the market.

As I mentioned in my statements last week, this speculation bill might even have negative consequences on the market. I spoke at length regarding the possible unintended consequences of the majority leader's bill on institutional investors, including pension funds, and their ability to access and participate in our markets. Since I made those statements, I received two letters from The Committee on Investment of Employee Benefit Assets, and from a group of 10 associations that represents pension funds, companies, and their investment managers and fiduciaries, expressing their concern about the majority leader's bill. I ask unanimous consent that both of these letters be printed in the RECORD.

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

THE COMMITTEE ON INVESTMENT  
OF EMPLOYEE BENEFIT ASSETS,  
*Bethesda, MD, July 25, 2008.*

Re energy speculation legislation (S. 3268) erodes core ERISA principle of investment flexibility.

Hon. EDWARD M. KENNEDY,  
*Chairman, Committee on Health, Education, Labor and Pensions, U.S. Senate, Dirksen Senate Office Building, Washington, DC.*

Hon. MICHAEL B. ENZI,  
*Ranking Minority Member, Committee on Health, Education, Labor and Pension, U.S. Senate, Hart Senate Office Building, Washington, DC.*

Hon. MAX BAUCUS,  
*Chairman, Committee on Finance, U.S. Senate, Dirksen Senate Office Building, Washington, DC.*

Hon. CHARLES E. GRASSLEY,  
*Ranking Minority Member, Committee on Finance, U.S. Senate, Dirksen Senate Office Building, Washington, DC.*

DEAR CHAIRMEN KENNEDY AND BAUCUS AND RANKING MEMBERS ENZI AND GRASSLEY: I am writing today on behalf of the Committee on Investment of Employee Benefit Assets ("CIEBA") to express our concerns regarding S. 3268, the Stop Excessive Energy Speculation Act. This legislation would erode a central principle of the legal regime governing our voluntary pension system. We share the sentiments expressed in the letter of concern regarding S. 3268 sent to the Senate earlier today by ten trade associations active in the

pension arena but wished to write separately to highlight our particular concerns about potential erosion of one of the core principles of the Employee Retirement Income Security Act (ERISA).

CIEBA is a group of over 115 private pension funds that manage more than \$1.5 trillion in defined benefit and defined contribution plan assets on behalf of more than 17 million plan participants and beneficiaries. As you know, our nation's voluntary employer-sponsored pension system has served Americans well for over half a century and tens of millions of workers and retirees rely on defined benefit and defined contribution retirement plans as a critical element of their retirement security.

CIEBA is concerned about the possible unintended consequences of S. 3268. While we understand and share the concerns regarding the rising costs of energy, severely restricting investment in energy commodities markets, as S. 3268 would do, endangers the financial well-being of the pension system and the American families who rely on this system.

CIEBA has been working actively to highlight the pension implications of restrictions on commodities investing and warn against the adverse effects of such restrictions on pension participants and beneficiaries. I testified on June 24, 2008, before the Senate Homeland Security and Governmental Affairs Committee on these issues, and the chairman of CIEBA's defined benefit subcommittee, Robin Diamonte, testified before the House Agriculture Committee on July 10, 2008. In our testimony, we made clear that while commodities are only a modest component of a pension fund's total investment portfolio, they are nonetheless quite important because commodity returns are uncorrelated with stock and bond returns and commodities provide a critical hedge against inflation. We further testified that efforts to restrict the ability of pension plans to invest in commodities markets, whether through outright prohibitions or severe limitations, is short-sighted and counterproductive. Such restrictions would make it difficult for pension plans to adequately diversify investments to hedge against market volatility and inflation. Consequently, they would put at risk the retirement funds and benefits of the very workers the legislative proposals are intended to help.

As leaders of the Senate committees with pension jurisdiction, we hope you share our concern about adopting energy legislation with such major implications for the pension system, particularly when your committees of jurisdiction have not had an opportunity to consider these issues. Congress has long recognized that direct government regulation regarding specific pension plan investments is ill-conceived, and ERISA very consciously avoids such an approach. As you know, ERISA imposes rigorous fiduciary responsibilities on those who manage pension plan assets. These rules require plan fiduciaries to act prudently, and to diversify plan investments so as to minimize the risk of large losses. Moreover, ERISA requires fiduciaries to act solely in the interest of plan participants and beneficiaries and for the exclusive purpose of providing participant benefits. Accomplishment of these participant-focused objectives can best be achieved by broad fiduciary discretion to select appropriate investments and asset classes and this is precisely the regime adopted in ERISA. Fiduciaries cannot faithfully execute their obligations and respond to market conditions if restrictions are imposed on important investment approaches and asset classes. Unfortunately, this is precisely what S. 3268 would do. Its restrictions would erode fiduciaries' critical investment discretion and

thereby undermine one of ERISA's core principles.

The experience of other nations has shown that efforts to impose investment restrictions and/or investment requirements on pension plans impairs performance and thereby harms the interests of pension plan participants and beneficiaries. This has been the European experience, and we fear current efforts to restrict investments in commodities could be the beginning of a counter-productive movement in this direction in the U.S. We hope to work with you and your Senate colleagues to ensure that this will not be the case. Instead, we must ensure that our existing ERISA structure—imposition of demanding fiduciary obligations paired with broad investment flexibility—is preserved.

Thank you for your consideration of our views on this important issue. We would be happy to provide further input on this legislation to ensure the health of a secure retirement system that will continue to serve the interests of the tens of millions of pension plan participants and beneficiaries.

Sincerely,

WILLIAM F. QUINN,  
*CIEBA Chairman.*

JULY 25, 2008.

Re adverse retirement plan implications of energy speculation legislation (S. 3268).

Hon. HARRY REID,  
*Majority Leader, U.S. Senate, Washington, DC.*

Hon. MITCH MCCONNELL,  
*Republican Leader, U.S. Senate, Washington, DC.*

DEAR MAJORITY LEADER REID AND REPUBLICAN LEADER MCCONNELL: We are writing today to express concerns about the implications of S. 3268, the "Stop Excessive Energy Speculation Act of 2008", on employer-sponsored retirement plans and the tens of millions of American workers and retirees who rely on these plans for their retirement security. We represent organizations that assist employers of all sizes, and their service providers, in providing retirement benefits to employees.

We are very concerned that the serious implications of S. 3268 on retirement plans and retirement plan participants have not been sufficiently evaluated. We are also concerned that this legislation relating to energy policy could unintentionally harm the long-term financial security of American workers and their families.

Employer-sponsored defined benefit plans invest for the long-term and do so in a wide range of asset classes in order to diversify plan investments and reduce to the greatest extent possible the risk of large losses. These strategies are central to employers' fiduciary obligations to act prudently and solely in the interest of the plan's participants and beneficiaries. Plan fiduciaries are subject to extremely demanding legal obligations under the Employee Retirement Income Security Act (ERISA). ERISA was drafted to preserve the fiduciary's flexibility to select the investments that will allow them to carry out their mission of providing retirement benefits to employees. Commodities are one of a broad range of asset classes upon which fiduciaries rely. Commodities serve as a modest but important element of the investments held by employer-sponsored defined benefit pensions because commodity returns are uncorrelated with stocks and bonds and because they provide an important protection against inflation.

For the same reasons, commodities are used in many of the diversified "single fund" solutions (lifecycle funds, target retirement date funds) that have been developed to simplify investing for the tens of millions of

Americans participating in defined contribution plans such as 401(k), 403(b) and governmental 457 plans. These single fund solutions, which policymakers have encouraged through legislation and regulation, make investing easier while giving workers access to professionally managed, diversified portfolios.

The restrictions imposed on commodities investing under S. 3268 would greatly limit the ability of employer-sponsored defined benefit and defined contribution plans to use this important asset class. The result will be less ability to diversify investments, manage investment volatility and provide a buffer against inflation. Unfortunately, it is the employees and retirees who depend on employer retirement plans for their income in retirement who will ultimately suffer. We hope, with this in mind, that the implications for retirement plans and plan participants will be examined more fully before S. 3268 is considered further.

We sincerely appreciate your consideration of our views on this important matter. Please let us know if we can provide additional information or address any questions you may have.

Sincerely,

American Bankers Association.  
American Benefits Council.  
American Council of Life Insurers.  
The ERISA Industry Committee.  
The Financial Services Roundtable.  
Investment Company Institute.  
Managed Funds Association.  
Profit Sharing/401(k) Council of America.  
Securities Industry and Financial Markets Association.  
U.S. Chamber of Commerce.

Mr. ENZI. While the majority has given us someone to blame, they have not given us a comprehensive bill that will get us out of this energy mess. They have not given us a proposal that addresses the heart of the problem—the problem of supply and demand. We need to find more American oil from American soil at the same time that we use less. We need to quit shipping those dollars overseas to countries that would like to do us harm. We need to do something with renewables. But there are also things we can do with the coal resources we have. My State has more coal than the Btus of oil in the Middle East. I have a lot of faith in our young people. When I was going to junior high, Russia put up Sputnik, and we panicked. We discovered—even in junior high we realized this—we were now behind Russia, and it was a crisis. We didn't want to be there. Education changed, parents changed, and teachers changed. We began inventing. We not only solved the problem of space, we sent a man to the Moon. We have sent vehicles to Mars and other planets. That was the rocket generation.

Then we went to the computer generation. We have people with extraordinary minds, because of the freedom we have in the United States, who came up with great inventions for computers. I remember when they said that 640K would be the maximum memory you could ever use in a computer. Nobody even knows what that is anymore, it is so small.

Then we went to communications, and we said there ought to be better ways to communicate. Then we began the cell phone generation.

Now we are in the energy generation. There are young people out there who can invent clean ways to do what we need to do, who can change things that we never considered to be energy. I have a lot of faith in them. I have challenged them. I do the inventors conference every winter in Wyoming, and I have asked the young people to come up with inventions—and they don't have to be difficult, but they should pertain to a pertinent problem so they can be marketed. We got more than 250 inventions as a result of it.

Now I am pressing for energy inventions. We have not built a new refinery in the United States for 40 years. Part of it is the permitting process and part is a fear of lawsuits. We permitted a new refinery in Douglas, WY. It will turn out diesel fuel. That is one of the biggest needs we have in our country, because of how much we rely on trucking in the United States, including trucking to be able to mine the coal.

By producing American energy, we reduce our Nation's dependence upon foreign oil sources and, at the same time, we work to develop new technologies that will make it so we don't need oil in the future. We can safely produce more American energy off of the coasts of States that want exploration to take place. We can produce nearly a million barrels of American energy each day from the Arctic National Wildlife Refuge, in an environmentally sensitive manner, from an area smaller than Dulles Airport. In fact, it is smaller than the Casper, WY airport. A million barrels a day will bring down the price at least \$20 a barrel. We can improve the permitting process to allow some of the leases that the other side claims are not in production to be drilled by restricting the amount of times we let radical environmental groups file frivolous lawsuits. They have to file all of their objections at the same time, so they can be done consecutively instead of sequentially. Most of the original leases are by small investors. It costs about \$1,500 an acre. It is 5 or 6 years before they can even use the lease. We hear all of these acres of leases that are not being drilled, and it is because they are tied up in the courts. As soon as they can be drilled, they are. There is a tremendous investment. They don't know if they are going to hit oil, but the cost of a well now is about \$8 million.

Instead of relying on oil from Hugo Chavez, in Venezuela, or other nations that wish us harm, instead of playing the blame game, we can do something to bring down the price of gas. That is what my constituents are begging us to do.

Unfortunately, we are not having a real debate on the bill. The Senate is oftentimes called the most deliberative body in the world. Yet we are not allowed to debate the issue that is most important to the American people. Why, you might ask? The majority leader has used a procedural tactic to prohibit us from offering amendments.

He has used a procedural tactic to prevent votes on amendments. No votes, just a speculation bill, bills that haven't gone through committee. He has prevented a vote on amendments I have cosponsored to produce more American energy. He prevented a vote on my amendments to make the speculation bill more reasonable. He is preventing a vote on an amendment of which I am a cosponsor that would encourage production of diesel and jet fuel from America's most abundant energy source—coal.

It is the wrong way to legislate and will not help you when you go to fill your gas tank. It will not help you when you get your electricity bill, your heating bill this winter.

What we need is legislation that encourages us to find more American energy as we use less. I am the cosponsor of legislation to do that. The Gas Price Reduction Act, which is cosponsored by 43 of my Republican colleagues, includes a provision to open coastal waters in States where they want energy production. It ends the ban on the development of promising oil shale in Wyoming, Colorado, and Utah, oil shale that can provide as much as 2 trillion barrels of oil. At the same time, the Gas Price Reduction Act encourages increases in the supply of American energy, it promotes the development of better technology so we use less energy.

Thus far, we haven't had a vote on those issues. We have been told by the majority leader we can have limited amendments with limits as to how those amendments can be debated. That is not right, and it needs to stop. If it doesn't, we will not address this issue and the American people will continue to suffer.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

#### TAX EXTENDERS

Mr. GRASSLEY. Mr. President, we finished a fourth vote on the tax extenders bill. As the great baseball philosopher, Yogi Berra, said: "It's *deja vu* all over again."

Here we are getting ready to vote and just finishing a vote for the fourth time on the motion to proceed to the House tax extenders bill. As I said, it is *deja vu* all over again and yet again.

The vote, I believe, was 51 to 43, so very short of what it takes to get business done in the Senate, which is to work a bipartisan agreement so we have more than 60 votes to get business done. This is a no-brainer, in this particular instance, to get an extenders bill and the AMT.

The futility of this exercise, which is motivated purely by partisan politics, makes this vote as silly as a "Three Stooges" episode. Instead of wasting time on such a silly exercise, the Senate Democratic leadership should be working on negotiating a bipartisan deal with Senate Republicans that can be signed into law by the President. The American people do not want another futile vote on tax extenders.



They want a bill that will be signed into law. That would provide the American people with the tax relief that is needed.

The extenders vote we had has already failed before. Albert Einstein famously stated the definition of “insanity” is doing the same thing over and over and expecting different results. The Senate Democratic leadership has already done the same thing too many times and, of course, today sought to do it again. This is a waste of everyone’s time. Everyone can see through the Democratic leadership’s strategy for what it is: a partisan political exercise, designed solely to get 30-second sound bites for political ads.

Let’s stop this nonsense. Let’s work out a bipartisan compromise on the tax extenders bill. Let’s reach agreement in a form that can be signed into law by the President. The President made it very clear today that he is not willing to sign what we had before us a few minutes ago into law. Of course, what I am asking is that the Senate Republican leadership has been trying to urge the Senate majority to move in this direction.

The Senate Republican leadership has made numerous offers to the Senate Democratic leadership to try to find a way to break the logjam on tax extenders. So far, our colleagues on the other side of the aisle have been unwilling to enter into a bipartisan agreement on a tax extenders bill that even attempts to address legitimate concerns of the minority party in this body.

As the Senate Democratic leadership engages in pure partisan politics by bringing up the tax extenders bill for yet another vote, the chairman of the Democratic Senatorial Campaign Committee is probably grinning like a Cheshire cat, thinking of all the 30-second campaign ads they will be able to make. However, the people of New York are not grinning because they are not getting the benefit of any of these tax relief provisions. All the tax relief provisions that are very important to the American people, including even to the people of New York, are being held hostage as part of the political game of the Democratic Senate leadership having vote after vote on cloture to stop debate for whatever reason.

Some of these important tax relief provisions are the alternative minimum tax patch, the deduction for the State and local sales tax, the deduction of tuition expenses, and the deduction for expenses of school teachers. How is anybody going to find fault with the fact that these provisions should have been done a long time ago? In fact, the AMT patch should have been done because, since the first of the year, taxpayers who have had to file quarterly tax payments have been violating the law if they haven’t taken into consideration that there are 24 million American families right now hit by the alternative minimum tax. That figure would include 3.1 million New York

families. The provision for the State and local sales tax would help almost 11 million families. Also, the deduction for expenses for tuition and fees would help over 4.6 million families. In addition, the deduction for expenses of school teachers would help 3.4 million Americans. These hard-working taxpayers are more important than a 30-second sound bite to be used in the next campaign because of political games that are being played.

The bottom line is, when we have 24 million people being hit by AMT, 4.6 million people on the deduction of college expenses, and 3.4 million people hit by increased taxes because school teachers will not be able to deduct supplies from their income taxes, real Americans are being hurt while political games are being played, when everybody in this body knows the only way we get things done is in a bipartisan way.

The biggest divide between Republicans and Democrats regarding tax extenders relates to the issue of offsets, also known as revenue raisers, or I think we ought to be more intellectually honest and call these tax increases. In other words, tax increases on Americans generally to provide the extension of some policy that has been on the books for decades.

My party’s position has been clear on this issue. We are perfectly willing to use offsets that make sense from a tax policy perspective to pay for new tax policy. However, tax relief provided by extending existing tax policy or expiring provisions, or somebody may call these sunset provisions, we do not feel they should have to be offset. We should not be raising taxes in order to pay for the extension of existing tax policy.

One reason I care about this issue is that there is currently a bias in favor of using this as an excuse to bring in more money to increase the size of Government. The pay-as-you-go rules apply to expiring tax provisions which are not built into the revenue base. On the other hand, if you have sunset of appropriations, these are built into the spending baseline. Therefore, in order to extend expiring tax provisions, the pay-go rules require an offset, and that happens to be a big tax increase. Whereas, if you have extensions of expiring appropriations provisions—in other words, spending provisions—they do not need to be paid for by decreased spending in other areas because they are assumed in the spending baseline. Therefore, pay-as-you-go rules apply to the extension of expiring tax provisions, but in an intellectually, inconsistent way do not apply to the extension of expiring spending provisions.

This inconsistent treatment makes no sense—intellectually inconsistent; I say to the taxpayers of America, intellectually dishonest. It is biased to create ever larger Government. The money the American people earn, after all, is their money. We should only take the money from them that it

truly takes to run the Government. We should not be using sunset tax provisions as an excuse to increase taxes, and that is all it is.

In addition, the Democrats’ desire to use permanent offsets to pay for an extension of temporary tax provisions is extremely problematic. It creates a situation where the permanent offsets that can be agreed to on a bipartisan basis—in other words, the low-hanging fruit all gets used to pay for the extension of temporary tax provisions.

Under the Democrats’ tax side only, pay-go obsession, once all the low-hanging fruit is used—and we are rapidly approaching that point—then the choice becomes much uglier for them and much uglier for the American taxpayers. The choice becomes whether to extend existing tax policy that has broad support by increasing taxes in areas that will hurt Americans.

Nobody advocates the inconsistency of the pay-as-you-go rules more than the famed House of Representatives Blue Dogs, and they are all Democrats. The Blue Dogs portray themselves as fiscal conservatives. We agree with the Blue Dogs’ goals of fiscal responsibility. They will have allies all over my side of the aisle if they want to control spending. The problem is the Blue Dogs are pursuing the same old tax-and-spend game under the cloak of fiscal responsibility. The Blue Dogs will fight tooth and paw over any tax relief that is not offset with a corresponding tax increase.

However, the same self-described fiscally conservative Blue Dogs are not willing to fight tooth and paw to seek the same equality for the taxpayers on the spending side of the ledger. They have a big appetite for spending. The Blue Dogs generally do not seek to offset spending increases with spending cuts in other areas. But in taxes, it is a whole different story. In fact, the Blue Dogs do not even seek to curb the amount of spending increases for which they hunger.

By portraying themselves as fiscal conservatives, while in reality playing the same old tax-and-spend game, the Blue Dogs remind me of the land shark character played by Chevy Chase on “Saturday Night Live.” This was many years ago, so maybe some of you will not remember. But we have a picture of the land shark skit with the theme from “Jaws” playing in the background.

The land shark knocks on a person’s door. With the door still closed, the person would ask: Who is at the door?

The land shark would reply: Flower delivery.

The person answering the door then said: You are that clever shark, aren’t you?

And in response, the land shark said: Candygram.

If you don’t know how the skit ended, the person eventually let the land shark in the door because that person believed the land shark when the land shark said he was a dolphin. And, yes, the land shark ate that person.

The moral of the land shark story is, don't let yourself be fooled that the Blue Dogs are fiscal conservatives because they are pursuing the same old tax-and-spend Washington game. Don't let the House of Representatives Blue Dogs' insatiable appetite for spending swallow the much-needed tax relief contained in the tax extenders.

I recommend that folks take a look at the cover story of the June 14, 2008, edition of the National Journal magazine about the Blue Dogs. It is very enlightening.

In trying to reach a bipartisan agreement on tax extenders, my party's leadership has made several offers to the other side's leadership. One of these offers is to pay for some new tax policy using offsets that make good tax policy sense. This is not simply a vague promise to look for such offsets. For instance, I have suggested we use the offset that closes the loophole that allows hedge fund managers to defer compensation for tax haven jurisdictions.

My time is up.

Mr. President, I ask unanimous consent for 4 more minutes.

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

Mr. GRASSLEY. I thank the Chair.

So we have offered something like closing a loophole that allows hedge fund managers to defer compensation in tax haven jurisdictions. However, we need to remove the huge charitable loophole that is contained in both the Democratic House and Senate extenders bill.

Let me try to explain something that is not explainable. I would be embarrassed if I had this in one of my bills. This charitable loophole allows hedge fund managers to deduct 100 percent of their deferred compensation that is donated to charity. In contrast, the ordinary American is only permitted to deduct charitable contributions of up to 50 percent of his or her income for that year. Everyone is obviously in favor of charity, but treating wealthy hedge fund managers better than the average American taxpayer makes no sense from a tax policy standpoint.

Also, the Senate Republican leadership suggested that some of the other new tax policy could be paid for by decreasing the scheduled increase in new spending, but that was not taken into consideration, even considering the fact that the present budget authorizes an increase greater than \$350 billion over the next 10 years, and none of that is offset.

This extra \$350 billion is like an extra checkbook that Congress is carrying around in addition to its already fat checkbook. This checkbook covers nondiscretionary spending and current levels of discretionary spending. We simply asked that they take a few checks out of this extra checkbook—not all of it, just a small part of it—to pay for some of these needed tax relief provisions. However, this suggestion was summarily dismissed.

My colleagues on the other side of the aisle are unwilling to even consider decreasing their increased nondefense discretionary spending that is above the President's budget. If the Blue Dogs of the other body are fiscal conservatives, they should come out and say they are willing to decrease this increase in the new extra nondefense discretionary spending. Instead, the Blue Dogs' position has been that all of the tax relief provided in the tax extenders package, even the extension of the existing tax policy, must be offset by an equal amount of tax increases on every other American. Why not look at curbing this new excess spending to pay for part of the much needed tax relief? So let us get back to square one. I invite my Blue Dog friends who claim to be fiscal conservatives to answer that question.

Back to where we started today—back to Yogi Berra. He also said: "It ain't over 'til it's over." This extenders vote failed because our colleagues on the other side of the aisle have refused to negotiate toward a bipartisan bill that can be signed into law. Because of the Senate Democratic leadership's doomed plan, this extenders discussion "ain't over 'til it's over." Let's get this over with. Let's negotiate toward a bipartisan agreement that can become law so the American people will benefit. So far, the Senate Democratic leadership has not done that. For that reason alone, people did vote "no" on cloture, as they previously had.

Mr. President, I yield the floor, and I thank the Senator from Ohio for allowing me the additional 4 minutes.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. BROWN. Mr. President, I ask unanimous consent that our half-hour be divided equally, with the first 15 minutes for myself, and Senator NELSON of Florida the other 15 minutes.

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

The Senator from Ohio is recognized.

#### DOHA ROUND OF WTO TALKS

Mr. BROWN. Mr. President, the Doha Round of World Trade Organization—the WTO—talks broke down yesterday. Given the tremendous problem with this Nation's trade policy, I don't know of many Ohioans who are going to be very upset, and I don't know of many of my colleagues who will be too troubled about World Trade Organization trade talks breaking down either.

The impasse at the WTO is no different from the pause we are in right now when it comes to trade. Americans are rightly skeptical about the course we are on when it comes to trade policy, and Congress reflects that skepticism. In the 2006 elections, voters all across the country told those of us in Congress, Republicans and Democrats alike, that they wanted a timeout on trade; that they wanted to see us go back and look at the success and failures of the North American Free Trade Agreement, the Central American Free Trade Agreement—so-called CAFTA

and NAFTA—and they want us to look at what PNTR—Permanent Normal Trade Relations—with China has meant. They want us to look at Colombia, and Peru, and Panama, and South Korea, and what those agreements might mean to our country.

It is pretty clear that Americans are not satisfied with the status quo of NAFTA, CAFTA, and WTO-modeled policies. One reason is our severely unbalanced trade relationship with the People's Republic of China. When it comes to competing with China, Ohio workers and manufacturers are playing with one hand tied behind their back. We shouldn't be playing under these rules.

Athletes at next week's Olympics will not be playing by these rules. Maybe there is a lesson there for the Chinese Government, for the United States Government, and for our trade policy. Workers, like athletes, can compete with anyone—good athletes and certainly American workers can compete with anyone where there is a level playing field and the rules are not rigged. But manufacturers and workers in Ohio are struggling to compete while our Government too often stands idly by while China games the system over and over and over.

This problem is urgent, as a new report from the Economic Policy Institute shows. This report finds that the United States is hemorrhaging manufacturing jobs at an alarming pace. Nothing new there. More than 366,000 jobs were lost last year alone because of our trade deficit with China—366,000 jobs in 1 year because of our trade relationship with one country. In all, EPI counts 2.3 million jobs lost to the China trade deficit since China joined the World Trade Organization less than a decade ago.

Unless China raises the real value of its currency—the yuan—by at least an additional 30 percent, and lets it float on the international currency exchanges, as most countries do, the United States trade deficit and job losses will continue to grow.

Labor rights are also a factor. The AFL-CIO estimates that repression of labor rights by the Chinese Government has lowered manufacturing rates by as much as 80 percent. To put it in perspective, my office receives at least two or three TAA certifications a week—trade adjustments from the Trade Adjustment Act on workers losing their jobs because of international trade. We receive from the Labor Department at least two or three TAA certifications a week for Ohio manufacturers. Each of these certifications represents, in most cases, hundreds of workers and their families.

What happens to a community when there is job loss? Think about a community. I was speaking to a gentleman from Tiffin in the last hour. Think about the town of Tiffin, or Chillicothe or Wilmington or Finley or Mansfield—towns of 15,000, 20,000, 30,000, or 50,000 people. When they lose a plant, a manufacturing installation—or what is



happening with DHL in Wilmington, which is way beyond that—even if they lose a plant with 300 or 400 workers, think about what it does, not just to a worker and his or her family, but what it does to the community at large, with the layoffs of police officers and teachers and firefighters, because there are significantly fewer jobs in a community of that size.

Last week, it was Ceva Logistics in Miamisburg that we got a TAA certification about—near Dayton; Acuity Lighting in Newark, and more Delphi workers. The same old story with Delphi and what has happened in the last year in Moraine, OH—again, near Dayton.

Yesterday, we got a TAA notice about Acklin Stamping Company in Toledo. The Labor Department certified that an increase in imports caused Acklin to lay off workers.

That was last week and yesterday. But how about today and how about tomorrow? Probably more TAA notices, because we get two or three almost every week. Probably more today, tomorrow, and next week, again because of a failed trade policy.

On my desk, I have a stack of auction notices from small tool and die manufacturers going out of business in my State and across the country. These notices are going-out-of-business sales. They are notices offering the sale of equipment from machine shops not just in my State but all over the country.

This week, I spoke with the CEO and the family owners of Norwalk Furniture in Norwalk, OH, a community between Cleveland and Toledo. We are trying to keep this 105-year-old company in business. Norwalk workers are represented by the Teamsters and United Steelworkers. It is a company playing by the rules, paying good wages in a small town in Ohio, with good benefits, trying to stay competitive despite having the deck stacked against it because of our trade policy with China.

Again, American companies are playing with one hand tied behind their back. China's undervalued currency and weak safety and environmental standards put American furniture manufacturers such as Norwalk at a huge disadvantage. Like many Ohio businesses, Norwalk Furniture can compete with China. It can and has competed with foreign competition. That is not the complaint. The reason manufacturers such as Norwalk Furniture are struggling and pleading for a change in trade policy is that they can't compete while the U.S. Government—the Bush Commerce Department, the Bush U.S. Trade Representative—stands by and allows China to game the system.

We see what these plant closings do to communities, which is why not only Norwalk Furniture is fighting back, but Mayor Lesch and others in Norwalk are joining them in this struggle. The trade deficit with China costs manufacturing jobs, and not just low-skilled jobs, as is commonly thought.

One very salient point from the EPI report is that it is not only apparel jobs we are talking about, and not only relatively low-wage jobs. We are getting into high-tech products, many integral to our defense industrial base. The report finds that more than a quarter of last year's record trade deficit with China was due to advanced technology products.

Last year, a \$68 billion deficit in advanced technology products was responsible for more than 25 percent of the total United States-China trade deficit. Since 2001, the flood of advanced technology imports from China eliminated 561,000 United States jobs in computer and electronic products. So we are not just talking about textile and apparel jobs.

EPI also counts more than \$8,000 in lost income for displaced workers. People who support U.S. trade policy—President Bush, Vice President CHENEY, the Republican leadership in this body—say: Well, yes, prices are low as a result of U.S. trade policy, but when companies such as shoe manufacturers move out of the United States or a steel manufacturer moves out of the United States, I don't see steel or shoe prices dropping necessarily. So I don't know if that argument holds water.

Even if you concede it might affect prices some, EPI counts more than \$8,000 in lost income per displaced worker. So what does that mean? It means someone working at American Standard in Tiffin, OH, or someone at the old Westinghouse plant in Mansfield, where I grew up, or a GM worker in Dayton or a DHL worker or ABX or ASTAR in Wilmington, when they lose a good-paying job making \$30,000, \$40,000, \$50,000, or \$60,000 a year, the next job they have on the average makes \$8,000—if they can find a job—makes \$8,000 less than they were used to making. And lower prices don't give you much of a break when you have a new job at \$8,000 less than your old job.

Proponents of China PNTR or NAFTA like to say that the jobs displaced from China are replaced with export-oriented jobs that pay better, or jobs in the service sector that pay better. Again, not true. The truth is that wages earned in United States export heavy industry paid 4 percent less than the jobs displaced by Chinese imports. So when we lose these jobs to Chinese imports, it is costing our workers that \$8,000 we were talking about. Even if we are exporting some to China, the amount we are exporting to China versus the amount we are bringing in obviously is a huge chasm. It is the better paying jobs that are moving offshore or closing because of a flood of Chinese imports.

The failure of the WTO talks could, in fact, be a blessing. The DOHA talks long ago became more of a threat than an opportunity to American farmers and to American workers and long ago represented more of a threat than an opportunity for sustainable development abroad for our trading partners.

We have an opportunity now, because of the failure of DOHA, to step away, to evaluate what is working and what is not working and start again with a new trade model—for New Jersey, the State of the Presiding Officer, and for my State. I have introduced legislation, S. 3083, the TRADE Act, which evaluates our Trade Agreements Program, which allows for renegotiation and which sets forth principles for future trade deals.

In my State, in the last year and a half, I have held about 110 roundtables in 75 of Ohio's 88 counties where I gather a group of 20 or 25 people, a cross-section of the community, and listen to them talk about their hopes and dreams and what they wish and hope for in their community and what they are fighting for, for their families and their communities. Few issues in these roundtables get workers and businesses, Democrats and Republicans—and I don't know people's party affiliations at these roundtables—few issues get them as worked up as our unfair trading relationship with China in deals such as NAFTA and CAFTA that protect Wall Street investors but don't protect labor, don't protect safety, don't protect the environment.

We have an opportunity, in the coming months and especially next year with the new President, to renew a consensus on trade. I look forward to working in my caucus and across the aisle on a better approach to trade policy for our workers, for their families, for our communities, and for our country.

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

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

NASA

Mr. NELSON of Florida. Mr. President, yesterday was the 50th anniversary of the National Aeronautics and Space Administration. I want to recall that after the space shuttle *Challenger* went down 22 years ago, in a Nation that was shocked because the very symbol of technological prowess had exploded in front of our own eyes on our television screens, the President addressed a mourning Nation and noted that even out of that tragedy, we have grown accustomed to wonders in this country. He observed that we had been so accustomed to all of that technological achievement, it was almost as if it was a Sunday afternoon drive in the car. As President Reagan said, it is hard to dazzle us. But America's space program has been doing exactly that. Now for 50 years it has been dazzling us, even in times of loss and even in times of tragedy.

Fifty years ago, it was President Eisenhower who signed the National Aeronautics and Space Act and created

NASA. Fifty years ago, in 1958—remember the context of history. The Soviets suddenly took the high ground. The Soviets shocked us because they put the first satellite, sputnik, in orbit. Here, time after time, with the old Navy Vanguard rocket, it would explode on the pad. It was not until the President went to a group of Germans—who were here because we, the United States, had gotten to Peenemunde, Germany, before the Soviets did and got about two-thirds of those German rocket scientists, headed by Wernher von Braun. So years later, the President goes to Wernher von Braun, as America's prestige was on the line because we couldn't get a rocket off the pad, and Wernher von Braun said: Give me 6 months. With the Army Redstone rocket, he put up America's first satellite—Explorer. It was in that historical context that the Congress wrote this new act that set up NASA.

Then, after we had been beaten in space by the Soviets with the first satellite, we were beaten in space by the first human in orbit. As a matter of fact, we didn't even have a rocket that had enough lift capability to get the Mercury capsule into orbit because it was that same Redstone rocket that we put the Mercury capsule on for Alan Shepard to go into suborbit. It was in that context that President Kennedy, after we had been shocked again with the Soviets putting up Gagarin for one orbit and then a few weeks later we put up Alan Shepard only into suborbit, it was at that point that the President, who is the only one who can lead America's space program—that President, in 1961, President John F. Kennedy, set the goal. He gave the vision. He said we are going to the Moon and back in 9 years, before the end of the decade. It was a bold challenge. He did that in front of a joint session of Congress: Send a human to another celestial body. Here we had not even gotten into orbit with John Glenn.

It was 10 months later, on an Atlas rocket—which was an ICBM. It was not rated for humans. We knew it had a 20-percent chance of failure when John Glenn climbed into that Mercury capsule, and then we were off on that space race. The skeptics did not think it could be done. They certainly didn't think we could go to the Moon. But NASA's Mercury, Gemini, and Apollo missions were all designed because of that bold stroke of leadership and that vision of a young President.

Nine years later, on July 20, 1969, the President's dream became a reality when Apollo 11 landed on the Moon. Who can ever forget those immortal words: Houston, the Eagle has landed. And who can ever forget those words as the commander of that mission, Neil Armstrong, climbed down the ladder of those spindly spider legs of the Apollo Lander, when he said: That is a small step for man, but that is a giant leap for mankind.

Since then, we have flown the shuttles, we have built the space station,

we have explored Jupiter and Mars, and we have had Rovers all over Mars. Indeed, it looks as if there was water on Mars. As we continue to explore the heavens, if there was water—and when we eventually get there with humans—with water, was there life? If there was life, how developed was it? If it was developed, was it civilized? And if that life was civilized, what happened? What can we learn as we explore the heavens in order to be better stewards of our planet, protecting our planet and this civilization that is on this home called planet Earth?

I am quite excited, as America celebrates NASA's 50 years of history, that we are now preparing to chart a new course into the cosmos. I am excited about the wonders that await us. There is hope for space settlements and perhaps that discovery of life elsewhere in the universe. It is going to be a page-1 story when suddenly there is some kind of transmission that we intercept that indicates there is intelligent life elsewhere in the universe.

Mr. President, you and I—our human minds cannot conceive the enormity of the universe. When we look at the size of our solar system around the Sun and we understand that there are billions of other solar systems just in our galaxy and then try to comprehend that there are billions of other galaxies—can you imagine that in a far-distant galaxy, there is another star, similar to our Sun, with planets rotating around it, that has created the climatological conditions that have brought forth the life here on this planet? Given the infinite expanse of the universe—it is going to be quite interesting when we have some discovery of an intelligent message from somewhere else in the universe. This is the excitement of the future.

As we look back on the accomplishments of 50 years of NASA, we can look with great pride, but excitement, to the future. This is the promise of a new President of the United States making a bold declaration of our understanding and exploration of the heavens.

As President Kennedy promised all those years ago, science and education have been greatly enriched by the new knowledge of our universe and of our environment. Life here on Earth has improved by leaps and bounds from the spinoffs of the space technology—the space tools, the computers, the miniaturization—all of this which has been adapted to our daily lifestyles and to industry and to medicine and to our individual homes. America's space effort has created scores of new high-tech companies and hundreds of thousands of jobs. Simply put, we all reap the harvest of gains from our exploration of space. That is why now, at this watershed point of where NASA is going in the future, that is why we cannot cede our leadership in space or waiver in our support for our space program.

There is another reason we undertake the risk and invest in space exploration.

It is not the pure science, it is not the technology spinoffs, it is not the high-tech workforce, or it is not that we want to extend human civilization beyond our planet. We do it because it is in our character and our nature as a people. We are, as Americans, explorers by nature.

In the past, we always have had a frontier. As this Nation developed, it was a westward-expanding frontier. Now that expansion is upward. It has been said that there are two fundamental differences between humans and other species. As humans, we have souls. As humans, we are curious. It has also been said that the exploration of space is a testament to these differences. Curiosity, which is unique to humans, drives us to explore, and our soul gives us meaning to this endeavor.

As we celebrate 50 years of NASA's history, let us continue to be a bit overwhelmed. Let us be dazzled again. That concludes my comments on NASA. I have some other comments on a different subject unless we are in some restriction here on the time.

The PRESIDING OFFICER. The Senator has 2 minutes 40 seconds remaining.

Mr. NELSON of Florida. When one of our colleagues comes to the floor, I am told that I can continue until that time.

SAMUEL SNOW

I want to share with the Senate the tragedy of a fellow named Samuel Snow, Samuel Snow, 84 years old, African American. The time is 1944 and he is part of the U.S. forces in a military installation in Seattle, WA. It is an installation where there were Italian prisoners of war. Somehow a riot breaks out, and in the course of this riot in the prisoner of war camp, one of these Italian prisoners of war is lynched, and the African-American U.S. soldiers are charged. They are summarily dismissed. They are put in jail. For a year, Samuel Snow was put in jail. He was then dishonorably discharged, all the time maintaining his innocence.

As he was discharged dishonorably, he went back to his hometown of Leesburg, FL. The only work he could get was that of janitor. Yet he was so respected in his neighborhood he became the neighborhood handyman. He married his high school sweetheart. They had children. He raised that family.

In 2005, a journalist in Seattle, WA, an investigative journalist, dug into this situation and found that Sam Snow had been railroaded and showed he was innocent. Now, you can imagine all of those years after that.

Then the Army, the U.S. Army, to its embarrassment, decides it is going to reverse the dishonorable discharge and give him an honorable discharge. And oh, by the way, out of their generosity of heart, they decide they are going to pay him his annual wage for the year he spent in the military prison, so they are going to cut him a check of \$725.

Well, when this Senator found out about that happening to a Floridian,

this Senator about went into orbit again, and, of course, not only writing to the Pentagon but having direct talks with the Secretary of the Army in front of our committee, the Joint Chiefs of Staff. All of them came back and said: Well, the law is that we cannot pay any more. We cannot pay even what we were asking for.

At least give him the cost-of-living adjustment for those 60 years of his military pay that he was denied. They say: No, we cannot do it. The law does not allow it.

Well, we put it in the Defense authorization bill. It is before the Senate. And as soon as the Senate will finally take up the Defense authorization bill, we will pass it out of here. It is already in the version of the House that has passed the House. It will become law.

But let me tell you the sad ending to this story. Last Saturday, Sam Snow and his son Ray traveled to Seattle for the ceremony conducted by the U.S. Army to give him his papers for his honorable discharge. He became ill in Seattle before the ceremony. His son went in his place. His son received the honorable discharge, brought it back to his dad, and with a big smile on his dad's face, his son read him the honorable discharge from an incident, a terrible mark upon the U.S. Army that had occurred 60 years before.

I am sad to tell you that 3 hours later, Sam Snow passed away to go on to be with his Maker. He is still owed that back pay, and he is owed more than some \$725. This Senator, when we pass that Defense authorization bill, is looking forward to the day that that sum, adjusted, will go to his grieving family.

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

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

#### CLEAN BOATING ACT OF 2008

Mr. NELSON of Florida. Mr. President, until another Senator has come to the floor to seek recognition, I have another subject I have been waiting patiently to speak on, and we have been so busy on the floor that I have not had a chance to speak on it.

This is another good news story. We have finally passed, by the Senate working together across the aisle, bipartisan, we have passed a bill, we have passed legislation, and it is anticipated that it will be signed shortly by the President into law, averting a total disaster where the Environmental Protection Agency, pursuant to a judge's decision in Federal court on the west coast of the United States, the EPA was going to require a permit of every little recreational boat owner for any kind of runoff from that boat, whether it be in washing down the deck, wheth-

er it be the bilge water, whether it be water coming out of an outboard motor, whether it be trying to scoop out the water filling up in a little motorboat. Whatever it is, they were going to require, for the 23 million recreational boat owners, 2 million of which are in my State of Florida, they were going to require going to the EPA in order to get a permit.

By working it out on both sides of the aisle in a bipartisan fashion, we were able also to get a delay of an additional 24 months for commercial vessels under 79 feet and all commercial fishing vessels regardless of size.

All of this came from the decision of a judge who was trying to protect the interests of the United States. Because what happened is these foreign vessels that come in with ballast water in order to weigh down a vessel before it then comes to the United States and takes on cargo that weighs down the vessel would then dump this water that was there for ballast in the waters of the United States. The problem was they would take on water elsewhere in the world that was contaminated, and a certain kind of snail was one of these contaminants that would then go into any kind of drain under the water and start to clog up the drain. So there was clearly an environmental interest to be protected against all of these big commercial vessels bringing in this foreign ballast water that was contaminating our waters.

But the fact is, the court's ruling became so expansive that it said in incidental runoff from little recreational boats, you are going to have to get an EPA permit as well.

Fortunately, common sense prevailed and we have been able to overcome that. We passed it in the House and the Senate. It is on its way to the White House. Presumably the President will sign this momentarily and it will be law, averting this disaster that was about to occur in September where all of these recreational boat owners and the commercial small fishing vessels were going to have to get this EPA permit.

That is a commonsense story. It is also a good news story. I wanted to share that with the Senate. I thank the folks who have worked with me on this legislation, particularly the chairman of the Environment Committee, Senator BOXER, and Senator MURKOWSKI of Alaska, who helped work with us with regard to the commercial fishing vessels that were 79 feet and less. I am glad to bring this good news to the Senate.

I yield the floor and 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. NELSON of Florida. I ask unanimous consent that the order for the quorum call be rescinded.

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

#### 9-1-1 SERVICE

Mr. NELSON of Florida. Mr. President, I have the opportunity to clear the decks today with another speech I have been waiting to give. Since one of our colleagues is not coming, I am going to take advantage of this lull of the Senate and, since a Senator is walking in, I will make it short.

A tragedy occurred in Florida about 4 years ago, when a child in Deltona, FL, which is north of Orlando, started choking. The mom raced to the phone and dialed 9-1-1 and then she ran back to the child when she could not get anyone to answer on 9-1-1 to help the child. But it was to no avail. And what we found out was, in fact, this was a voice over the Internet telephone conversation and that, in fact, there was no emergency 9-1-1. So for the last 3 or 4 years, some of us have been trying to make sure there is a mandate for 9-1-1 service on a telephone that happened to be transmitted over the Internet instead of over the normal telephonic wires. Happily, I can say to the Senate we worked that legislation out. It was comprehensive. We worked out the differences between the House and Senate. On another happy occasion, the President invited a bunch of us to come down for a signing ceremony. I'm happy to say that in the future, when anybody runs to a telephone to dial 9-1-1, it is not going to be the technical difference of that phone. They are going to know it is hooked up to emergency services. That is my good news story.

I yield the floor.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BOND. Mr. President, I ask unanimous consent to speak for 15 minutes.

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

#### RURAL GAS CRISIS

Mr. BOND. Mr. President, I thank my colleague from Florida for filling in for me while I was caught up in a radio interview.

We are here today to talk about a real crisis, a rural America crisis. Rural America is suffering a gas price crisis. Rural America deserves action now to get gas prices down. Rural America knows this fundamentally is a problem of not enough supply to meet demand. We need to find more oil and use less to bring the real gas price relief rural America needs. Families, farmers, truckers across rural Missouri, my home State, are suffering record pain at the pump. At kitchen tables in the farmhouses of rural Missouri, farmers, dairy producers, and cattlemen are facing a gas price crisis. Farm costs are higher than ever. Farm fuel to run tractors and farm equipment is at record levels. Transportation costs to get goods to the market are at a record level. The ability of consumers to buy products is under record pressure. People are seeing higher food prices because food has to travel. The average item on the grocery shelf travels 1,300 miles. Record-high

diesel prices are adding to the price of food goods in the store.

All this means real suffering for rural Missouri and its farmers. Down country roads of rural Missouri, rural families are facing a gas price crisis. They have to cut budgets hit hard by high gas prices. Many of these families live in rural areas because they are of modest means. Maybe they are looking for cheaper housing than offered in big cities. Maybe they are fixed-income retirees staying in their own hometowns. Either way, when it comes time to cut the family budget, the cuts will go extra deep.

What will these rural families cut because of higher gas prices? With the school year coming, they have to get the kids to school. Will a rural family give up buying new clothes for their kids? Will struggling fixed-income seniors cancel doctors appointments or cut back on medication?

Truckers across Missouri are facing a gas price crisis. Many trucking firms are based in rural areas, where land and fuel were cheaper, but record diesel prices are hammering truckers and trucking companies. Mom-and-pop trucking firms are laying off drivers. Some are even going into bankruptcy. Many rural families and workers also depend on airlines for service and jobs. Airlines are facing record-high jet fuel prices. That is forcing airlines to lay off workers and cut back service. Many of the blue-collar workers who moved back to maintain planes and service airports are being affected.

American Airlines, for example, is set to eliminate some 6,500 jobs because of record-high oil prices. Airlines also cut low-volume routes to rural areas first. Airlines are trying to manage rising fuel costs by using the financial markets to hedge against risk. But their experts tell me the main problem is a fear that there will not be a supply there in the future. They say if the U.S. Government would take steps to increase supply, it would bring about a huge change in the market and bring prices down immediately. Why? Because the current price being paid on the hedging market for oil to be delivered in 3 years depends upon their expectation of what the demand and supply will be in the years ahead. Right now there is every reason to think that if we do nothing, if we are prevented from getting a gas price reduction bill that provides more and allows us to use less through this Senate, the price will not be just \$140 a barrel. The price will not just be \$185. It will be \$200 or \$250. So people's retirement plans, such as CalPERS, California Public Employees Retirement System, are bidding up the price in the future because they don't expect supply to go up. Bringing that price down will make a difference. It will make a difference in the price of oil today, just as President Bush's ending of the Executive moratorium on offshore drilling brought the price down from \$145 to \$120.

Bringing the price down could make a real difference between keeping jobs

and service in rural America and letting go thousands of workers. The suffering of rural Missouri families, farmers, and truckers is why we are fighting so hard to lower gas prices. We are fighting to open new supplies of oil needed to get prices down. Real action to lower gas prices is the most important thing we can do to help rural America and rural Missouri. Fighting for real action to lower gas prices is the most important thing I could do to help rural Missouri. I have amendments to force gas prices down by opening new offshore oil reserves waiting for us. I filed an amendment to lower gas prices by opening access to the 18 billion barrels of oil waiting for us off America's Atlantic and Pacific coasts. These reserves could supply America with 10 years of additional oil supplies, if we would only allow ourselves to use them to change a 30-year policy the Democrats have imposed, that Senator OBAMA continues to champion, of no drilling, no refineries, no nuclear power. The decision to open our offshore oil reserves would immediately cause the price of oil to fall.

We know that because this happened earlier this month, when President Bush reversed the Executive ban and brought the price of oil immediately down \$10 and, now, \$20 a barrel. Nothing hurts speculators bidding up the price of oil more than news of additional oil supplies coming in the future. Congress must do our part to lower gas prices even further by opening new offshore reserves. However, the Democratic Party is blocking the Senate from considering my amendment to tap offshore oil reserves, even as I speak. I also cosponsored an amendment with several Senate colleagues to tap offshore oil reserves in the eastern Gulf of Mexico. There are almost 3 billion barrels of oil in the eastern gulf waiting to help bring gas prices down for rural Missouri. Unfortunately, the Democratic leadership is also blocking consideration of this amendment.

I also agree we must help America use less oil. I have an amendment that would relieve the pressure on gas prices by increasing conservation. My amendment would aggressively promote advanced vehicle batteries and their production in the United States for hybrid, plug-in hybrid, and electric vehicles. My amendment would provide new funds for hybrid battery research and development, battery manufacturing equipment and capabilities, and re-equipping, expanding or establishing U.S. domestic manufacturing facilities for hybrid vehicle batteries. U.S. domestic mass production of hybrid batteries would get battery prices down, getting the hybrid vehicle prices down. But most importantly, it would give our auto companies access to the batteries we need. Right now many of the batteries have to be brought in from Asia. As the demand for more batteries goes up in Asia, I can assure my colleagues that American auto companies will not necessarily be first in line to

get that production. We need to put American workers to work building the batteries, the advanced batteries that will go into the electric cars, the plug-ins, and the hybrid plug-ins. This would not only conserve oil. It would give jobs to blue-collar manufacturing workers and help the environment. It is going to be good for Missouri when we do it. The question is when.

Missouri is a national leader in hybrid car production, in batteries, and advanced vehicle batteries. We make traditional batteries across the State because we are the leader in lead. We mine a lot of lead in Missouri. When you are talking about environmental dangers, yes, lead has some dangers to it. There is only one simple reason we mine lead in Missouri, and that is because we have 90 percent of it in the United States. When people tell me they don't want to drill for natural gas because they don't like the sight of natural gas wells, but they have the natural gas, I say: If you will trade us your natural gas for our lead, I would be happy to let them drill in my backyard.

But Missouri, with all the battery specialists, the technical workers we have, the scientists, is on the cutting edge of battery technology, with firms developing safer, stronger lithium ion batteries. We are also home to a hybrid SUV assembly plant in Kansas City. This success does not have to be limited to Missouri. Communities across America can share in the drive to establish a domestic manufacturing supply base for mass hybrid car construction.

Rural communities, especially, can benefit from the good-paying manufacturing jobs that U.S. mass battery production would provide. Rural school districts would benefit from new tax revenues. Rural police and firefighters would benefit. Unfortunately, as I said, Democrats are blocking Senate consideration.

Now, what answers do my colleagues on the other side of the aisle have for rural America? Well they propose making things worse by suing oil-producing countries.

Folks back home in my part of rural Missouri may not know much about antitrust laws—most folks don't—but anyone with common sense would know, if you sue someone, they would likely take what they have and sell it to somebody else.

I guess this was an idea cooked up by trial lawyers who are eager to sue anybody they can. As you might imagine, there are not too many trial lawyers in rural Missouri.

Democrats also proposed raiding our emergency oil supplies in the Strategic Petroleum Reserve. Putting aside the fact that these emergency reserves are only meant to be used in times supply is cut off, such as during a war, this plan would only produce 3½ days of additional oil.

So while Republicans are offering rural America 10 years of additional oil

supplies, Democrats think rural America should get by on only 3½ days of extra supplies. This lack of sympathy for taking real action may be based on the fact that a lot of Democrats are fine with higher oil prices.

After all, the Democratic nominee for President, Senator OBAMA, said the problem was not that gas prices were so high, the problem was merely that gas prices had risen so quickly. That is akin to telling people it is OK to drown as long as the water rises slowly.

Today, in Springfield, MO, the Democratic nominee suggested we all make sure we properly inflate our tires. Big deal. I believe in all tires being fully inflated. But, frankly, that is the kind of hot air—this hot air being into tires—that we have been hearing too much of on this floor.

Rural Missouri is suffering record pain at the pump, and the best thing he can come up with is more hot air—this time for our tires. Rural Missouri deserves more than the hot air from the Illinois Senator.

Senator McCain has come out very clearly and strongly in support of drilling, of exploring, of developing nuclear power.

We tried last year. Congress passed the largest increase in auto fuel efficiency requirements in a generation to bring down gas usage. Well, that did nothing to prevent record-high prices. That is because it will take years before more fuel-efficient cars are required. The Democratic candidate for President must want us to suffer through record-high gas prices until those conservation measures kick in.

I support increasing conservation, but we must not force a prescription of pain on America while we wait years for these conservation measures to kick in.

The Democratic candidate for President has suggested another stimulus package to help drivers through this price crisis. I am sure Missouri rural families would be happy to receive a few hundred dollars more in stimulus relief. But what they want is not to get a check from the Government—after the handful of tanks of gasoline that money could buy is spent—they want to bring down the price. They will be right back where they are, paying the full price of record-high gas prices, and we will do nothing but increase our deficit.

Rural Missouri and America deserve more than a prescription of pain to address the gas price crisis. We deserve more than half measures that will only produce a few days or months more of additional supplies. Rural Missouri deserves more than a Senate attempting to abandon them and this gas price crisis by moving on to other issues.

Rural Missouri and the people of America deserve real action now to lower gas prices. That means new offshore oil supplies to get prices down, new offshore oil supplies for Missouri families, new offshore oil supplies for Missouri farmers, and new offshore oil

supplies for Missouri truckers. That is our only real hope for real gas price relief.

I urge my Senate colleagues to let us act on it and act now.

I thank the Chair and yield the floor. The PRESIDING OFFICER. The Senator from Montana is recognized.

MONTANA NATIONAL GUARD

Mr. TESTER. Mr. President, I wish to begin by noting that, again, it is fire season in Montana.

Right now, major wildfires are threatening homes in a small town called Red Lodge. The Cascade fire has been burning and has burned about 6,000 acres. It is burning uncomfortably close to the Red Lodge Mountain ski area.

The hot, dry weather forecast over the next week means there are likely to be more fires and more acres of rangeland and forest lost.

Fire season in Montana officially runs from August until the first snow in fall. So, once again, we are off to an early start.

Wildfires are becoming a fact of the West. We accept it. We deal with it.

The good news is Montana is blessed with outstanding firefighters from the U.S. Forest Service, Tribal Nations, and the State Department of Natural Resources, as well as first responders from local volunteer and paid fire departments.

When they need reinforcements, they turn to the Montana National Guard. Last year, more than 200 guardsmen were mobilized to help fight wildfires in Montana. While no guardsmen have been mobilized yet this year, it will happen at some point—just as they are mobilized every year to protect people and homes, dig out fire lines, smother embers, and provide all manner of hands-on support to this team effort.

There are not too many jobs in this country where the work is as varied as service in our National Guard. This summer we can expect that hundreds of National Guardsmen in Montana and throughout the West will be mobilized to help fight wildfires. It has already happened in California, where the Governor called up 200 Guardsmen.

This is a vital role in our Nation's homeland security.

And just as the Guard answers the call for homeland security missions, they answer the bell when it comes to national security.

In 2004 and 2005, more than 1,500 of my State's National Guard deployed to Iraq. They did yeoman's work over there, and we can all be very proud of their service and grateful for it as well. Today, there are nearly 23,000 National Guardsmen serving in Iraq and Afghanistan.

Another 3,000 Guardsmen from all over the country work hard to protect our southern border, helping the Border Patrol get a better handle on securing that border. Four hundred Montana Guardsmen were a proud part of that important effort earlier this year.

So as the National Guard in Montana prepares for the inevitable mobiliza-

tion fight against wildfires here at home, I think it is appropriate we stop to thank the 3,500-strong members of our Montana National Guard for what they do both abroad and here at home.

As wildfires continue to threaten Montana's countryside and our communities, I wish to pay tribute to all the brave men and women who put it on the line to fight our fires.

ENERGY

Mr. President, I wish to comment on the energy debate we have been having in the Senate. Every Tuesday morning, for 2½ hours, I get to preside over this great body, and I get to hear folks from both sides of the aisle talk about issues of importance.

The energy debate has been particularly intriguing because I have seen folks on the other side of the aisle hold up signs that talk about drilling more and using less.

They are quick to support oil production. But on the other hand, they will not support alternative energies or conservation methods. They talk about drilling more as if it is going to change the price of gasoline tomorrow.

The fact is, the United States has less than 3 percent of the world's reserves of oil. We use 25 percent of the supply. As far as drilling goes, we are drilling now like there is no tomorrow. In fact, in Montana, you would be hard-pressed to find a drilling rig if you wanted to punch a hole.

In Montana, we have offered over 3 million acres of leasing since 2000. We have increased our oil production two and a half-fold. We have drilled 4,870 wells in the last 5 years. Yet we continually see the price of oil go up and up and up. Why? Well, a lot of it has to do with the fact that the major oil companies last year made hundreds of billions of dollars off the consumers' back.

What can we do? What can we do to help bring the price of oil down? Sure, we are going to continue to drill, and I support that effort. But we need additions to our energy portfolio. If we continue to rely on oil as our chief supplier of energy, we are going to be continuing to be beholden to Saudi Arabia and OPEC forever. That ought not be the direction we go.

My good friend, my comrade, Senator BAUCUS, put forth a tax extenders bill earlier today. Yesterday, we had a chance to vote on one from the House. They were both defeated. They were not allowed to move forward. There was a majority, but there was not 60 votes.

What was in that tax extenders bill? One of the things that was in it was a renewable energy tax credit extension, a continuation that would put more energy in the marketplace.

As shown on this chart, we can see what happens when we have the wind energy tax credit. The yellow bars indicate that. The orange bars indicate when it does not happen. If we have the wind energy tax credit, wind energy production goes up, and there is more

energy in the marketplace. When we don't, it does not.

Because of the vote that was taken earlier today, you will see a decrease in wind energy production—a big mistake for this country, not very visionary.

Because of the vote that took place earlier today, we not only will see wind energy grind to a halt, we will see geothermal—which we have a tremendous opportunity for throughout the country, particularly in Montana—we will see biomass, landfill gas—we have an electrical cooperative in northwestern Montana, Flathead Electric Cooperative, that is talking about capturing methane gas off the landfill to produce energy, getting something from nothing—we will not see any of that stuff go on because of the defeat of the tax extenders bill.

In that tax extenders bill, there were also long-term extensions of tax credits for solar energy and fuel cells. Solar energy: getting our energy from the Sun to help replace some of that oil from the Middle East—not going to happen. Folks talk about corn ethanol and how they don't like it. I am not one of them. But I do think we need to get the second generation of ethanol production, cellulosic ethanol. There was a credit for property in that tax extenders bill that was not agreed to earlier today. That will not happen; a biodiesel tax credit. I have talked about a camelina provision in the farm bill for biodiesel, and there are other opportunities in all sorts of oilseeds out there. The biodiesel tax credit does not happen because we did not pass that bill Senator BAUCUS offered earlier today.

Carbon capture and storage technology to make our coal burn cleaner. In Montana, we are the "Saudi Arabia" of coal. We have an incredible opportunity. But without good technology to capture carbon and store it, we will never be all we can be. It would make us more energy independent.

Talk about producing more here at home: Drilling is part of the equation. But an even bigger part of the equation could have been to pass that tax extenders bill earlier today.

Let's talk about using less.

In that tax extenders bill, there were energy efficiency tax credits to help make our homes more energy efficient. It is not going to happen. There was a credit to reduce idling for truckers—that we all see happen—to save transportation fuel. It is not going to happen.

You want to talk about using less? There was a bicycling tax credit for those folks who want to ride their bicycle to work rather than to drive. It will not happen.

There were incentives for geothermal heat pumps in our homes that use less energy with more consistency. It is not going to happen.

There were energy conservation bonds for States and local school districts. The list goes on and on and on.

I ask myself: Why? Why does it have to be this way? Why aren't we looking

to the future? Why are we not talking about more than drilling? The fact is, we are drilling. We are drilling an incredible amount of land in this country. It needs to be a bridge. But it needs to be a bridge to somewhere this time. If we put forth the renewable energy components that are in the tax extenders bill, we will have a future. We will have a future of affordable energy.

I ask my comrades to pass that tax extenders bill. It is incredibly important. It is not just because of energy that it is important.

#### SECURE RURAL SCHOOLS

Finally, I wish to talk about the security of rural schools. These are payments to Montana's rural communities and forested counties that have an incredible amount of public lands.

The Secure Rural Schools dollars are important not only for the school but also for our roads and our rural counties. Montana is rich in public lands. Consequently, it puts more pressure on property taxes of private property in those counties. With the Secure Rural Schools money, it gives those rural and forested counties the opportunity to meet the needs of the kids in these rural districts and to meet the needs of the transportation industry in those rural districts. We all know that less money for rural schools means lower teacher pay, bigger classroom size, fewer activities, and students start to fall behind.

County road workers right now are being laid off. I spoke with the head of the Montana Association of Counties. He said to the counties: Take your budgets and utilize them as if this money is not going to happen because it is not until we pass the tax extenders programs.

We had the opportunity in this body today and yesterday to pass a good bill that meets the needs of America's families, small businesses, and the economy. It was not passed. There are all sorts of excuses for it, but they are simply that: excuses. We need to move forward with some proactive thinking in this body. I hope the next time this bill hits this floor, it is passed and passed by a large margin.

I thank the Chair.

I yield the floor.

The PRESIDING OFFICER (Mr. CARDIN). The Senator from North Dakota.

Mr. DORGAN. Mr. President, I ask unanimous consent to be recognized following the presentation by the Senator from Minnesota.

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

Ms. KLOBUCHAR. Mr. President, I come to the floor today with much dismay over the fact that we were not able to pass the energy extenders, the tax extenders, the package of important provisions for our country's economy because of this obstructionism on the other side.

Let me tell my colleagues why this was so important to me. We only got

four Republican votes for this package. I think it is outrageous when you look at what we are dealing with. This week we are going to be memorializing the tragic, tragic, tragic fall of the bridge in the middle of Minnesota. I am going to speak to that tomorrow and do a fitting tribute, along with Senator COLEMAN, to the victims of that bridge collapse and to the first responders who saved so many lives, and to the reconstruction work that has gone on thanks to the help of this Senate. I live six blocks from that bridge, so it means a lot to me.

I said the week the bridge fell down that in America, a bridge shouldn't fall down in the middle of the Mississippi River, especially not on an eight-lane highway, especially not on one of the most heavily traveled bridges in the State, especially not at rush hour in the heart of a major metropolitan area. Unfortunately, however, it took that disaster to put the issue of infrastructure funding squarely on the national agenda, and it is long overdue. That is why I was so disappointed that in this important bill was \$8 billion to replenish the highway trust fund of this country, to replenish that fund. Mr. President, 400,000 jobs in this country are at stake in that bill that was voted down by the other side.

Look what is happening in this country with our infrastructure. Let's take the issue of bridges. Nationwide, bridges are deteriorating far faster than we can repair or replace them. About 78,000 bridges across the Nation are structurally deficient. What does structurally deficient mean? When inspectors evaluate a bridge, they examine the bridge's deck, superstructure, and substructure. Each of these components is ranked on a scale of 0 to 9, with 0 being failed and 9 being excellent. If the deck, superstructure, or substructure is given a 4 or less, the bridge is classified as structurally deficient.

In June of 2006, the I-35W bridge's superstructure—meaning the physical conditions of all structural members—was rated at a 4. The bridge's deck was rated at a 5, and the substructure, comprised of the piers, the footings, and other components, was rated as a 6. A bridge is shut down if any of its parts are rated at a 2.

Then we have another 80,000 bridges across the Nation which are functionally obsolete. What does functionally obsolete mean? That means they don't meet today's design standards, they don't conform to today's safety standards, and they are handling traffic far beyond their design. Fully one-quarter of America's 600,000 bridges have aged so much that their physical condition or their ability to withstand current traffic levels is simply inadequate. These bridges require immediate attention.

I can tell you since our bridge fell on that summer day on August 1, we have had a number of bridges shut down, close down in our State, including one



that handled a lot of traffic in St. Cloud, MN. There was one in Winona, MN, that was actually on the Federal stamp from our State that was temporarily closed down and is going to have to be rebuilt.

We are seeing this across the country. We are seeing a need for infrastructure funding. At a time when our economy is facing such difficult times, I see this as an investment, not only in the long-term viability for our country's transportation system but also in jobs. That is why I am so disappointed that the other side was willing to turn their backs on 400,000 existing jobs, much less add new ones, by turning down that \$8 billion replenishment of the highway trust fund.

It was President Kennedy who once said that building a road or highway isn't pretty, but it is something our economy needs to have. I can tell you beyond the bridges in metropolitan areas, nowhere is that truer than in rural America. We are seeing a rejuvenation because of the energy economy right now in rural Minnesota as we are in so much of rural America. Senator TESTER from Montana talked about this. We are seeing biofuels, whether it is biodiesel, ethanol, moving to cellulosic ethanol; whether it is wind or solar. We are third in the country in Minnesota with wind energy—third in the country.

I have seen jobs such as in Starbuck, MN, where a group of 10 people decided to quit their jobs and go work for a solar panel factory. They were so proud of their work they had me jump up and down on those solar panels to show that they can withstand hail damage, and they did.

I can tell you this: We are seeing these jobs and we need courage in Washington that matches the courage of these employees in Starbuck, MN, or in Pipestone—the courage of these employees who are willing to see a better energy future, while this body on the other side is willing to shoot it down by shooting down those tax extenders for energy. This is the wave of the future. This is the way we are going to be investing in homegrown energy and in the farmers and the workers of the Midwest instead of the oil cartels in the Mideast.

So it is about the energy extenders for me in my State and across the country, but it is also about the transportation funding that came in replenishing that highway trust fund. When you start building this energy economy, with the wind turbines and with the biofuels in the trucks going across these roads, you are going to put more stress on the roads and the rail in rural America. If we are going to move to the next century's economic system, we can't be stuck in the last century's transportation system.

I will give some examples. The ethanol plant in Bentsen, MN, now has over 525 fully loaded semis hauling the ethanol from their plant every week. This is a 45-million gallon facility.

Their production falls about in the middle of our biodiesel facilities in Minnesota.

SMI Hydraulics is a company in rural southwestern Minnesota that manufactures the bases for the wind towers you see all across our country. This is a company that started as a barn. The wind towers they manufacture actually come out of the side of the barn as they are employing dozens of people right in this little town. The heavy trucks that bring the steel to the company put a heavy burden on the road as they travel and are putting durability to a test. This truck travel and the need for more rail travel is part of our transportation future, but when the other side shoots down our ability to even replenish the highway trust fund, we are not going to be moving in the right direction for our economy. We are not going to help these rural people to develop the true energy economy they need to develop.

In his 1963 "Memoir for Change," President Eisenhower famously said:

More than any single action by the government since the end of the war, this one would change the face of America.

He was talking about the interstate highway system. Its impact on the American economy, the jobs it would produce in manufacturing and construction, the rural areas it would open up were beyond calculation. Well, he was right. Just as he was right back in 1963, we know he is still right in 2008. So the gall to turn down the replenishment of that highway trust fund and to stop America as we try to head to the new energy future—other countries are leapfrogging us because they have government policies in place that mandate these green jobs and move in the right direction—is plain wrong.

The one last thing I wish to say is there is one way—as we look to jump-starting the economy right now, as we look at solving our oil crisis and our dependency on foreign oil and our spending of \$600,000 a minute on foreign oil—and that is the President. He doesn't need the Congress. He can complain about Congress all he wants, but the President of the United States can actually release barrels of oil from the Strategic Petroleum Reserve. He can do it right now. He could do it in the next hour. We can look at what has happened in the past: 1990 to 1991, 11 million barrels were released; 1996 to 1997, 28 million barrels were released to reduce the Federal debt. In 2005, 21 million barrels were released after Katrina. We can look at how full the petroleum reserve has been. In 1993, 79 percent full; in 2001, it was 74 percent full. Well, right now, in 2008, it is 97 percent full. So this President, on his own, could simply release the barrels of oil from that Strategic Petroleum Reserve.

We are the home of Northwest Airlines in Minnesota. The CEO there, Doug Steenland, has spoken with me many times. Tens of thousands of customers have sent e-mails saying we

want to stop this speculation and we want to do something about helping Americans and helping these companies with oil prices. One way to do this immediately is to release some of the barrels of oil, 97 percent full, from that Strategic Petroleum Reserve. If you even go down to 90 percent, you could inject \$6 billion into the American economy and help to bring those oil prices down. This is up to the President. He could do it with one signature on one document. He doesn't need us passing a bill to have to deal with these guys and their filibuster. He could do it himself.

So in addition to passing these tax extenders, to getting our green energy economy going and doing something about that highway trust fund so another bridge doesn't fall down in the middle of America, this President, himself, without even one vote from Congress, could release barrels of oil into the American economy and help not only customers but also help the businesses in this country who are finding it harder and harder to compete as we see the price of oil escalate.

Thank you very much, Mr. President. I yield the floor.

The PRESIDING OFFICER. The Senator from Virginia is recognized.

Mr. WEBB. I ask unanimous consent to speak for 5 minutes as in morning business.

The PRESIDING OFFICER. The Senator has that right.

#### REMEMBERING FREDDIE HUTCHINS

Mr. WEBB. Mr. President, I rise today to extend my condolences to the family and friends of Mr. Freddie Hutchins who passed away suddenly yesterday, on July 29. Freddie served on my staff since my election. He managed my Roanoke Senate office. He was a tremendous individual with a great deal of promise. I had selected him from a number of very talented people down in southwest Virginia to run this office. He passed away, as I said, suddenly only at the age of 26.

Freddie was a product of southwest Virginia. He grew up in Botetourt County. He was very heavily influenced by his grandfather, who was a very active Democrat and railroad man, a union man down in southwest Virginia. He was known for having made himself a business card at the age of 13 saying Freddie Hutchins, Democrat. He loved the rich culture of southwest Virginia.

He represented the values that characterize that region. He loved his country. He had a great sense of service and a determination to work hard. He developed a very early interest in politics. He was a C-SPAN enthusiast at a young age. Before joining my office, he had worked for State Delegate Onzlee Ware as a legislative aide and had been active in a number of political campaigns.

He was a tireless and vocal advocate for working people in this country. He was committed to social justice and was someone who was always eager and enthusiastic to help people.

He was one of the most honorable and friendly individuals I have ever had the pleasure of knowing. He was a mainstay in that community and had a very bright future. I had always assumed that Freddie Hutchins would be running for elective office in the near future. He was a friend to all who knew him.

Again, I express my condolences to his mother Karen and the rest of his family and all of those whom he had reached out and done so much with and for over the years. He will be greatly missed.

With that, I yield the floor.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. REID. What is the status of the floor?

The PRESIDING OFFICER. There is 4 minutes 40 seconds remaining for the majority in this block of time.

Mr. REID. For how long?

The PRESIDING OFFICER. The time is alternating 30 minutes between the majority and the Republicans.

Mr. REID. I am going to use leader time now, and I ask unanimous consent that the Democrats' 4 minutes be preserved.

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

The majority leader is recognized.

Mr. REID. Mr. President, we over here, the mighty band of Democrats, with the majority of 1—there are 51 of us and 49 of them—trying so hard to do something on energy. We have been trying for months now. I think we have done some things that would be good for the American people but for the fact that the Republicans have basically objected to everything we have tried to do.

What have we tried to do? We introduced S. 3044, called the Consumer-First Energy Act. It has some tremendously powerful things in it that relate to what the American people's problem is today: high gas prices.

In that legislation, we talk about price gouging. Do we have any reason to have in a provision of law an element that we can go after companies that price gouge? Of course. The oil companies, during the Bush years, have had net profits of \$609 billion. So our price-gouging provision was, we thought, very key in doing something about energy.

In S. 3044, we had something dealing with the oil subsidies the oil companies have received, that perhaps they should be cut back. They are making these huge profits. In this bill, we had a provision that was bipartisan and has been pushed by Senator KOHL of Wisconsin and Senator SPECTER of Pennsylvania—NOPEC is what it was called. It was a proposal to have the OPEC cartel be subject to the Sherman Antitrust Act. That seems reasonable, since these countries have the absolute ability to so easily lock in prices and determine what prices are going to be charged around the world. Senators KOHL and SPECTER thought this was

good legislation, and so did we. That is why we put it in our legislation.

We also had a provision in our legislation dealing with speculation. I will talk about that later. We not only had it in S. 3044, we had freestanding legislation dealing with speculation.

We also had in S. 3044 something dealing with a windfall profits tax, which should be part of the law of our country today. The American consumer agrees with that.

Mr. President, Senator BINGAMAN also prepared legislation, which has now been filed at the desk. It is very good legislation. We were asking for help from the Republicans and got none. Senator BINGAMAN is one of the most astute, hard-working, creative, and smartest Senators we have ever had in this body. In that legislation, S. 5135, we had some really good things. It wasn't "take it or leave it" legislation. With the 68 million acres the oil companies have, it called for due diligence. It said: With the 68 million acres you have, let's find out what you are doing with it, why you are not drilling in some parts of it, and report to the Interior Department and find out what is going on with that land. It is typical of Senator BINGAMAN because it was well thought out. Rather than the provision that some were talking about—use it or lose it—Senator BINGAMAN believed that was appropriate, and that is why he went through the trouble of coming up with this legislation.

He also had something in the bill that would be important which deals with building codes, making it so that in the future, when things are built, when construction takes place, it deals with the environment. There is so much that can be done to save huge amounts of electricity if we had buildings built properly.

We also had a provision on which the Senator from Minnesota spoke so eloquently which said that we want you to take the great resource we have—the more than 700 million barrels of oil we have in our Strategic Petroleum Reserve—and we want you to announce to the world that we are going to start using some of that. We are going to start using that to bring down the price of oil. We know it works. We know it works because the President's father did it, and it brought down the price of oil. We have asked that this be done on other occasions, but we put it in this legislation Senator BINGAMAN came up with.

The airlines tell us it is important to bring down the prices. The airline companies need to have oil, for these companies to be able to succeed, at about \$100 a barrel. That is high, but they could succeed with that. Anything over that is a tremendous losing proposition for them. This would bring the price of oil down to at or near that price. But we got no suggestions from the Republicans that they cared about this.

Also, I thought what Senator BINGAMAN did was very important. He said there is about 25 million acres of land

that is available now to be leased for oil exploration. All the administration has to do is tell the Interior Department to issue leases on it. It has already been determined that it has tremendous oil potential. Much of it is on- and offshore in Alaska. It would add another 25 million acres to the 68 million acres the oil companies already have.

There were other provisions in the Bingaman bill—good pieces of legislation. Again, we had no takers on that from the Republicans.

Today, we voted on H.R. 6049, and, of course, that was defeated because of another cloture motion that was necessary to be filed because of a Republican filibuster. The same with the Warm in Winter and Cool in Summer Act, S. 3186, LIHEAP. It was filibustered, and we weren't able to proceed to that. That is really unusually harsh. I have heard the Senator from Vermont talk about that on numerous occasions. I told him that more people die from exposure in the summer than in the winter because they become dehydrated. We need to have the ability for the old, disabled, and poor to have air-conditioning. In the winter, of course, they need heat. But this was rejected by the Republicans.

We asked—because it was certainly bipartisan every step of the way, the NOPEC bill, the Specter-Kohl bill—that we move to that alone. That was S. 879. It was rejected. Again, the Republicans refused to let us do that.

We had the Stop Excessive Energy Speculation Act, which we have dealt with for several weeks now. I spoke the night before last to the President of United Airlines. He said he has no question in his mind that one reason the oil prices have gone down by the barrel in recent days is because we are debating and talking about speculation. This would work. The Republicans have been listening to the monied interests of this country and have refused to allow us to do this.

Then, of course, today, we had the issue of the so-called extenders bill on which Senator BAUCUS worked so hard. It was rejected. It had many good provisions in it. He worked hard to try to get bipartisan support. There was disaster relief in it. There was finally something in there that we could pass to do the mental health parity, which is so long overdue. We had a provision to reestablish money that has been taken out of the highway trust fund, which is so important—to reestablish that. People are losing their jobs.

The most significant thing, from my perspective, in that legislation—even though there was much more—was that it would do something now, today, about taking care of the energy crisis in this country. It is not Al Gore, former Vice President of the United States, talking; it is T. Boone Pickens—from a different political party and persuasion than Al Gore—saying we have to move to renewables. That is what this legislation is all about, creating hundreds of thousands of jobs,

construction jobs and other jobs, that lessen our dependence on foreign oil. As T. Boone Pickens said, "You can't drill your way out of this crisis." We were blocked on that.

Mr. President, in the newspapers all over America and in other parts of the world, Thomas Friedman's column is running today. He is a person who has won all kinds of prizes around the world for his writing. He has had three bestselling books. For weeks, his books have been No. 1 on the New York Times bestseller list. He writes with great preciseness, and he is right to the point. Here is what he said today:

Republicans have become so obsessed with the notion that we can drill our way out of our current energy crisis that reopening our coastal waters to offshore drilling has become their answer for every energy question.

Anyone who looks at the growth of middle classes around the world and their rising demands for natural resources, plus the dangers of climate change driven by our addiction to fossil fuels, can see the clean renewable energy—wind, solar, nuclear and stuff we haven't yet invented—is going to be the next great global industry. It has to be if we are going to grow in a stable way.

Therefore, the country that most owns the clean power industry is going to most own the next great technology breakthrough—the E.T. revolution, the energy technology revolution—and create millions of jobs and thousands of new businesses, just like the I.T. revolution did.

Republicans, by mindlessly repeating their offshore-drilling mantra, focusing on a 19th-century fuel, remind me of someone back in 1980 arguing we should be putting all our money into making more and cheaper IBM Selectric typewriters—and forget about these things called the "PC" and "the Internet." It is a strategy for making America a second-rate power and economy.

Mr. President, earlier this week, on Monday, I offered the Republicans, on the speculation bill, four amendments, and we would have a like number. That was rejected out of hand—offer made and they rejected it.

Yesterday, right after the Senate opened, Senator MCCONNELL said to me: How about six amendments?

I said: I am happy to discuss amendments, but I am through discussing amendments unless we pass the extenders bill.

That was clear language. I said it directly, and I meant it. I am speaking for 50 other Democratic Senators. I am speaking for my caucus.

So Senator MCCONNELL said: Well, fine, we will have Senator BAUCUS, chairman of the Finance Committee, and Senator GRASSLEY, the ranking member, work on this.

I said that Senator BAUCUS said Senator GRASSLEY has no authority to do anything.

He said: Yes, he does. I will instruct him that he has all the authority in the world.

They met for 2 hours last night. The only thing Senator GRASSLEY wanted to discuss was having all of these extenders not paid for. So we are right back where we started. So that is gone. That was turned down overwhelmingly. The Republicans didn't support the extenders. So that is where we are.

My caucus demands that we focus on something to really make a difference: renewables, creating hundreds of thousands of jobs—Friedman said millions; I am saying hundreds of thousands within the next few months. It will make a cleaner environment, and it will be good for the economy.

Mr. President, that is where it is. That is where it is.

Again, as Thomas Friedman wrote:

Republicans, by mindlessly repeating their offshore-drilling mantra, focusing on a 19th century fuel, remind me of someone back in 1980 arguing that we should be putting all our money into making more and cheaper IBM Selectric typewriters—and forget about these things called the "PC" and "the Internet." It is a strategy for making America a second-rate power and economy.

Mr. DURBIN. Mr. President, will the Senator yield for a question?

Mr. REID. Yes.

Mr. DURBIN. I wish to address a question to the majority leader through the Chair. I ask the Senator whether yesterday we brought to the floor an opportunity for the Republicans to join us in a bipartisan way to come up with a clear package of incentives for renewable energy, energy that we need now and for future generations, and yesterday when that measure came to the floor as it originally passed the House of Representatives, I ask the majority leader what the support level was on the Democratic side and whether there were more than four Republican Senators who joined us in that effort.

Mr. REID. All Democrats supported it, a handful of Republicans, mostly those who are in very difficult Senate races, I might add, for reelection.

Mr. DURBIN. That is one of the reoccurring themes. When four or five Republicans join us, it is because many of them are facing a tough reelection.

I ask the Senator from Nevada, today when we brought this measure before the Senate again, incentives for renewable energy, we included in it \$8 billion for the highway trust fund, which can be attributed to 400,000 good-paying American jobs. We also included the mental health parity bill, which has been a bipartisan bill that has been sought by this Senate for maybe a decade. It has certainly been a long time. We included as well an extension of the exemption for the alternative minimum tax so middle-income families would not face higher taxes.

I ask the Senator from Nevada what kind of support we had from the Republican side of the aisle. If I am not mistaken, only five Republicans, four of whom are up for reelection in November, joined us in that vote.

Mr. REID. The Senator is absolutely right, absolutely right. I can't express how the Republican Party, as I have always known it—when I went into politics, I had the idea that the Republicans were the party of fiscal responsibility. That has long since gone. We are going to have a deficit this year of about a half trillion dollars, and that isn't a fair view of it because they are

using the Social Security trust fund to offset and make the deficit look even smaller.

But I also will say this: Big oil during the Bush years has made a \$609 billion profit—\$609 billion. The Republicans side with big oil every step of the way. They have done it in all this energy legislation. They are beholden to big oil. Everyone knows that. I think it is time we start talking about something that will help; that is, we need to move to have energy created by the Sun, wind, geothermal, and we need to do it as quickly as possible.

That is where we are. I have said on a number of occasions—I said it earlier today—there was a lot of activity on the Senate floor—understand, Mr. President, where we are. Because the Republicans have blocked everything—they have blocked energy for old people, sick people, disabled people; they have blocked everything we have tried to do here—we have a decision. They can make the decision. We have been fortunate enough to finish the Higher Education Act. We have been fortunate to finish consumer product safety. Both conference reports are finished. We can do those in the next couple of days. We can move to the Defense authorization bill. It is up to the Republicans what they want to do. But if they want to be here during August, more power to them because we will be here with them. We all have things to do, longstanding obligations during August, but those can be changed. If people want to debate during August the Defense Authorization Act, that is fine. They can go out and hold their press conferences that they would rather be doing something on drilling, drilling, drilling. They can continue to do that, or we can come back in September—there is going to be a bipartisan summit on energy prices, and maybe by the August recess, maybe some of my friends will be more willing to do some actual compromise.

Legislation is the art of compromise. If the art of compromise is not present, we cannot get the business done. There simply has been no compromise from my friends. That is why we have faced almost 90 filibusters.

The PRESIDING OFFICER (Mr. WEBB). The Senator from Colorado is recognized.

Mr. ALLARD. Mr. President, I am joined on the Senate floor by my colleague from Wyoming. I ask unanimous consent that we may engage in a colloquy.

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

#### COST OF ENERGY

Mr. ALLARD. Mr. President, I had an opportunity to speak on the floor this past week a number of times and speak in committee about the cost of energy, about pain at the pump. I am of the view that we need to act now.

My position on energy has always been that we should not take anything off the table; that is, we need renewable energy, we need to have energy

from whatever source we can derive—oil and gas, nuclear energy. We need to concentrate on our efforts to try to produce more energy. We need more. That is not the entire solution. We also need to consume less. We need to encourage conservation everywhere we can.

That is why I have signed onto bills such as the Gas Price Reduction Act of 2008. This bill says we begin to open deep sea exploration, where we go out more than 50 miles from the coast, and that we begin to drill in those areas and share the revenues with the States that are involved. Under our proposal the Governor petitions to allow exploration, and he does that with the concurrence of the State legislature. A portion of funds generated would even go to the Land and Water Conservation Fund in addition to States, with other funds going to the general fund.

Also, in the particular legislation I mentioned, we talk about Western State oil shale exploration. This resource would provide more than three times the oil reserves of Saudi Arabia, this oil shale is found in Wyoming, Utah, and Colorado.

The legislation I have signed onto says we also look at ways of trying to create conservation, such as electric cars and trucks, and focus our attention on better batteries so we can create an electrical supplement to the use of liquid fuel, whether it is a truck or car, and create some efficiencies on the highway. In the case of cars, as much as 60, 70 miles to the gallon with an augmentation from an electrical source. For these efficiencies to happen batteries are a key technological advancement that has to occur, and it has to occur at a price that consumers can afford. In this bill, we put our efforts into coming up with that type of a battery.

In addition, we try to do what we can to strengthen U.S. futures markets. That means increased funding for staff to the Commodity Futures Trading Commission, and it directs the present working group to study the international regulation of commodity markets. Remember, on commodity markets, it is not just an American market, it is international. We have to be careful how we disrupt the markets as we do that. If we are not careful we can create a real disadvantage to Americans and not really help in the supply of energy.

These are the types of actions that will make a difference in the price of oil and gas because we increase the supply. That is our problem; we don't have enough to meet worldwide demand. Because of high global demand we need to work not only in this country but also in other countries to spread the idea of conservation.

I have to tell you, Mr. President, the suggestion from the majority leader that somehow if we just stand on the floor of the Senate and talk about more rules and regulations on the commodity markets, somehow that is

going to bring down the price of gas, I happen to think that just talking doesn't bring about action. But I do happen to believe that action does create a reduction in the price of oil at the gas pump.

I credit most of the recent price reduction to the President because he actually took action, which was to take the moratorium off the Outer Continental Shelf. This took us closer to allowing for exploration for more energy sources out in the deep ocean. Because of that, the markets did respond. I don't believe it was the debate on the Senate floor where we just talked, because the markets looked and said the President took real action to repeal a regulation, making it easier for us to extract energy out of the ground.

That is the kind of action in which this Congress needs to participate. It is action that needs to happen now, not 30 days from now, not a week, not a day. The sooner we act, the better it is because people every day are feeling the impact on their daily lives of high energy costs.

I recently participated in a press conference where we had people who are involved with supportive programs for the poor. They said because of the high cost of food, it is making it difficult for them to meet their goals and objectives and to keep their budgets within what they allocated at the first of the year. They are having all sorts of supply issues when it comes to feeding the poor and the disadvantaged in this country. We heard from all aspects of the various agencies and religious groups that make it part of their mission to provide for the hungry in this country.

We heard from truckdrivers today. I was at a press conference where we heard from truckers. When you think about it, renewable energy obviously works pretty good if you are talking about power lines. What kind of renewable source do they use in trucks? Ethanol, perhaps, might have some uses for trucks, but basically they are locked in with one source of energy right and that is diesel.

The only way we are going to bring down the price of fuels to the truckers who provide medical supplies, who provide food to Americans—they transport all sorts of produce around the country. They haul around all sorts of manufacturing. They deliver our mail. I am trying to think of one commodity that at some point in time does not spend some time on a truck. It is very important that we keep the total prospect. There is not a simple solution. It is not a one-issue solution where we can say: We are just going to focus on renewable energy and the heck with everything else. We need to look at all alternatives. We are having supply problems. We can't take anything off the table. That is what I want to comment on.

I have on the floor with me a Senator from Wyoming, a good friend of mine

who is new to the Senate, one of our newest Members, doing a tremendous job for the State of Wyoming. I know that in Wyoming, for example, they have lots of energy. One of the sources of energy they have is coal. The western part of the United States has hard coal, which is very unique. Frequently, it is mixed with soft coal so communities and towns on the east coast can meet their pollution requirements.

In our discussions, there was some talk about the various alternative sources we could look at for clean coal, for example. I was hoping that perhaps maybe my colleague who is on the Senate floor with me can talk a little bit about energy in Wyoming and how their economy is being impacted with the high cost of gas and diesel and what energy potential is in their State.

I yield the floor to my colleague from Wyoming to talk a little bit about Wyoming. We are neighbors. We have very similar environments and very similar natural resources. Senator BARRASSO.

Mr. BARRASSO. Mr. President, I thank my colleague from Colorado. He is absolutely right, Wyoming is a State which has been very blessed—blessed with abundant sources of energy, and certainly coal, natural gas, oil, uranium for our nuclear power, and also wind, a renewable source of energy. So we have lots of different resources with which we have been blessed.

But in terms of coal—and we know half the electricity in the United States comes from coal—what we know is that there is enough coal in Wyoming to power this country for centuries—not decades but centuries. There is that much coal in Wyoming. Coal is available, affordable, reliable, and a secure source of energy for our Nation.

To me, this is about being self-sufficient in terms of our own energy. We are sending so much of the wealth of this great country overseas. Every time we buy another barrel of oil overseas. Whether it is \$120, \$130, \$140 per barrel, that is a transfer of the wealth of our Nation to people who are not necessarily our friends.

Mr. ALLARD. The figure I have seen is more than \$700 billion in 1 year's time. That is a whale of a lot of money to be sending overseas, to our enemies potentially.

Mr. BARRASSO. And we have the source of energy here, with the coal, and the technology is incredible. There are ways to use the coal to convert it to electricity and there are other ways to use the coal to convert it to liquids. Aviation fuel. The military uses an incredible amount of fuel. I have amendments I have introduced and am trying to have debated on this floor that deal specifically with converting coal to liquids, to allow us to use that liquid for our aviation.

There is another technology, coal to gas. There is a true visionary in Wyoming. His name is John Wold, 91 years old, and he is here today to visit. His granddaughter works in my office. I

have talked to him for years about the technology of coal to gas, and it is ready to go and available in Wyoming. It is being done in other places around the world, but not yet here. So it is incredible in terms of the available resources we have. But it is not only one source of energy. We need it all. We need the coal, we need the natural gas, we need the uranium, we need the oil, and certainly we need to be more efficient, as my colleague from Colorado has talked about. We need to be energy efficient, but we need the renewables. So we need the transmission lines, but we have plenty of wind in Wyoming.

Look at oil shale. The Senator from Colorado is familiar with that, because Colorado, as well as Wyoming, as well as Utah, is blessed with oil shale. Perhaps I could ask my colleague from Colorado to discuss some of the issues related to that.

Mr. ALLARD. I would be delighted to talk about oil shale. First, I want to address the issue where the majority leader tried to imply that Republicans are interested in only one issue, and that is extraction of oil and gas from the ground. Republicans I talk to on this Senate floor, in my party, understand we need to have a balanced approach. We need to go after all sources of energy. The problem is that on the Democratic side, they only want to go after renewable sources.

I helped to found the Renewable Energy Caucus, and so I understand how important renewable energy is to our future. But we need something to bridge us over, and that is where I think the comments of my colleague from Wyoming are so important, when we are talking about converting oil to liquids or to natural gas. It helps create that bridge. We need to create that bridge by having an opportunity to go and explore for oil and gas in the ground.

One source of fuel in the ground is oil shale, and I think it is important that my colleagues here on the floor understand that oil shale is a huge resource in this country. We have oil shale in the State of Wyoming to a lesser amount than we have in Utah and Colorado, but we have lots of oil shale in Colorado. In fact, most of it is in Colorado. There is a fair amount in Utah, and then a smaller amount in Wyoming. We have different types of oil shale in Utah and Wyoming, and the extraction proposal out of those two States is a little different.

We need to move forward with oil shale, and that is why I am working so hard to get the moratorium off of oil shale because Shell Oil Company and other companies have developed a technique where extraction is environmentally friendly. Utah's oil shale is closer to the surface. It is a higher quality shale which contains lots of oil in one small chunk of rock. What they do is they go ahead and grind it up, heat it, and they extract a heavy type of oil out of that product.

In Colorado, what we are talking about in Mesa and Garfield Counties,

for example, is a deeper oil shale. It is a good quality oil shale—not quite as good quality as we see in Utah—and we have a new technology that is being developed there that takes the ground and freezes a perimeter around the section of ground and then heat the middle of it. Basically what you have is a refinery in the ground. So what you extract out is basically a jet fuel that contains sulfur and nitrogen. Obviously, the sulfur and nitrogen has to be refined out, but it is a very good, high-quality product. It is a jet fuel. Then the heavy tarry stuff is left in the ground.

There is no disruption of the surface of the ground other than the fact that you run some pipes in the ground, and you need some water. They have taken out water rights in that part of Colorado to make sure they have water. It is the type of water that can be recycled and reused. So there are lots of conservation aspects to this new technology that is being developed for oil shale. That is why I had the support for the provision that was provided for in the Gas Price Reduction Act of 2008, removing the moratorium we have on oil shale.

The current law says you can't move forward with the regulatory process on oil shale, so it has stopped it dead in its tracks. In the meantime, up to 2 trillion barrels of oil in the form of oil shale is in the ground, and we think, with today's technology, that between 800 billion and 1 trillion barrels is what can be economically extracted out of the ground and made available to us. That is three times all of the oil reserves of Saudi Arabia.

Oil shale is a huge resource, but we need to remove the moratorium that says we can't even go ahead and layout the rules and regulations. Now, why is that important? Because they tell the oil companies what the rules of the game are going to be, what they can expect the royalties to be, what they can expect the price of leasing the public lands to be, and also what remediation requirements are there for cleaning up the environment. When the President removed the moratorium on going after our natural resources through the floor of the ocean, he sent a significant message that he is willing to provide more supply for oil and gas, and that had a positive impact on the market. We need to continue that sincerity the President showed to the American people by taking some real action here on the floor of the Senate, and we need to do that by removing an additional moratorium on drilling off the coast and we need to relieve or take off the moratorium on oil shale so that resource can be developed.

The technology is not going to be developed until about 3 years from now, so it would be around 2011 or later before it is ready to go. But you need to put in place the rules and regulations first. We need that now. Some of the reasons for objecting that I have heard is people will say: Well, it is going to

take 10 years to develop. Maybe so. But 10 years from now, are you going to say now is the time? It will still take 10 years.

My point is that the sooner you put this in place, you can begin to prepare this bridge we need to have for today's energy sources to get us to future energy sources, which are the renewables—the Sun, or photovoltaic cells, wind, geothermal, and hydrogen. That is what we are talking about, and that is what this particular piece of legislation provides for.

Citizens in Colorado are being dramatically impacted by high fuel prices. We talked before about the agricultural sector and the trucking sector. Trucking is more heavily impacted than any other area, because in the West, we are big States and we have lots of land to cover to provide our goods and services. I don't know whether the Senator from Wyoming has anything to say about how his citizens in his State are feeling the impact of high fuel prices, but certainly they are being felt in the State of Colorado, and it wouldn't surprise me if they aren't very similar in the State of Wyoming.

Mr. BARRASSO. The people in Wyoming clearly are affected the same way folks in Colorado are in terms of the large distances they have to drive, whether going to see the doctor, or taking the kids to school, or going to shop for groceries. I think statistically, when they look at how many miles on average people drive a year, Wyoming is No. 1 in terms of the longest distances. So when the price of fuel goes up, the price of gas at the pump, the people of Wyoming feel it the greatest because they are driving that many more miles. Many of them have pickup trucks or utility vehicles, because when you are that far away from home during the winter, you need to have those higher profile, larger vehicles. It is a matter of personal safety. It is what we want our kids to be in as well.

So the inflation is there at the pump, but it is not only that. There was an article in the Wall Street Journal this past week about a woman in Casper, WY, who runs a bakery. It is a great bakery, down on First Street, and sheoes a nice job. But the supplies, the cooking things she buys to put in the bagels—whether it is the canned apples or the sugar—everything is up pricewise because it has to be shipped in to be used. So it is the fuel we use in our own vehicles but it is also the fuel that is being used to ship products.

The people of Wyoming are smart. At all these town meetings I have, they get it. They understand there is going to be a change in the energy we use in this Nation, a change in the different sources of energy. The people in Wyoming know we would be wise to be conserving, and we are, and they know we would be wise to be using the renewables that we have a lot of, but they are also wise in knowing we do need to find more and use less; that it is a matter of supply and demand. And until

you can deal with both sides of that equation—not just one side but deal with both sides—people are going to continue to feel the pain not only at the pump but also at the grocery store. So the people of Wyoming get it. They know the importance of the work we are doing here in trying to find solutions that will help America become energy self-sufficient by developing American coal, American oil, American natural gas, American uranium, and American renewable energy sources.

Mr. ALLARD. That is very key. We need to be less dependent on foreign sources of oil, not only for our own economic well-being but also for the security of this country. If we have to rely on our enemies, or possible enemies, to provide us with fuel, that creates all sorts of security problems for this country. So we have to make sure we have plenty of sources for us to meet our military needs throughout the world if we are going to be the Nation's and this world's peacekeepers.

I note that the Senator has a very busy corridor that goes through the southern part of Wyoming, and it is a big trucking corridor. I think nearly every truck going east to west has to go through Wyoming. They like to avoid the high mountains passes in Colorado, so they find it easier driving through Wyoming, and I expect you see quite an impact there in your State.

Mr. BARRASSO. Interstate 80, which runs west to east across the lower part of the State of Wyoming, is a national transportation route where people are taking products from the coastal areas, the ports in California or Oregon, and they come to a pinch point in Utah and then they all get onto I-80, west of the Wyoming border at Evanston, and they come all the way across the State. Fuel prices are high, and the miles are long. People who talk about a 55-mile-an-hour speed limit in this body clearly have not driven across I-80, where a speed limit like that didn't work before when they tried it, and it won't work now.

I served in the State Senate in Wyoming, a great place. On the third floor of the capital building, there is a large mural on the wall which sort of depicts the State of Wyoming. There is a part of the bottom where I-80 is running across it. Even back when this was painted, years ago, if you count the vehicles on the mural, half of them are trucks. Half of them. And I think the proportion now is even greater than half of them being trucks.

Think about all the product that is being moved east and west on I-80, and I am sure you are seeing it in Colorado as well, with people awaiting the delivery of those products across this Nation and paying higher prices for those products because of the fuel it takes to fill the trucks in order for them to deliver the product. So we are seeing that not just at the pump but also in the pockets of consumers.

Mr. ALLARD. I don't see any solution on the Democratic side. They are

talking about more taxes on oil and gas production; they are talking about more rules and regulations. I don't see any proposal that says we need to increase the supply, as we do on the Republican proposal, where we want to turn to oil shale, and to the Outer Continental Shelf, and we turn to the futures market to try to put more enforcement there, and we also work on the conservation side with the electric car.

Truckers are small business people, I attended a press conference today with truckers, I was struck by how conscientious they were in trying to conserve. They were maintaining their trucks. They had great safety records. They were making sure the air in their tires was optimal so they could improve the mileage on it. The trucker I heard this morning, he was saying that about a year ago he was spending somewhere around \$1,200 to \$1,300 to make a trip from Virginia to Texas. There are no high mountain ranges such as we are used to in the West but a relatively flat trip. This year it is up around \$2,500, \$2,600 to make that same trip. It is getting close to double what he was paying last year. That has to have an impact on the goods and services that are provided in this country.

We need to be looking at real solutions. That is the point of this colloquy. That is the point the Republicans are trying to make. Just standing here debating on the floor of the Senate doesn't make a difference. We need to have an opportunity where Republican Senators can put their ideas forward. These need to be in the form of amendments.

We need to pick our own amendments. The majority leader should not be picking our amendments. It happens he wants to dictate that process. This is the Senate. This is where we should have open and free debate. I think if we had an opportunity to debate these amendments on the floor we could change the direction of this country. I think we could change the type of legislation that is being proposed as a solution.

Deep down I believe most Members of this Senate understand this is a supply-and-demand problem and we need to produce more supply and we also need to encourage more conservation. My hope is we will have an opportunity to make amendments to achieve this. I have made some of those amendments in committee and found I had bipartisan support and had commitments from both Democrats and Republicans that would help support my position on taking the moratorium off oil shale and similar moratoria.

We are simply cutting off supplies to this country and we are becoming more and more dependent on foreign oil. We are sending more than \$700 billion overseas to potentially our enemies—countries such as Iran and Venezuela, for example, and many of the Arab countries which are marginal friends. We have to admit, they are there one day and gone the next.

We will need to make sure we have the security we need in this country, both economically and from a military standpoint. That means we need more oil and gas and not less. We need to have more energy from all over the energy spectrum and encourage the American people to conserve.

I thank my friend from Wyoming for his contribution to this colloquy. I think he is doing a great job and Wyoming should be proud of him.

Mr. BARRASSO. Mr. President, we started talking a little bit about coal. I wish to say it is not just Wyoming and Montana, coal is abundant throughout the United States. Whether it is Pennsylvania—I see our colleague from Pennsylvania is here. Actually, the whole region of Pennsylvania is called the coal region. He made mention of that. But in West Virginia and Illinois, coal is abundant, it is affordable, it is reliable and secure.

I appreciate the efforts my colleague from Colorado is engaged in, in terms of oil shale—another abundant source of energy that is not being utilized. It is American energy that can be used for the betterment and future of our great Nation.

Mr. ALLARD. Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania is recognized.

Mr. CASEY. I thank the Chair.

40TH ANNIVERSARY OF THE SENATE SELECT COMMITTEE ON NUTRITION AND HUMAN NEEDS

Mr. CASEY. Mr. President, I rise to recognize the 40th anniversary of the Senate Select Committee on Nutrition and Human Needs. Today we recognize the contributions of two members of that original committee, the Senate Select Committee on Nutrition and Human Needs, Democratic Senator George McGovern of South Dakota and Republican Senator Bob Dole of Kansas. Both made and continue to make contributions in the war on hunger.

It was 40 years ago that CBS television aired a landmark documentary entitled, "Hunger in America." This documentary exposed the magnitude of hunger that existed all across the Nation. For the first time, Americans got a closeup look at the true faces of hunger—pregnant women and children who were malnourished, infants dying of starvation, starving tenant farmers living just miles from this Nation's Capitol. Their stories and their faces moved the Congress to try to end hunger.

It was just last month that I was privileged to have the opportunity to sit down with Senator McGovern to talk about the challenge of combating hunger still today. As we were sitting talking, he related to me a story, 40 years later, that still has had a profound effect on him all these years later. The evening of that CBS television documentary broadcast I spoke of, the evening that was on, Senator



McGovern and his family were gathered around the television set watching the documentary. Senator McGovern still vividly remembers the effect one particular image from this documentary had on him at that time.

The image was that of a school-age boy leaning against a wall while most of his classmates ate lunch. The interviewer in the documentary asked the boy how he felt standing there, day after day, watching the other children eat.

His answer was not that he was angry or bitter but, rather, that he was ashamed.

At that moment, Senator McGovern recalls telling his family that he, George McGovern, as a Senator, and not that boy was the one who should have been ashamed. I think what that shows is the humility and decency of George McGovern, first of all. But I think what he tried to convey to me in our conversation was that young person's response in that documentary—a person who was a victim of not having enough to eat—that response had such a profound effect on Senator George McGovern that he returned to the Senate the very next day and began working on a resolution to establish a committee to address hunger in this country. Forty years ago today, that resolution was, indeed, enacted, establishing the Select Committee on Nutrition and Human Needs.

Senator McGovern chaired the committee from the time of its inception in 1968 until 1977, when the committee was absorbed into the Agriculture Committee, the committee we know today as the Committee on Agriculture, Nutrition and Forestry, chaired by Senator TOM HARKIN.

Senator McGovern was committed to exposing the failure of Federal food assistance programs at that time and making reforms to ensure that these programs were reaching those most in need. But knowing this was a goal he could not achieve on his own, he reached across the aisle to form a key partnership with Senator Bob Dole, a partnership and an abiding friendship, I might add, that continues to this very day. Despite their differences, both these men share the conviction that ending hunger is a moral imperative. Working together, Senators McGovern and Dole set out to end hunger in America. Their work helped educate the Congress, the Federal Government, and the Nation at large about the sheer magnitude of hunger in the United States. Over the next decade, they and other members of this unique Senate committee developed a bipartisan response to hunger and laid the foundation of our current food assistance programs.

Among their chief successes was reforming the Food Stamp Program, culminating in the passage of the Food Stamp Reform Act of 1977. This act made the program more efficient and more accessible to those most in need by finally eliminating the requirement

that Americans pay for a portion of their own food stamps.

They expanded the National School Lunch Program and made the School Breakfast Program, the Childcare Food Program, and the Summer Food Service Program permanent programs in our Government; and they established the Special Supplemental Food Program for Women, Infants and Children, better known today by the acronym WIC.

Forty years later, the programs that Senators McGovern and Dole championed and shepherded through the Senate have succeeded in eliminating the most serious chronic malnutrition in the United States. Today, nearly 28 million Americans receive food stamps, more than 17.5 million low-income children receive free or reduced school meals, and more than 8 million women and children receive WIC benefits.

The legacy of Senators McGovern and Dole is truly a testament to what can be achieved when we work in a bipartisan fashion on shared priorities that address the basic needs of the American people.

These two men came from vastly different ends of the political spectrum and vehemently disagreed on many other issues, but they came together and both agreed that hunger was and is an issue that transcends partisan politics. The bipartisan spirit with which these two men collaborated to fight hunger has certainly served as a model and an inspiration to me and I know to many others in Congress.

Following their example of bipartisanship, this year on the farm bill we were able to provide a record level of nutrition funding to reform and strengthen Federal nutrition programs. We were able to make key improvements to the Food Stamp Program itself, and we were able to strengthen the domestic food assistance safety net by providing significant increased funding to increase commodity purchases for local area food banks.

But we all know the war on hunger requires constant vigilance and we must recognize that unmet needs still exist in America. Despite the existence of Federal food programs, hunger continues to be a serious problem plaguing more than 35.5 million Americans, including 12.6 million children.

Children are particularly vulnerable to the effects of hunger. Even mild malnutrition can have adverse impacts on health, development, behavior, school attendance and performance and self-esteem as well. In the coming year, we will have an opportunity to have a direct impact on combating child hunger with reauthorization of the National School Lunch Act. This legislation, which is set to expire September 30, 2009, authorizes all Federal child nutrition programs.

One of the most important reforms that can be enacted is to expand the school breakfast program. With 30 million children a day participating in the school lunch program, only one-third

or 10 million children receive a school breakfast. We must find innovative ways to reach more of these children to get them breakfast.

There is a direct link between school breakfast and academic achievement, and if the United States is going to compete effectively in a new world economy, we must educate our children and to do that we must provide the best possible nutrition at school.

We must also recognize that many low-income working parents with children are struggling to afford even the low fees charged for reduced-price school meals. According to the School Nutrition Association, approximately 1 million children in this country are eligible for reduced-price meals and yet are not participating in the program due to the cost barrier. We must devise ways to ensure these children, too, are receiving proper nutritional assistance at school and do not fall through the cracks.

But providing adequate nutrition to the children during the school year is only part of the answer. Congress also needs to implement changes to ensure that the millions of children who rely upon school meals are not left behind during the summer. Currently, only 2 in 10 children who benefit from school meals also receive meals during the summer months. We must find ways to make programs such as the Summer Food Service Program more accessible to children, not only in metro areas but in rural areas as well.

Data from the USDA's Economic Research Service shows that as far back as at least 1970, the percentage of children living in poverty in rural areas consistently exceeds that of children in metro or urban areas.

A bill I have introduced with Senator SPECTER, my colleague from Pennsylvania, S. 1755, the Summer Food Service Rural Explanatory Act, would lower the threshold for feeding sites in rural areas to qualify for this program.

We hope to help to ensure the availability of summer meals for more of these children living in poverty who happen to live in rural areas. We know that hunger itself does not take a vacation, and we owe it to these children to ensure that the Food Assistance Program does not take a vacation either.

Finally, Congress must continue to improve the quality of all nutrition assistance programs. One of the great ironies of the current challenge is to recognize that hunger and obesity can exist at the same time.

While we recognize we are facing huge Federal deficits, we must refuse to let funding challenges serve as an impediment to these critical changes. There is not a more important domestic social objective facing us in the coming years than to provide adequate nutrition to children across America.

Finally, Senators Dole and McGovern blazed a path 40 years ago when they joined to help fight the war on hunger. They put aside partisanship to bring light to the darkness of hunger. Now is

time for a new generation of leaders to pick up that mantra on behalf of the more than 35.5 million faces of American hunger.

I therefore call upon my friends in Congress, both Chambers, both sides of the aisle, to join me and millions of advocates across this country in a mission to end hunger.

I yield the floor.

The PRESIDING OFFICER. The Senator from Georgia is recognized.

Mr. CHAMBLISS. Mr. President, I ask unanimous consent that following my comments Senator BENNETT be recognized.

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

Mr. CHAMBLISS. Mr. President, I rise to join my colleague from Pennsylvania, Senator CASEY, to support July 30, 2008, as the 40th anniversary of the establishment of the Senate Select Committee on Nutrition and Human Needs.

Forty years ago there was a significant awakening in this country about the issue of hunger and its impact on Americans. As the resolution states, the CBS award-winning documentary "Hunger in America" was an important impetus to putting a human face on this situation.

Like many Americans, Senators George McGovern of South Dakota and Robert Dole of Kansas were moved by this documentary, and thus into action. The first step was the creation of the Senate Select Committee on Nutrition and Human Needs. The committee focused on the magnitude of hunger within our borders as well as shortcomings of existing domestic nutrition assistance programs.

For example, the Food Stamp Program required participants to purchase a portion of their food stamp allotment which left many Americans unable to receive any benefit because they could not afford to buy stamps.

The work of the Select Committee on Nutrition and Human Needs and the McGovern-Dole partnership led to many improvements in our country's nutrition assistance safety net. Today, domestic food assistance programs touch one in five Americans each year. The Food Stamp Program, which was recently renamed in the farm bill the Supplemental Nutrition Assistance Program, is the cornerstone of this safety net by assisting over 27 million Americans each month.

The Special Supplemental Nutrition Program for Women, Infants and Children, or WIC, serves 8.5 million Americans and provides expecting mothers and their young children with the nutrition needed for a healthy start in life.

The National School Lunch Program provides over 31 million lunches each day and nourishes schoolchildren with balanced and healthy meals. As a husband and father of public schoolteachers, I particularly know the direct correlation between healthy, nutritious meals and the ability of a child to learn.

The Emergency Food Assistance Program assists food banks all across the country in meeting families' food needs in times of sudden hardship. I am very proud to serve as ranking member on the Senate Committee on Agriculture, Nutrition, and Forestry. This committee ties the important role of production agriculture to the necessity of ensuring that all Americans have a safe, nutritious, and affordable food supply.

The select committee we are honoring today is the predecessor of the committee's Subcommittee on Nutrition and Food Assistance, and the issues before it receive significant attention.

My colleagues on the committee and I share the determination to provide an effective nutrition safety net, and we continue the bipartisan approach established by Senators McGovern and Dole. This is proven in the recently enacted 2008 farm bill, in which funding for domestic nutrition assistance was substantially increased. Now, 73 percent of the total spending in the 2008 farm bill is allocated to domestic nutrition assistance programs. Given rising food prices, we worked to lend a hand to those citizens in both rural and urban America who are struggling to feed their families.

I am pleased to be an original cosponsor of this resolution. I look forward to continuing to work with my colleagues in the fight against hunger.

The PRESIDING OFFICER. The Senator from Utah.

Mr. BENNETT. I appreciate the yielding of the floor to me, but I understand Senator LINCOLN was going to speak on this same subject. If she is available, I would be happy to yield to her. I understand she will be coming later so I will proceed.

#### ENERGY

Mr. President, we have had a lot of debate, a lot of discussion that does not qualify as debate, over the last week or two with respect to energy. I simply want to make a few comments of my own with regard to that issue. The energy crisis we face is a worldwide crisis. It cannot be solved with a national solution. But it is a national crisis as well, and we need to do what we can as Americans toward finding the solution. We need to help build a bridge, a bridge that can be a worldwide bridge to the long-term vision we have.

As we talk about that bridge, let's ask ourselves what is at the other end of the bridge? The vision people have at the other end of the bridge is a world that does not depend as heavily on fossil fuels as we do today. It is a world that has nuclear power, it is a world that has wind power, and solar power, geothermal power, biomass, hydro-power, and one that I am particularly enthusiastic about is tidal power—the rising and falling of the tides being harnessed in generating electricity.

All of those possibilities are there, and all of those possibilities should be

embraced, because all of them can contribute to the world we want to be in 10, 15, 20 years from now.

We need to build a bridge to that world because that world is not available now. There are wind farms, but they are producing a tiny fraction of the amount of electricity we use. There are solar panels that are basically demonstrating the technology, but not producing anything like the kind of volume we would need. There are studies about tidal power. There are experiments going on with biomass. There are explorations with geothermal. But all of those are in the future, 10 years away, 15, 20, 30 years away. That is where we want to be, but we need to build a bridge to get there.

Now, who is going to build it? I want Americans to be in the driver's seat of building the bridge and solving the problem. I want Americans to take the lead in figuring out what we need to do as a world to get to the other side of the bridge I have described.

I want Americans to once again achieve their ability to influence world energy prices. There was a time when the Americans could determine the world price of oil simply by determining whether they would drill another well in East Texas.

When the price of oil seemed to be too high, we could open up additional areas of East Texas to exploration. East Texas was full of oil and at the time, we led the world in oil production. Now that leadership is gone. It left the shores in the 1970s. It lies now with the Saudi royal family.

If we are talking about building the bridge, I want the Americans to be the ones to build the bridge. I want Americans to bring back to this continent our ability to affect the world's price of fossil fuels.

And how do we do that? Well, we do it simply by increasing the number of American sources of fossil fuels. That is how we were in charge of the price of oil at one time, and that is how we can be in charge again. A lot of people do not realize that America, though, is the third largest oil-producing country in the world. Saudi Arabia is No. 1, Russia is No. 2, America is No. 3. We used to be No. 1; we are now No. 3.

If we can increase our ability to produce energy, we can control the building of the bridge to the long-term future when we are no longer as dependent on fossil fuels as we are now. If we want to get to renewables, we have to build a bridge to get there.

The material we will use to build that bridge will be American energy. We have almost limitless sources to which we can turn to find that American energy.

The Gas Price Reduction Act, which I have cosponsored along with a number of my colleagues, outlines two of the areas where we can increase American sources of energy and thus help build that bridge and control, influence, and impact world energy prices.

The first one has to do with taking oil out of the Outer Continental Shelf.

Since the early 1980s, we have prohibited drilling in 85 percent of our Outer Continental Shelf waters. It is interesting that this prohibition came about the time that pricing power left the United States and went into the hands of the Saudi royal family. It will not bring it back automatically, but it will certainly make a major impact if we can now make that 85 percent of our Outer Continental Shelf available for exploration and the delivery of oil.

We now know in a way we did not in the 1980s that it is safe because Hurricane Katrina brutally told us that oil rigs can withstand virtually any kind of pressure from the weather. It is not a lesson we wanted to learn in that way, but it is a lesson that we now know.

The other area in the Gas Price Reduction Act where we can find more oil hits closer to my home in Utah. It would allow us to extract oil from oil shale. In eastern Utah, western Colorado and southern Wyoming, there is more oil than there is in all of Saudi Arabia by a factor of three. People say: "But we do not have it yet. It is unproven technology," although oil shale is being turned into oil in other countries of the world, just not this one. "But new technology is being tried out. Well, it is 10 or 15 years away. It will be expensive."

I take you back to the proposition of the bridge. The world where we drastically decrease our dependence on fossil fuels is far more than 10 years away or even 15 years away. We cannot wish it into existence immediately. It is hypocritical to say we are strongly for wind power and solar power and geothermal and biomass as the solution to our problems, but we are opposed to oil shale and Outer Continental Shelf drilling because they take years to develop.

If one is 20 years or 30 years away, and the other is only 10 years away, we should be working on the one that is only 10 years away at the same time we are working on the one that is 30 or 40 years away.

America has fossil fuels that are abundant, available, and affordable, and that can be used as the source of building the bridge to the world of less dependence on fossil fuels. Our economy runs on energy. The world economy runs on energy.

We cannot, while hoping that the land we dream of is available at some point, refuse to build the bridge with America's available building materials.

I hope as we wind down this debate and finally decide to do something about it, we will be focused on taking the assets we already have and using them as the material to build the bridge to get to the place where we want to go. If we do that, then our constituents will see the price of gas come down at the pump. They will see movement in the right direction as to where we want to be. They will say to us: You have finally started to do your job in the way we sent you to Washington to do it.

I yield the floor.

The PRESIDING OFFICER (Mr. TESTER). The Senator from Arkansas.

#### TAX EXTENDERS

Mrs. LINCOLN. Mr. President, I rise to talk about my support and encourage my colleagues to join me in revisiting and passing what we tried to do earlier today, and that was supporting the Jobs, Energy, Families, and Disaster Relief Act of 2008 on which we had a procedural motion. I find this bill, in these last couple of days of our working period before we leave to return to our States, one of the most important things we can do. Is it everything we can do? No, it is not. We can't do everything in one fell swoop. But there are a lot of things we can do to get started.

I applaud the hard work that was put into this package by the Finance Committee chairman, Senator BAUCUS. I also congratulate our counterparts in the House Ways and Means Committee for their tremendous efforts in putting together this very important piece of legislation that puts us off on a very sound footing and a good beginning, heading in the right direction of where we need to go.

The vote we took earlier today was the third time we have attempted to proceed to this very important package of tax incentives, the so-called tax extenders package, this year. Unfortunately, we do it every year. Unfortunately, we patch over every year the opportunity we try to have put forward by the Government, the incentives we need to create an environment. That is what government does. Government creates an environment where businesses, families, industries, and States can be successful. That is exactly what this bill does. It is what we tried to do earlier today. I hope we will continue to push forward in creating an environment where people and businesses can do for themselves in an environment that government has created, to take care of their issues, whether they be disasters or a competitive nature across this globe, but to use that environment to strengthen themselves, to build their businesses, their families, their communities in a way that has been consistent with the American spirit through generations of great Americans.

We tried three times, and I had so hoped that the third time would be the charm. Maybe it is the fourth time. Maybe it is the fifth. I very much believe this is something we have to do, and we should do it before we leave to head home to our States for the break. During the past few months I have talked extensively about this extenders package and some of the things I think are so important. There are many benefits here that working families will see, benefits for working families, communities, businesses, so many of which are so needed at this time. Under this legislation, some 1 million additional children will be covered by the child tax credit and more than 27,000 Amer-

ican businesses will be able to remain globally competitive through the use of research and development tax credits. We are talking about a time when gas prices are high. Food prices are high. People are finding that the dollars they are earning are not going as far. Yet they are still trying hard to keep their body and soul and their families together. They are still trying to do for their children and aging parents the things that need to be done. One million additional children would have been covered in this bill with the child tax credit. These are extremely important policy initiatives we need to be providing, now more than ever, for our American taxpayers.

In addition, there is almost \$20 billion in incentives included in this package to move us toward energy independence. We have heard all of our colleagues coming down here talking about energy independence, talking about the dire straits working families are in. My State ranks 48 in the low-income category of hard-working Americans. I know because in recent studies we have seen back in May, on average Arkansans were paying 8 percent of their income toward gasoline and in some other, more desperate counties, they were paying up to 11 percent of their income for fuel, particularly for gasoline. They are being hit hard.

There are some things we can do. This package will provide long-term extension of our renewable energy and energy efficiency tax credits so we can provide some certainty in these very important new industries that are job creators but also the hope for the future of where we go in terms of energy needs. It creates a tax credit for consumers who purchase new technology, highly fuel-efficient vehicles. It also continues our commitment of moving toward alternative fuels through the extension of the renewable diesel and biodiesel tax credit.

We know there are a lot of opportunities we have. Yes, trying to deal with the manipulation of markets by speculation is one route we need to take. Yes, we know that making sure we are taking advantage of new resources and old resources that exist in our oil and gas industry is important. We know there are multiple things we can do in renewable fuels and a host of other areas where we can turn to that we never believed we could get fuel from, everything from biomass to algae, a whole host of new technologies coming out, research that is proving to us that there is a whole new world out there of energy and energy sources. These are all initiatives in a bill that should have broad bipartisan support. We should enact them as soon as possible.

To be sure, there is certainly a lot more, whether it is speculation or drilling or other things, that we could be doing. There is more that can be done to deal with our energy crisis. But the almost \$20 billion in incentives included in this package is quite a downpayment in moving us in the right direction. To my friends on the other

side of the aisle who have been here on the floor this week arguing for action on energy legislation before we leave for August, I agree with you. I think it is so important that we do something. We need to do something. We have to do something. This package we have seen come before us earlier today would have been a great first step. It still can be. We need to make sure we are passing an extenders bill, coupled with a host of other things that are essential for us to go home in August with to tell our constituents that we do hear the message they are sending. We could pass it with bipartisan support and get even more done when we come back in September.

People know we are not going to do everything at once. They don't expect that of us. But they do expect us to take, step by step, the opportunities we have to do something about the energy crisis.

We also have in this bill the highway trust fund. The needs in the highway trust fund are tremendous. Come next month, we are going to see a deficit there. We are going to see a crisis in our highway trust fund. We are going to have to deal with that. Why shouldn't we be dealing with it today or tomorrow but certainly before we leave?

Finally and most importantly, the chairman of the Finance Committee has included a package of tax relief for areas all across the country hit with horrific weather and declared Federal disaster areas. This will provide vital resources to help in recovery efforts all across the Nation; in 26 States, to be exact. I am extremely thankful for the inclusion of this piece in the bill because Arkansas has suffered from a string of tornadoes and record-setting floods. The series of natural disasters in my home State this year has been unlike any I have seen in my lifetime. It has left 62 of our 75 counties in Arkansas in need of Federal disaster assistance. Wave after wave of storms have rocked the residents of Arkansas and have left many shell shocked.

It started on February 5 when a band of tornadoes created a path of destruction, which we can see here, that stretched across 12 counties in Arkansas, killing 13 people, injuring 133, and destroying more than 880 homes. It was the deadliest storm in nearly 10 years. On that day, one tornado gouged a 123-mile path, hitting the ground, staying on the ground for that long a period. Along the way, around 5:30 that afternoon, it hit a family-owned boat factory in Clinton, AR, where 16 employees were in the factory at the time working late to load a shipment of boats on a truck. The F-4 tornado struck. Unfortunately, the life of Thomas Armstrong was lost. The building was totaled. The 20-year-old business that had produced 550 to 600 boats a year and provided \$15,000 a week in salaries to its 45 employees was a complete loss. As we can see here, it was completely destroyed.

I traveled with Senator PRYOR and Arkansas Governor Mike Beebe to assess the damage across the State. In Van Buren County in central Arkansas, 45 homes and countless businesses were destroyed. Conway County had 140 homes destroyed or that suffered major damage.

The hospital in Mountain View got hit as well. Within hours, hospital administrators and personnel, helped by volunteers, reacted swiftly to stabilize the area. They were able to use the emergency room for persons with serious injuries and evacuated patients with nonlife-threatening conditions to nursing homes and other facilities around the county. In the town of Highland in north central Arkansas, a facility that housed the equipment for the volunteer fire department was completely destroyed.

A little more than a month later, heavy storms hit Arkansas again. This time they brought rain and more rain and more rain. The result was flooding not seen in some areas for over 90 years. Thirty-five Arkansas counties were declared disaster areas from the storm. In the town of Pocahontas, the Black River crested at 26.5 feet, its highest level since August of 1915, and three breaks in its levees flooded homes and apartments. This is a scene from the Black River in Pocahontas in Randolph County.

In Des Arc, where I traveled with Governor Beebe, the White River crested at a little more than 33 feet, almost 9 feet above flood stage. Further up the White River, the community of Oil Trough got hit twice. The first time it was only a few homes. Ten days later, rains came a second time and flooded the entire city, forcing residents and businesses to completely evacuate.

On April 3, another set of tornadoes hit central Arkansas. Although not as deadly as the ones that hit us in February, four twisters touched down in a five-county area, including some of the counties suffering from those floods. In addition, two more rounds of tornadoes hit the State in May, bringing the total to 62 counties affected by these storms that hit this year.

All but 13 counties in my State have been declared Federal disaster areas, causing millions of dollars in property damage and at least 26 known deaths. While it has been a traumatic few months for thousands of Arkansans, I have been struck, of course, by the resiliency of my State's residents. I have always said the people of Arkansas are our greatest resource, whether it is to the rest of this country and what we have to offer or whether it is to one another. Their ability to pitch in and help their neighbors has been nothing short of extraordinary. But they need help to finish the job.

This bill we tried to pass earlier today and in weeks past provides needed assistance. That is why I am so grateful Chairman BAUCUS has included this tax incentive package for individ-

uals who have experienced loss from these horrific disasters.

This tax relief will help my Arkansas families deal with expenses related to debris removal, cleanup, and repair. It will allow them to adjust their taxable income, taking into account property losses they have suffered. It will allow them to access their own savings they have tucked away in IRAs and other retirement plans penalty free. It will provide a credit for small businesses that continue paying their employees while their business is inoperable and being rebuilt. These important provisions, among others, will do wonders for my Arkansas families and businesses impacted by these unbelievable storms and flooding.

And I am not alone. Many of my neighboring States—Missouri, Mississippi, Oklahoma, Tennessee, Georgia, Kentucky—experienced the same storms Arkansas did, and they are suffering in the same ways—not to mention the floods that impacted individuals in Iowa, Indiana, Nebraska, and Kansas in recent months, who all would benefit from this.

I recognize this package of disaster relief may not be as generous as some may have preferred. But it is a good package. It is a consensus package. If passed, it will provide immediate relief for all of our storm victims.

I urge my colleagues to recognize the value in this package. I urge them to take a close look and recognize the benefits it will bring to their communities that are suffering so desperately.

We should stand together. We should all look around this room and understand we are here together as a body to represent this great land, each of our States, of course, but to recognize as neighbors we all have shared in much disaster. We should stand together to do the right thing and enact this package—if we get another opportunity—of broad-based tax relief that will help our working families, our businesses, and our damaged communities.

There is certainly a great opportunity here if all of us band together and realize that in the next 2 days before we leave we have this wonderful opportunity to come together to do something for our Nation. I hope we will. I encourage my colleagues to ask to be able to come back to that relief package as well as that tax incentive package that will do so much.

Thank you, Mr. President.

The PRESIDING OFFICER. The Senator from Idaho.

PREDATOR WOLVES

Mr. CRAIG. Mr. President, for the next few moments, I wish to change the pace of our debate on the floor of the Senate. I am pleased the Senator from Montana is now the Presiding Officer in the Senate because I want to tell that Senator I am a cosponsor of a piece of legislation he and the Senator from Wyoming have introduced that would provide grants to Montana, Wyoming, and Idaho, and to tribes and other States, at the discretion of the

Secretary of the Interior, to support landowner actions to prevent livestock predation, and to compensate landowners for a loss of livestock by gray wolves and other predator species.

Why would I come to the floor of the Senate and want to talk about wolves? Well, let me tell you what happened in the States of Idaho, Montana, and Wyoming in 1995.

In my opinion, the Secretary of the Interior at that time, Secretary Bruce Babbitt, Secretary to the administration of Bill Clinton, did something that I said at the time I believed to be a direct violation of Federal law and congressional intent. He allowed the U.S. Fish and Wildlife Service to go into Canada, collect Canadian gray wolves, bring them into the lower 48, and in the late fall or early winter of 1995, he dropped 15 of those wolves into a wilderness area in Idaho—certainly satisfying the wishes of a lot of environmental interests, but, in my opinion, directly violating the language of an Interior appropriations bill, language that I and the then Senator from Montana, Mr. Conrad Burns, had put in the bill saying: None of these moneys shall be used for the purposes of introducing gray wolves into Idaho, Montana, and Wyoming.

Well, Bruce Babbitt did it, with great fanfare, with great public attention, and with a very large smile on his face.

Then, in 1996, he introduced another 20 wolves into central Idaho. What is the end result of what happened? This was the effort to do what we called the introduction of an experimental number of wolves back into a habitat that wolves once roamed wild in. It was supposed to be a limited experiment of what we called an experimental herd or pack, or packs, of wolves, an experimental species, and it was to be limited. We said at that time that when the number reached a certain number—at least 100 breeding pairs in Idaho, Montana, and Wyoming—it would no longer be experimental, and it would no longer be endangered, and the extraordinary protection of the Endangered Species Act would come off.

That simply did not happen. Today, we literally have thousands of wolves roaming the States of Idaho, Montana, and Wyoming. Some would say: Oh, isn't that wonderful, and isn't that exciting, and isn't that natural? Well, it may be natural in relation to 1880 or 1890, and it may be wonderful for some who behold the dream of an unoccupied great West. But to those of us who live in the West today, who live in an occupied area, where domestic livestock graze, and where the human species loves to camp, we have a problem. Our problem is quite simple. Wolves protected have no predator. The human species is the only predator. And in the absence of our ability to control them, they multiply very rapidly in an unlimited area with an unlimited feed source. Their feed or food source—their prey base—happens to be what was once the great elk herds of Idaho along

with our deer population. And now, as they have begun to decimate those populations, they are beginning to pick off domestic livestock, both cattle and sheep, that graze on these public lands.

This map I have in the Chamber demonstrates, from the 35 wolves that were dumped into Idaho in 1995 and 1996—in approximately this area—the phenomenal spread that has occurred across the entire State of Idaho, into Montana, and down into Wyoming, in areas where we believe there could well be more than 3,000 wild roaming wolves.

So the Department of Interior then said: It is now time we delist these wolves. We thought that was going to work until again a judge, who probably knows nothing about wolves, listened to a couple environmental groups, and said: I don't think we ought to allow that to happen. As a result, all of that effort was stopped. But still the taking of domestic livestock—both cattle and sheep—continues to this day.

I have served on the Appropriations Committee. In the absence of us doing the right and responsible thing, I kept adding money every year not only for the management and the shaping of these wolf populations, but also to offer some compensation to ranchers—both cattle and sheep—who were losing their livestock.

The Senator from Montana, who is presiding at this moment, the Senator from Wyoming and I have joined—they have introduced the legislation; I am a cosponsor—to hopefully bring about a stabilized fund to offset the literally hundreds of thousands of dollars our ranchers are now losing, all in the good name of Secretary Bruce Babbitt of the Clinton administration, who had the wonderful dream that he could take a West once unoccupied by the human species and repopulate it with a wolf.

Need I say more? A wolf is not a kind, sweet, and cuddly little animal. They are large. They are aggressive. They drag down elk, moose, deer. And they are now beginning, as I have said, to take domestic livestock.

A week ago, a young man, who was out training his hounds by chasing bear, ran into a pack of wolves. The wolves chased the guy off and killed all the hounds. Some of these well-trained hounds are worth \$4,000 and \$5,000 apiece. There was absolutely nothing that gentleman could do. Could he shoot the wolves? No. No, it is against the law, the Federal law, that he dare touch them. So he had to watch his beloved dogs eaten.

That is happening more and more every day in Idaho, as this map grows more and more covered with incidents of packs and individual and collective numbers of wolves. It is true in my State of Idaho. It is true in the State of the Senator from Montana. It is certainly true in Wyoming.

As we try to bring these wolf populations under control, we have interest groups and a Federal judge who raps his gavel and says: No.

The State of Idaho is attempting, under this Secretary of the Interior, and others, to take reasonable and responsible control of them, and to once again shape these populations of wolves so wolves can once again be in Idaho and, at the same time, to recognize the need to maintain populations of elk and deer is what we want to do. And it is what the Idaho Fish and Wildlife Commission and Fish and Wildlife agencies were doing in a responsible way—until, once again, a Federal judge intervenes, who knows little to nothing about the species itself, or probably the law, and says: I guess maybe that environmental group is right. Maybe we need more wolves so we get a genetically clear balance. We are more interested in the genetics of the wolf than we are the decimation of the elk herds, the deer populations, and the domestic livestock.

I have said with great trepidation, but I say in all sincerity: Do we have to wait until a wolf drags down a human species before there is a sense of alarm? Because they have now penetrated all of Idaho. They are literally in our backyards. Yet the romance goes on about this great dream of a wild West where you can hear the lonesome wolf howl at night. And they are howling. They are howling loudly right in our backyards. And a blind Federal agency and a blind Federal judge and a romantic environmental theory says that is OK.

It is tragic for the wolf because, ultimately, these populations will have to be brought under control. It is tragic for Idahoans and folks in Montana and Wyoming to see their pets and their domestic livestock dragged down and killed, with little if anything they can do about it.

I hope my colleagues would support S. 2875, as a minimal stopgap to provide these domestic livestock operators with some compensation for the losses they are now taking because Bruce Babbitt, Secretary of the Interior under the Clinton administration, had a wonderful and wild western dream.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Alabama.

MR. SESSIONS. Mr. President, how much time is left?

THE PRESIDING OFFICER. Nine and a half minutes.

MR. SESSIONS. Nine and a half minutes. I thank the Chair.

ENERGY

Mr. President, it is no doubt that the American people are engaged on the question of energy, and gasoline prices primarily. But they are worried about their country. They are worried about their own budgets. They are worried about the direction the Nation is heading and the fact that we are becoming more and more dependent on foreign sources of energy. It impacts our national security as well as our economy.

We know that now \$600 billion, perhaps \$700 billion a year of American wealth is transferred abroad on an annual basis to purchase the 60 percent of

imported oil we utilize in America, in our transportation system primarily. That is a wealth transfer the likes of which the world has never seen. It is not good for our economy.

The average family—and I have calculated it based on a two-car family driving 24,000 miles a year—is paying \$105 more per month for gasoline than they were 1 year ago using the same number of gallons of gasoline. This is a big deal. There is no doubt about it. After our families pay their taxes, after they pay their Social Security, after they pay their house payment, their insurance, their retirement, and their other bills, now \$105 more every month is hitting them because of increased gas prices, and 60 percent of that money is going abroad to purchase the gasoline in a wealth transfer that is adversely affecting our economy. This is a national crisis. There is no doubt about it.

This Nation needs to do something real. We need to take action that will work. I am, frankly, very open to a lot of different ideas that we might be able to adopt. I think both parties have ideas that would work. We need conservation. We need biofuels. We need more production of energy at home. All of those things, it seems to me, are quite possible. This Government should accelerate it and make it a reality. Yet we remain here, unable to act in any way it seems.

For example, agriculture. Yes, crop prices, commodity prices are up, but the fuel that is utilized on the farm has doubled. Fertilizer prices, which come so often from natural gas, have also doubled. Our chemical industry, most of it is a worldwide industry. They have plants, these big chemical companies do, all over the world. When they decide where they are going to make a new chemical, they ask who has the lowest price for energy. Natural gas is often a component of new chemicals and because of prices—we have seen a flat or declining chemical industry and an expansion of it in other places where the price of energy is lower.

I believe the future of the American economy is at stake. We must carry out conservation efforts. I see my esteemed colleague, Senator BINGAMAN, here. He had a hearing a week or so ago and he has had some of the best hearings on energy. I am honored to serve on his committee. We had some fabulous hearings with some wonderful witnesses. The hearing I refer to included Dr. David Green at the Oak Ridge Center in Tennessee, a National lab, a Federal lab, as a witness, and he made a series of suggestions for immediate actions on energy. This is just to increase the miles per gallon that we get. His first thing is driver behavior. He contends that the average driver, if they drove better, could save 10 percent. Curb aggressive driving, observe the speed limits, don't carry extra weight in your car, have vehicle maintenance, have realistic speed limits. For every 5 miles per hour over 55, the fuel econ-

omy, Dr. Green says, declines 7 percent.

He talks about heavy trucks. Improved aerodynamics on the truck could save up to 600 gallons per year—just doing that—and other suggestions he made—low-rolling resistance tires. Better tires get better gas mileage. Driver training can be a big asset, updating fuel economy standards, the labeling of used cars. When people go out and buy a used car, it wouldn't be hard to have posted the mileage of all used cars so that the person could see what that mileage would be if they bought that particular used vehicle. He goes on with a number of other things.

I say that just to point out that he was just one witness in one area: automobiles and vehicles. There are many more things we can do to conserve fuel and I support this.

I believe we ought to reduce our dependence on fossil fuels as soon as possible. I believe we should get away from them as much as we possibly can and reduce our imports. This would include, for me, supporting investment in and promoting hydrogen vehicles and fuel cell vehicles. I think natural gas vehicles do have a role to play. Produce more diesel vehicles that get 35 to 40 percent better gas mileage. Half the cars in Europe are diesel; we only have 3 percent. Why is Europe doing that? They get better gas mileage. They tax diesel less in Europe; we tax diesel more. We have a new sulfur diesel fuel that is extremely clean.

All right. I think we are in a position—and I think the Presiding Officer understands this—the American people want us to do something. We need to reach across the aisle and accomplish something.

How much time remains, Mr. President?

The PRESIDING OFFICER. The Senator has 2 minutes 45 seconds.

Mr. SESSIONS. I have to conclude that this is the problem. I don't believe it is the Democrats I know in Alabama, or I don't believe it is all the Democratic Senators and Congressmen I know in Washington, but let me tell my colleagues what is happening and where we are and how we have reached an impasse that has to be broken.

Former Vice President Gore, a former Democratic nominee for President of the United States, made a speech recently and said that within 10 years, we should generate all of our electricity without any fossil fuels. Half of our electricity today is coal. Twenty percent is natural gas. He would eliminate all of that and replace it with biofuels, with solar, wind, and the like. That is a radical proposal—a proposal that is not within the realm of possibility. It is a stunning idea that simply cannot be achieved that fast. I would favor it as soon as we could, but we have no way of doing that.

Senator OBAMA, the Presidential nominee now, praised that speech. He didn't adopt everything in it, thank goodness, but he did praise Gore and

his speech. He has indicated he opposes further drilling, and he is at best lukewarm, if not unfavorable, to nuclear power.

The Speaker of the House of Representatives, NANCY PELOSI, said she wanted to save the planet. She has been opposing any production through drilling or shale oil or clean coal or offshore production. Our own leader, Senator HARRY REID, has said sometimes he favors production, but his only proposal he has brought forth on the floor of the Senate is to sue OPEC for not producing enough oil. I would suggest we could sue the Congress for not producing enough oil in America. He wanted to tax oil companies, which means you certainly would not get any more oil doing that. Now, we have a speculation bill. Not one of those three pieces of legislation actually would produce any energy.

So let's get out of this. This is not a position the Democratic Party can take. It is not a position a majority of Democrats in America believe in. I am prepared to meet halfway. Let's move to hybrids any way we can. Let's do more biofuels. I think that can work. Let's go to wind, producing as much and as fast as we can. I am for whatever works if it is reasonable and not placing an unfair burden on the American people.

All I can say is, we are seeing a position here that is not acceptable. It is radical. It is damaging our economy. It is saying we will not do the things necessary to create a bridge to get us to nuclear power, clean fuels in the future that can get us off fossil fuels.

I thank the Chair and I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey is recognized.

Mr. MENENDEZ. Mr. President, I heard President Bush's statement at the White House today, and I have to be very blunt. I think the President must think the American people are stupid. For 7½ years we have had two oilmen in the White House, with Republican majorities in Congress for 6 years, and we have seen gas prices go from \$1.46 when President Bush took office to over \$4—to about \$4 now; it went over \$4 at one point—per gallon. Now he would have us believe, after that 7½ years—Republican majorities for 6 of those 7½ years and having the oil industry write the energy policy with Vice President CHENEY in the White House—now he would have us believe, in fact, that we are responsible for this.

It is a good lawyer's game. When you don't have the facts on your side, when you don't have the law on your side, you pound on the table and create a diversion. That is what they have done—tried to create a diversion. The American people are a lot smarter than that.

The fact is, Democrats cannot act as we want to on the energy crisis because the Republican Party simply won't allow us. We have a slim majority in the Senate, and by Senate rules, the



Republicans can filibuster to require us to get 60 votes for anything. That really means, in essence, for those watching, they have the ability to block any legislation they want, and they have used that power to the hilt. Over 90 times they have used this procedural tactic to block much needed legislation. Even though we are in the midst of an energy crisis, they are still blocking everything.

At first they said they were blocking us from our work because they wanted a vote on opening our shores to oil drilling—something I don't support—but the majority leader said OK. We will give you a vote on opening our shores to oil drilling.

Then the Republicans said: Oh, that is not good enough either. Instead, they claimed to want to vote on opening the shores to oil drilling, a vote on nuclear power, a vote on oil shale development, a vote on their larger package of proposals, and guess what. The majority leader said earlier this week: OK, you can have a vote on all of that. Yet, somehow, every time the majority leader offers the other side votes on exactly what they want, they keep saying that is not good enough. They simply won't take yes for an answer.

I hear their speeches. They all mention speculation. Well, we have had testimony that, in fact, speculation in the marketplace could raise oil by \$50 per barrel. We even saw a company that was just taken by the Commodity Futures Trading Commission being charged with having manipulated the marketplace—made \$1 million in 11 days and increased gas and oil prices. Yet they won't let us go to speculation. They say one thing, they do another.

The big issue they keep talking about is production, but the Republicans don't want production. They simply don't want us to have progress. That is their game plan. They have a political equation, and it is: Don't let anything be achieved.

On five separate occasions, they have had the opportunity to vote for energy production. They have had the opportunity to keep the rapidly developing wind and solar industries growing at an accelerated pace, but instead they decide to play politics. The Republican Party doesn't seem to take renewable energy seriously. It is true that renewables are essential for our environment, essential for our economy. What these industries really represent are an opportunity to produce massive amounts of domestic energy cheaply and at least 100,000 new high-paying jobs in America.

Now, if you don't think renewables are serious business, just ask landowners in Texas, Minnesota, Iowa, or Wyoming who are, in fact, receiving \$3,000 to \$5,000 per month for allowing a windmill to be sited on their property or ask oilman T. Boone Pickens, who is plowing billions of dollars of his own money into wind energy and a plan to use renewables to end our addiction to oil.

Now, somebody who has made a lot of money in oil doesn't all of a sudden plow billions of dollars of his own money into renewable energy unless he thinks there is going to be a payoff at the end. He understands.

In my home State of New Jersey we have windmills in Atlantic City, where the casinos are, generating a lot of electricity. Last year we installed enough turbines to power over 1.5 million homes. The solar power industry is growing at over 40 percent a year.

These technologies work. They are working now. They are in high demand. They produce an enormous amount of energy. We need to accelerate and expand that. If we extend the wind and solar tax credits so these industries can continue their rapid growth, we could add 150 gigawatts of installed capacity within 10 years. Now, what does that mean? That means that we would have enough electricity to power over 37 million homes. At that rate, by 2030, we could get over 25 percent of our Nation's electricity from wind and solar power.

The package of tax credits that the Republicans continue to block—blocked again today—represents a solution also for the high price of oil. There is a large tax credit for the purchase of plug-in hybrid vehicles—cars, for example, such as the Chevy Volt, which will be able to run on electricity for the first 40 miles after being plugged in. That means a full three-quarters of all trips—all trips—driven by Americans would not use a drop of gas. If projections by some of the experts hold true, and half the cars on the road in 2030 are plug-in hybrids, we could easily cut our use of oil by 10 percent, and some would suggest that we could even displace much more. And by this time, we would be producing enough renewable energy to power all these cars and still have electricity to spare. If we want cheap gasoline and we want to be free from imported oil, we need to pass the tax credit extensions, and we need to build plug-in hybrids, solar panels, and winds turbines, to name a few. It is that simple.

It is time for our colleagues on the other side of the aisle to stop exploiting our energy crisis for big oil's gain and let us vote on the things that will actually produce energy.

Instead, they insist on holding up everything for an absurd plan that, according to the Energy Information Agency, will not produce energy at all for 10 years and, in 2030, will only produce enough additional gasoline for the equivalent of a few tablespoons per American car.

Let me try to put their plan into perspective. Since April of this year, Americans seeing the high cost of gas have actually reduced their consumption by 800,000 barrels of oil a day more than we did year ago. This is the most significant and sudden drop in oil since the 1970s. But what happened, even though we have reduced 800,000 barrels of oil every day? Prices went up.

In recent weeks, in response to record oil prices, Saudi Arabia produced an additional half-million barrels of oil more each day. What happened? Prices went up.

So how does the Bush-McCain drilling plan compare to these recent events? Well, based upon the Bush administration Energy Information Agency's own analysis, if we open all our shores to oil production, the first drop of oil would not be seen for almost a decade, and offshore oil production would peak in the year 2030. Then it would peak at only 200,000 barrels a day.

So, in fact, if 800,000 barrels a day in reduced consumption combined with an increase of 500,000 barrels a day in extra production hasn't lowered gas prices one bit, it is clear that the production of 200,000 versus a combination of 1.3 million barrels in reduced demand or increased production—200,000 barrels in the year 2030—is going to do absolutely nothing about gas prices.

In fact, the Energy Information Agency says that adding those 200,000 barrels per day in production in 2030 will lower the price of gasoline by less than a penny per gallon.

Let me repeat that. The Republican production plan to open all our shores to drilling and risk the environmental consequences we saw, for example, in the Gulf of Mexico during Katrina and Rita, with 700,000 gallons of oil spilled and 7 million spilled on land by the facilities that bring that oil to the marketplace, would not lower gas prices but about a penny in 2030.

Let's compare these numbers with what renewables have to offer. Remember, if we pass the renewable energy tax extender credits, we could produce massive amounts of electricity from renewable technologies. We hear this constantly being discussed by the Republicans, but they don't let us vote on it. Remember that the tax extenders will help us rapidly deploy plug-in hybrid technology so we can use this electricity for transportation.

By some projections, this means that by 2030, the same time period they are drilling off the shore with the risk that comes to a \$200 billion coastal economy, we could replace 2 million to 3 million barrels of oil per day with electricity. Compare 2 million to 3 million barrels to a measly 200,000 barrels per day by the drilling.

Some, such as the DOE's Pacific Northwest National Laboratory, projected we could actually displace 3 times as much, or 6.5 million barrels per day by 2030 versus 200,000 barrels in this big drill, drill, drill.

I don't quite get it. You can save the equivalent of 6.5 million barrels every day in energy by pursuing the renewables that they say they support but don't vote for or you can have 200,000 versus 6.5 million by virtue of drilling 30 years from now. So this, of course, means that for us to achieve this, we need to get beyond the Republican efforts to stop us from maintaining the

tax incentives we have. It means we actually have to get serious about our energy policies and start a serious effort to run our transportation fleet on electricity.

That is what voters have to decide on this fall. Do they want to vote for the party of big oil, the party that saw the dramatic increase in gas over the administration's lifetime, where they wrote the rules and the law at the White House, sitting with the Vice President of the United States—do they want to vote for big oil that has record profits, starting with ConocoPhillips? I can't wait for tomorrow, or the day after, when ExxonMobil puts out their record profits. We are talking about billions in record profits. Do they want to vote for big oil, which concocted a plan that does nothing but enrich the oil companies?

This is about one last grab before the administration goes out of office. They already have 68 million acres in this country that they have access to. Now they say we cannot do this or that. They have 68 million acres. They have millions of acres in the Outer Continental Shelf that are not subject to the moratorium. They have areas in the gulf they have not pursued.

The bottom line is that plenty of drilling can take place, and they have not done it. Even the President of the American Petroleum Institute says we don't have the infrastructure or the resources to do it. All this talk about drill, drill, drill, which would only produce 200,000 barrels in 2030 versus 6.5 million barrels of reduced demand in oil—that would do something about the gas prices—and not letting us take out the speculation in the marketplace, which would reduce oil \$50 per barrel, some experts say, but they would not let us vote on that. They would not let us vote on the tax extenders.

So this is not about creating production, this is about stopping progress. This is about a Republican game plan that says we will send the Congress home without having done anything about dealing with gas prices, and the minority will face the consequences. They are so sadly mistaken that the American people will not see through 6.5 years of record gas prices, record oil profits, unwilling to allow us to deal with speculation or deal with production and what the energy tax extenders provide, unwilling to allow us to pursue conservation, unwilling to let the American people get the relief they want.

That is why I truly believe that if they continue on this course, the Nation will suffer and consumers will suffer. But they will suffer at the polls come November.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from New Mexico is recognized.

#### TAX EXTENDERS LEGISLATION

Mr. BINGAMAN. Mr. President, I wish to take a few minutes here on a Wednesday afternoon. We are not toward the end of the week yet, but as

most people know who observe the Congress and Senate in session, once you get to Wednesday afternoon, you sort of have a feel for how much you are going to be able to accomplish during the week.

I think it is fair to say we have not been able to accomplish much so far this week. This is sort of a last-ditch effort to encourage us to try to do something constructive before we leave town, before the August recess.

Let me try to put this debate in the general terms that I understand it. There are two packages of legislation that relate to our energy challenges which we have been talking about—two notional packages of legislation. One—and this is the one most of the speeches are probably about—relates to the general problem of high gas prices, which is a serious problem for all Americans. This set of speeches is not about a particular bill because we don't have a bill that has come out of any committee in the Senate dealing with this problem of high gas prices. There are bills the Republican leader has introduced on the subject, and there is the bill to deal with the part of the problem relating to speculation, which the Democratic leader has introduced, the majority leader. We have not been able to move ahead on that. There have been repeated efforts, and we have been blocked at every turn.

The other package is the one I wish to talk about. I spoke about it briefly yesterday. I wish to talk about it again because I think it is extremely important. It is, in my opinion, the most important legislation we could pass and take action on this week. This relates to the extension of various tax provisions that are currently in the law or that have been in the law but expired this last year. I will briefly talk about that.

Some of those tax provisions relate to energy. Many of them do not. Many relate to other items, other matters that are extremely important as well. Let me talk about how important this legislation is to our economy, to American jobs, and to our energy challenge as well. First, I will talk about the provisions in the tax law that expired at the end of last year. These are provisions we need to extend in order that Americans will not face substantially higher taxes when they go to pay their taxes next spring. I am talking about things such as the alternative minimum tax.

Most Americans don't have to worry about the alternative minimum tax. Unfortunately, the way it is written today, unless we pass legislation such as what I will argue for here, we are going to have millions of Americans have to calculate their taxes pursuant to the AMT and actually pay increased taxes because of the alternative minimum tax this next year if we don't pass that legislation.

We have a provision for a child tax credit. You would think there would be strong support for maintaining the

child tax credit that Americans believe is part of the Tax Code. Unfortunately, it expired at the end of last year. If we don't pass legislation such as what I am talking about, such as what we tried to pass earlier today, the child tax credit is not part of the law.

The qualified tuition deduction for higher education expenses, again, this is something that is very important to many families in this country who have children or where one spouse or the other is going to school and they need that tuition deduction for higher education expenses.

Also, there are the provisions for retirees to be able to make tax-free IRA rollovers to qualified charitable organizations. These are examples of provisions that Americans think are in the Tax Code—and they are, except they expired at the end of last year. We need to go ahead and legislate to reestablish those so people can take advantage of them when they file their tax returns next year.

All of that is contained in this legislation that failed earlier today on the Senate floor—failed in our efforts even to proceed to consider the legislation, in order to be specific about it.

Let me talk about the energy provision. There are also, in the tax law today, several important provisions to encourage production of energy from alternative sources—production of energy from wind farms, wind turbines, from solar concentrating facilities, and production of energy from photovoltaic cells that people put on their homes. This is legislation that was enacted—most of it—in 2005. I was honored to be present in 2005 in my home State of New Mexico, in Albuquerque, when President Bush traveled there and stood with Senator DOMENICI and myself and others at the time to announce that he was signing the 2005 Energy bill.

There are some who criticize that bill, but I think there were many good provisions in it, and some of those provisions are these I am talking about right now—the production tax credit for wind energy, the investment tax credit for solar energy. Those provisions, unfortunately, were only enacted through the end of 2008, and that is about, as we can all tell by looking at the calendar, 5 months down the road. So companies that are thinking of investing in projects—under the law, the way we wrote those provisions, the project has to be actually completed and in operation prior to the expiring of the tax credit in order for them to get the tax benefit.

Obviously, companies are now looking at this expiration date of December 31 coming up and they are saying: Wait a minute, hold off, we are not going to build that wind farm, we are not going to construct that concentrating solar power facility, we are not going to put those photovoltaic solar cells in place because we don't know if Congress is going to extend this provision or not extend this provision.

The vote we had earlier today is not encouraging at all in that regard because it is a signal to the business community that, in fact, Congress is not going to be able to generate the votes necessary to extend that provision.

As I understand it, all Democrats who were present voted for proceeding to the bill so we could bring it up, debate it, pass it—at least I hope pass it. I believe five of our Republican colleagues joined us in that effort. But we need more. We cannot get to the 60-vote threshold that is needed without more support from our Republican colleagues.

The arguments used against going ahead are numerous, and they are changing all the time. Let me briefly go through these arguments.

A main argument is they like the provisions, they support the provisions, they just don't like the so-called offsets. They don't like the idea that we are generating revenue somewhere else to offset the lost revenue from extending these provisions. That is the argument.

There are variations on that. One variation is, these are temporary tax provisions, and we are making changes in the Tax Code of a permanent nature in order to offset the loss of revenue. At any rate, we tried to fix that, and I think we have fixed that in the bill Senator BAUCUS offered earlier today.

Another argument is these are in current law. We don't want to offset anything in current law. We want to extend current law from now on even though we were not able to do it under the original budget we are operating under. So that argument is being made.

The other argument that is being made, unfortunately, at this point is that somehow or other there is a procedural advantage to refusing to allow us to deal with this legislation. There is some advantage that is being argued accrues to the Republican side in their larger debate about drilling offshore; somehow it helps their position that we ought to drill offshore if they deny us the right to extend these alternative energy tax provisions, the research and development tax provision, the child tax credit, and a variety of other provisions. I have trouble understanding that argument, but it is being made, and somehow it seems to be persuasive to an awful lot of our colleagues.

Let me briefly review the bidding here. As far as I understand, the procedure we have gone through this week is on Monday, the majority leader offered debate and votes on domestic production and other matters. I believe the Republican leader at that time indicated he would respond later.

On Tuesday, I believe Senator VITTER from Louisiana announced that he had seven amendments on energy that he would like to have considered. Tuesday afternoon, the Republican leader rejected Senator REID's offer of four amendments on each side. Tuesday afternoon, Senator REID stated that we would not go forward with amendments

on the general subject of energy if we could not go ahead and deal with this extender package. That had to be done first, I think because of his great concern and my great concern that this is an urgent matter. This has languished too long. We need to act on it.

In the last 24 hours, we have had filibusters on this effort to move ahead with the tax extender package a couple of times. We also, of course, had a filibuster on the effort to move ahead with the Warm in Winter and Cool in Summer Act, which is the Low-Income Home Energy Assistance Program, trying to increase the level of direct assistance to low-income families in anticipation of the very high costs they are going to face this winter.

I don't know if there is a way to get the Senate to move ahead. I compliment the majority leader for the heroic effort he has been making in trying to do that. Obviously, he has not prevailed as yet.

The timeline for trying to get action on this tax extender package, or some version of it, is as follows:

In June of 2007, we had a bipartisan energy tax package that we brought to the Senate floor, and it got 57 votes. That was not enough to allow us to go ahead.

On December 13, 2007, we had a bipartisan package that got actually 59 votes. But, again, 59 votes is not enough to let us proceed in the Senate.

On April 18, we did pass a package of provisions of this type with no offset contained. That was a useful thing to do. We have been told in clear and unequivocal terms that we cannot get support to pass such a bill through the House. So we are back trying to get some agreement on how we can pass this package of tax extenders, how we can pass this package of tax provisions related to alternative energy production and related to energy conservation before we leave for the August recess.

This is a high priority. Projects are being canceled and delayed as we speak because of our inaction on this matter. I felt it important to come to the Senate floor and try to urge action once again before the week ends.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Mississippi.

#### ENERGY

Mr. COCHRAN. Mr. President, we will soon be adjourning the current session of the Senate, and we have yet to consider any meaningful proposals to help relieve the pressure all of our constituents are feeling because of the high cost of energy. Before we return home, we should pass a bill that encourages increased production of energy here at home to reduce our dependence on foreign oil.

Americans have responded to the jump in the price of gasoline by driving less and using less, and the price of oil has decreased significantly in the last 2 weeks because of this effort.

There is a direct link between supply and demand and the price of oil. In

order to pay less for oil, we must have more supply and we must have our own domestic supplies.

We have been debating a bill that will not increase supply or decrease demand. The Democrats continue to thwart our efforts on this subject, and we find ourselves in a logjam.

Even though oil prices have dropped some, gas prices remain at an alltime high. Americans are spending an inordinate amount of their hard-earned income on gasoline. My constituents in Mississippi spend the highest amount of their income on gasoline of any State—nearly 8 percent—according to the National Resources Defense Council.

The status quo is not good enough. We must act. If the price of oil can drop more than \$20 a barrel in 2 weeks because of decreased demand, imagine what could happen if we could couple that with increased supply.

We are very lucky that we have energy resources in America to explore. Many areas offshore are currently off limits, but they hold great potential, as do the large deposits of oil shale in the Rocky Mountains. With our abundance of coal, we have the opportunity to utilize coal-to-liquids technology as another fuel source. We are not lacking in resources. Yet we continue to be beholden to foreign oil cartels that are not producing at the rate of current worldwide demand.

We should also be making sure nuclear power is available in the quantities we need. Companies such as Entergy in Mississippi have made application to build new nuclear plants. We need to ensure that the permitting process is rigorous but more expeditious.

We have the opportunity today to begin weaning ourselves from our dependence on foreign oil, but in spite of the suffering that high gas prices are creating across the country, we are not moving fast enough. Let's get together and get this job done.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. DOMENICI. Parliamentary inquiry: Am I correct in assuming that I have 20 minutes?

The PRESIDING OFFICER. The Republican side has 25 minutes 20 seconds.

Mr. DOMENICI. Mr. President, I understand that time is allotted to the two Senators, the senior Senator from Tennessee and Senator PETE DOMENICI, the old man who is leaving the Senate soon.

I wish to tell the Senator from Tennessee, our new chairman of our Republican conference, what a great job

he has done as we have considered whether we should produce more oil for Americans from American-owned resources. That has been an exciting 8½ days. What disturbs the Senator from New Mexico is, even with the explanations the Senator from Tennessee and others have made, people the Senator has read about, the things he told us about in terms of what we ought to be finding and saving, we ought to be producing and conserving, and we ought to use our own resources, we have not been able to get meaningful amendments offered in the Senate to have a vote.

I have come to the conclusion that there are some—perhaps more than I ever imagined—Democrats on the other side of the aisle who don't want to produce more American oil. I really didn't think that was possible, but I have come to that conclusion. I am not saying everybody. There are some who are working very hard on new ideas on how we can produce. But I believe the majority leader has been bugged, bothered, and pursued by those who don't want to let a vote because they don't want to produce any oil on the offshores of America even though there is a lot of it there and it belongs to us.

Having said that, I wonder if the Senator will have a comment about statements that have been made by a couple of Democrats on the other side of the aisle who have said that there are Republicans who just want to drill, that is all they want to do, is drill for more oil. Do you know of any Republicans—you know the Republicans pretty well; that is why you have your job as chairman—do you know of any Republicans whose concern is nothing other than we drill for more oil?

Mr. ALEXANDER. I would say that the Senator from New Mexico knows the answer to that.

And, Mr. President, I ask unanimous consent that the Senator from New Mexico be allowed to proceed through our remaining time in a colloquy.

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

Mr. DOMENICI. I thank the Chair.

Mr. ALEXANDER. So the answer is no, to the Senator from New Mexico, and I think it is important to go back to when we first started talking about this matter.

I think it might be useful to the people who are watching the Senate and wondering how we do things—maybe they have been watching C-SPAN and thinking: Well, these Senators sure know how to make a lot of fine speeches. And that is what we have been doing for the last 10 days, making speeches. But we haven't been doing anything more. But that isn't what we have wanted to do or what we do want to do now. What we want is a serious debate on legislation to lower gas prices that looks at ways to find more and use less.

The Senator from New Mexico is exactly right. We understand high gasoline prices are the product of a law we

learned in economics 101. I don't know how the Senator from New Mexico did in economics 101. I imagine pretty well because he is one of our most intelligent Senators. But economics 101 says the price of a commodity, such as oil—or it might be hay or wheat or anything else—is determined by the supply as well as the demand. So what we said in our Republican caucus was that we wanted a balanced approach; that we wanted to increase the supply—"find more"—and we wanted to reduce the demand—"use less."

So if I may say just for a moment, we do talk a lot about finding more.

Mr. DOMENICI. Yes.

Mr. ALEXANDER. Because that has become the issue between the two sides, really. We want to do both, and many of them don't. They want to use less, and we want to use less. But it is hard getting many of our Democratic friends to agree that even in the next 30 or 40 years we will need to use significant amounts of new American energy if we want to keep our lights on and drive our cars and heat our houses and have good jobs. It is hard for them to agree with that.

But let me be very precise about our using less. Our "finding more" idea was really offshore drilling and oil shale, and our "using less" was plug-in electric vehicles. T. Boone Pickens thinks he has a pretty good plan, and he has bought a lot of television time to advertise it, and it is pretty simple: natural gas and windmills. Ours is about as simple: offshore drilling, oil shale, and plug-in cars and trucks.

But let's talk about the "use less" part. That will do more for us than the "find more" part will. That is the Republican proposal.

Mr. DOMENICI. Yes.

Mr. ALEXANDER. We import, I believe, Senator DOMENICI, about 12 or 13 million barrels of oil a day. We use about 20 million barrels a day, or a quarter of all the oil in the world. So if we could find a way to use less, as well as find more, we could affect the price.

I had a visit just this afternoon from the utility manager in Austin, TX, and we talked about plug-in electric vehicles—our way of using less. What I am trying to do is make the point that there is not anybody over here on this side of the aisle who just wants to drill alone. We know we have to use less.

Now, why do we say plug-in cars and trucks? When I first started talking about that, people thought I had been out in the sun too long. I was far from the first to talk about it. Senator HATCH has introduced legislation on this issue, and it has been supported by a number of Democratic Senators as well. The director of the Austin, TX, utility started talking about it with me earlier today, and here is what he says can happen.

In Austin, TX, they have about 1 million cars and light trucks in his utility district. His judgment is that they can get up to about 10 percent of those cars—100,000—on electricity, where you

just plug them in at night at home, within about 5 to 8 years without much trouble. He believes it is a reasonable goal in Austin, TX, to get half of those million cars and trucks on electricity in 10 to 15 years.

Now, Senator DOMENICI, if we could help the United States take half of our 240 million cars and plug them in instead of filling them up with gas, we could cut our import of foreign oil by 4 million barrels a day and stop sending money overseas. And that is our way of using less. So we want to use less.

We have other ways to do that as well. The problem is, we can't persuade our friends on the other side of the aisle to find more because when we say offshore drilling, they say: No, we can't. If we say oil shale, they say: No, we can't. Even if we say nuclear power for plugging in our cars and trucks with clean energy, they say: Sorry, not a proponent of that.

So the answer to your question is, no, we are not just for more drilling—we are all for the demand side and using less. We know that makes a difference. We would just like to have a debate and a bill about both, and we are for both. Unfortunately, our friends on the other side are not. It seems to me they are kind of repealing the supply half of the law of supply and demand.

Mr. DOMENICI. I thank the Senator for the answer, and I want to repeat that supply and demand clearly is what affects the price. The truth is, anyone who thinks we don't have to use oil for a significant amount of time—I mean import it—is just not taking into consideration the reality that what we use most of this oil for is cars and trucks and airplanes and the like, and we just can't make a change overnight.

The Senator just mentioned one great way to lessen that, and Austin has a well-planned idea that would take 15 to 20 years to do half, to get rid of half of the automobiles and substitute electric cars. But what are you going to do during the 15 years or 20? You are going to use cars, today at least, using crude oil. You are going to use gasoline.

Mr. ALEXANDER. Then there is the other half of the cars and trucks that are presumably still running on gas.

Mr. DOMENICI. You bet. Just so we make it clear, if there are Members of the Senate who don't want to let a vote occur on producing more oil because they don't think we need to produce more oil—and I can't imagine why, but some people just say no more carbon; some people say no more oil—they have to understand that we are going to be buying more oil whether we like it or not, unless we just stop driving or shut down America. It is going to continue to bleed us dry.

So we didn't come down here after our majority leader offered an amendment, an amendment that he has been saying had an impact on the price of oil, if you can imagine that. It was an oil speculation bill. As we continue

this debate, the majority leader's solution to an enormous energy crisis facing our Nation—and earlier today the majority leader gave a speech. I don't know if the Senator heard it. In that speech he said many things, but one of the things he said is that oil prices are going down because the Senate is debating—debating—oil speculation.

Now, the Senator from Tennessee and I really work hard at legislating because we think legislation can have an impact. But on such a big world problem, to think that on oil supply and demand that you could come to the floor of the Senate and say in a credible manner that the price of oil has come down because a bill was introduced—and the bill was the speculation bill—you know, people haven't gone to sleep. The speculation bill has been written about, and the best thinkers have said: First, you don't need one; and, second, this one would not do anything.

Mr. ALEXANDER. The Senator from New Mexico is right, and you are not the only one who thinks that. I picked up the New York Times a couple of days ago, and in their editorial—and they do not always agree with the Republican side of the aisle, I will have to concede—but they basically said the speculation bill is not a solution to high gas prices. Warren Buffett, who is a pretty good observer of the American economy, has said it is not speculation, it is supply and demand.

I know for people who may be watching the Senate, they may ask: What are you hung about up about in the Senate? Why don't you work across party lines and come up with some good ideas about supply and some good ideas about demand and put them in a piece of legislation and vote on it and go home and you will have taken a big step in the right direction?

We have said that is what we want to do: oil shale, offshore drilling, and plug-in cars.

The problem is, we haven't been able to do that because the Democratic leader, for some reason, is reluctant to do the supply part of supply and demand.

Mr. DOMENICI. I want to also say, Mr. President, I think some of us who work hard in the energy field know why the price of oil has dropped a little.

First, those of us who have worked at it are concerned about the supply and demand problem because we entered an era for a short time when, obviously, there was no more new supply on hand and the demand was growing. And guess what happened. The United States, the American people, not because we passed a lot of laws but because they felt the price of oil in their pocketbooks, changed the way they behaved, and as a result they saved enormous amounts of crude oil. We estimate right now that U.S. demand has been decreased by 4.3 percent, and that is about 1 million barrels a day.

When the Senator just spoke a minute ago, he was right. He gave the

numbers, and 5 percent of that number would have been 1, and that is what we are at—1 million barrels. That came down. That lessened the demand, the world economy had some problems, less money was spent, and the demand came down. That was supply and demand working at its best.

Mr. ALEXANDER. I would say to the Senator from New Mexico, that is 1 million barrels a day using less. What we are saying, with plug-in cars and trucks, we can cut out another 4 million barrels a day over a few years. But if we use offshore drilling and oil shale, we can add 3 million. So we can reduce by one-third our imported oil and change the price of gasoline. And I would say to the Senator from New Mexico that some people say: Well, changing the price is way off in the future. I thought that today's price is based upon the expected supply.

Mr. DOMENICI. You bet.

Mr. ALEXANDER. And the expected demand. From the day the world thought that we might increase that by a few million barrels a day, or reduce that by a few million barrels a day, the prices started going down. Am I wrong about that?

Mr. DOMENICI. Well, if you say just coming up with the idea would do it, then I would say no, the Senator is not right. But if we were to have done that, and it was a matter of law in America that we were going to find more because it was there—you know, Americans are pretty good at drilling. Americans don't mind using the word "drill." They have told us now in the polls, in answer to the question, that they are, by 75 percent, for more drilling if it is on property we own. In fact, offshore has been the answer. So they want us to find more, and they also want to use less.

It is obvious that if we would have passed that—and anybody who says we could not have because we didn't have time is just trying to pull the wool over the eyes of Americans. How many days would it take to do that if we had the will and we were given 7 days and we made a deal? We can't make a deal on anything else, but if we made one and we were going to have 7 days to debate this bill, amendments come as they may—take down the thing that the majority leader put up there because he didn't want us to vote—7 full days of debate—we could have produced a bill that would have opened the offshore permanently, except for the 15 percent that is already open, and we would have adopted the use less, find more provisions you have so eloquently brought to us from some of your experts, the experts you talked to, some of them at your National Laboratories.

Just think, after we passed that and had a signing ceremony at the White House to say: Here is what we have done, Americans. You are saving on your own, so you are using less, and we really think that is great, but we think there is still danger the price will go up, so we want to find more to keep it

down—we are having the ceremony where we are celebrating both.

Mr. ALEXANDER. The Senator says we could have done that in maybe a week.

Mr. DOMENICI. You bet.

Mr. ALEXANDER. We could have agreed to a large number of amendments and said: Let's have an hour on each amendment and let's have a vote, and we might win some or lose some. But may I remind the Senator that Senator REID brought this to the floor nearly 2 weeks ago. Could we not have started on that day to have amendments from the Republicans and amendments from the Democrats, limiting debate to 1-hour per amendment with all amendments germane to energy? Wouldn't that be a normal way for the Senate to work?

Mr. DOMENICI. You were here, and we got three energy bills through. People think we did nothing, but we did. We had a 6-year span here where we did a lot for energy. We changed the CAFE standards for cars. What is that going to do? Use less.

Mr. ALEXANDER. That is the single most important step Congress could take to reduce our dependence on foreign oil, according to experts at the Oak Ridge National Laboratory, and Congress did that last year.

Mr. DOMENICI. And we did it with just one other item. It certainly didn't take as long as we have been down here talking instead of offering amendments—because we could not. We passed it, and there it is. Everyone knows it is great.

People are telling us: Don't worry about the offshore, it takes 10 or 15 years. Do you know what they told us about the "use less" provision that is so important, called new CAFE standards for American automobile fleets, all our cars? They told us that will not be totally effective for 20 years. The curve goes like this: you start—you don't save any, you don't save any, and then in the 15th and 20th years, you start to finally save.

Should we not have done it because it takes a long time to take effect? Of course not. We were told to get started on it because, as you said, it is the single biggest way to save gasoline and diesel fuel that anybody knows of.

Mr. ALEXANDER. It seems as if our job, Senator, the way I always remembered it, was to look ahead 5 or 10 years.

Mr. DOMENICI. Sure.

Mr. ALEXANDER. What if President Kennedy said we can't go to the Moon because it might take 10 years or Benjamin Franklin said we can't have a republic because it might take 50 years? And we also said—you just said it: From the day we pass legislation that includes oil shale, offshore drilling, plug-in cars and trucks—from the day we do that, then the buyers and sellers of oil say: It looks as if there is going to be a larger supply and less demand, and maybe we will pay a little less for oil.

Mr. DOMENICI. I want to talk to the Senator for a minute about whether we are capable of doing big things that affect the energy field. We had a chance here in the last 7 to 10 days to do something rather big. But do you know what we did 4 years ago? I was fortunate. I left the Budget Committee, where I was chairing—it seemed as though I was, at the pleasure of the Republicans, running that thing for so long, they never wanted me to step down. I finally got tired of it, and I took the Energy Committee. The first bill we passed addressed an issue that is part of this “find more.” It addressed the issue of why we did not build a nuclear powerplant for 27 years. We answered it in that legislation, didn’t we?

Mr. ALEXANDER. And there has been a remarkable change today just because of that legislation 4 years ago.

Mr. DOMENICI. Do you know how many applications there were when we passed that legislation, for all America? Zero. That meant something was awry.

Mr. ALEXANDER. For nuclear powerplants.

Mr. DOMENICI. We had not built any. You have to apply, and so you go there and look and you see whether there are any applications. As of today—I just got a briefing—do you know how many full-blown applications there are to build, locate, and design? You can put all that in one now. It takes a long time—4 years after you have done it. Sixteen American companies or consortia of companies, even though it takes a long time and they are going to have to have their money at risk for a long time, put their applications in and said: I want to get in line because I want to build, I want to find more energy.

We are really grateful; for once, we have one where we don’t have to argue about pollution, right?

Mr. ALEXANDER. It is the only source of large, dependable amounts of energy with no carbon, no sulphur, no mercury, no nitrogen. It is our cleanest. And as the price of coal goes up and natural gas goes up, it is the least expensive of our reliable forms of energy.

Mr. DOMENICI. So, you see, when there is a will, there is a way. The problem is, there was no will on the part of the Democratic leader—and perhaps some behind him. I am not going to say all of them, but surely they didn’t express any dissatisfaction with what was going on until, at the end, we started feeling there was some rumbling going on. Maybe they had some friction. But nobody over on that side seemed to be saying to their leader: We want to get busy here and have some votes. There was not a will, so you can’t do it. You couldn’t change nuclear power without a will.

In that same bill we were referring to, we changed a lot of things. I wanted to tell you, one thing you have been interested in is the electric grid because you are concerned about how we are

going to get the electrical power when we cannot build powerplants. Certainly, it takes a long time to use this nuclear one as the way. It takes a long time. You can build coal fastest, but there are a lot of problems with EPA and others on that, right? Then you can build natural gas. That is pretty much—you and I look upon that as Senators and say: Yes, you can do it, but it sure is risky because we need that natural gas so badly. But that is the only way they built them in the last few years. That bothers you, right? Doesn’t it? Aren’t you worried about that?

Mr. ALEXANDER. Madam President, how much time do we have remaining? The PRESIDING OFFICER (Ms. KLOBUCHAR). The Senator has 1 minute 7 seconds remaining.

Mr. ALEXANDER. Let me ask the Senator from New Mexico on our last minute and 7 seconds, one of the descriptions I like is his description of how we need to produce more American energy as our bridge to the future when we will have a different kind of energy.

Mr. DOMENICI. I would think, if we could start using these words—we need a bridge to the future—and then we got together and thought about that and then said, What is that? Remember a while ago I told you how long it would take in the city of Austin before you would get all those cars that are using oil off the streets?

Mr. ALEXANDER. Ten to fifteen years, half of them.

Mr. DOMENICI. Half of them. And then all the other things we talked about, CAFE, how long it would take going up and then start down—that applies to so many things in America that the truth is we are not going to be in a position to look to new, brand new generation of energy to move cars and trucks. We can’t do that for a decade. So there is a bridge taking place, a bridge from now until we do not need oil any longer. But what does the bridge consist of? It is oil. Oil is the bridge between now and the time we do not use oil.

I regret to tell you, for anyone who thinks there is no bridge—it just comes to me now—then they can walk into a canyon and drown in the water underground that is running there because they didn’t walk on a bridge and they drowned themselves. I do not want to drown our country. I want to find new oil so the bridge will be less somebody else’s and more ours.

I understand the Chair tells us we are out of time. We will behave very well. Thank you very much.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington is recognized.

#### REFUELING TANKER PROGRAM

Ms. CANTWELL. Madam President, I come to the floor this afternoon to join my colleague from Washington State to talk about—I actually say it is an energy issue. Yes, it is also about the Air Force and Department of Defense air refueling tanker program, but I be-

lieve it fits well into this debate today because we are talking about energy and the high cost of energy.

This week, I am sending a letter to Secretary Gates, along with my colleague, Senator MURRAY, to make sure the Pentagon is doing its job and eliminating the evaluation errors identified by the GAO to make sure we have a fair competition and an even playing field when it comes to the air refueling tanker program.

The fact is, our military’s air refueling requirements are already well known. The original requirements were developed with input from the warfighting combatant commanders and approved by the Air Force Requirements Oversight Council and the Joint Oversight Requirements Council. According to the Federal rules, major changes to these requirements cannot be made without going through this process again.

I think failing to account for what are full life-cycle costs and estimates or changing the requirements in the RFP would be another colossal failure in this long process. This was an evaluation problem, not an RFP problem. I am here to say that if the Pentagon fails to learn the lessons from the GAO decision and changes the requirements that have already been set, then I am sure they will hear from many of my colleagues and myself here in Congress. There may even be another GAO protest.

The American people do not want to have an amended RFP that will result in a protracted protest rather than the tanker procurement we are all seeking. Therefore, the new competition should be based on the requirements that were reflected in the original Request for Proposal dated January 29, 2007. The world our warfighters are operating in has not changed since those requirements were set. I see no need for them to be changed.

We are here on the floor now talking about the high cost of energy. The Boeing Company worked hard to meet the Air Force requirements for the tanker bid process. It picked the 767, the platform that best matched those Air Force requirements. If the Air Force had called for a larger tanker, Boeing could have offered a bigger plane, the 777, with far more fuel capacity. But the plane that Boeing picked, the 767, is a much better match for us, the American taxpayer, and for our environment.

The Air Force currently uses more fuel than any other branch of the military, and the Boeing 767 plane burns 24 percent less fuel than its competitor and would have saved the taxpayers approximately \$30 billion over the life of these tanker planes.

As my colleagues are talking about what to do about the high cost of fuel, I ask them to consider one of the Government’s largest users of fuel—the Air Force—and whether we should make sure fuel efficiency is integrated into the Air Force’s procurement decisions.



The Air Force uses more than half of all the fuel the U.S. Government consumes each year, and aviation fuel accounts for more than 80 percent of the Air Force's total energy budget. In 2006, the service spent more than \$5.8 billion for almost 2.6 billion gallons of jet fuel—more than twice what it did in 2007.

The American taxpayers obviously cannot afford their own higher fuel costs. I do not see how the American taxpayers can afford the U.S. Air Force running up a higher cost energy bill as well.

An Air Force Assistant Secretary told the House Armed Services Committee that it wants to leave a greener footprint, with more environmentally sound energy resources. He testified that the rising gas and oil prices had forced the Air Force to take a harder look at the budget to find ways to save money while maintaining a high operations tempo in the war on terrorism.

Assistant Secretary Bill Anderson said this:

The increasing cost of energy and the Nation's commitment to reducing its dependence on foreign oil have led to the development of the Air Force energy strategy, to reduce demand, increase the supply and change the culture within the Air Force so that energy is considered in everything that we do.

I believe the Boeing 767 would have been a much better choice for the Air Force in energy savings and fuel efficiency. As I said, it burns 24 percent less fuel than the alternative that was put on the table. The Air Force did not give full consideration to the national security impact of these fuel efficiency issues when it made its decision on the tanker.

Given that the Air Force, as I said, uses more than half of all of the fuel the U.S. Government consumes, I hope they are thinking about the big picture issue when it comes to making sure our Nation reduces its dependence on foreign oil.

This 767 has greater operational flexibility. It can land on shorter runways and it can be based at more locations worldwide with existing infrastructure instead of making us, the taxpayer, pay for more and more infrastructure costs.

Boeing's medium-sized 767 tanker makes a lot more sense than the oversized option that was originally outlined by Northrop Grumman/EADS, and its greater operational flexibility.

The tanker size was determined in the original requirements. And so the fact this plane, the 767, is more fuel efficient, can land on shorter runways, can have more base operations, in fact, over 1,000 more base operations worldwide, and the fact that the other costs to the taxpayers in the long run are lower compared to the other offer the Air Force is considering, we must make sure we are doing our job here on the floor of the Senate to make sure these issues of cost savings to the taxpayer are considered.

I want to make sure the Department of Defense takes a hard look at these

issues and weighs the loss of critical skills in the U.S. manufacturing base. In this time of challenge, America wants to know it can rely on a workforce and manufacturing base here in the United States for our preparedness for whatever conflict comes in the future.

I want to make sure that the problems identified by the Government Accountability Office are corrected and that we move forward. But failing to account for lifecycle costs on fuel, on infrastructure, on maintenance would also be another failure in this process.

I hope my colleagues will remember this was an evaluation problem, not the RFP. And we hope we will straighten this out as we move forward.

I see I am joined on the floor by my colleague, the senior Senator from Washington. I hope she too can add to the focus of how those high costs are something we should be considering in making sure the Air Force moves forward on the appropriations choice to give the men and women of our country a long overdue air refueling tanker that we deserve.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington State.

Mrs. MURRAY. I come to the floor this afternoon to join my colleague from Washington State and thank her for her comments and attention on this enormously important issue to our State and to our entire country.

As she outlined earlier this month, the Department of Defense took a rare step involving a major procurement contract. Defense Secretary Gates decided the competition to replace the next generation of aerial refueling tanker was so flawed that it should be rebid. He elevated that competition from the Air Force to his office, and he promised to address all of the findings raised last month in a Government Accountability Office ruling which determined that the contest was skewed in favor of the European company Airbus and against Boeing.

I was glad to hear the Defense Secretary had decided to take new bids and start over. But I come to the floor today to join with my colleague from Washington State because I too have very serious concerns about the Pentagon's plans for that new competition. Some Pentagon officials are already indicating to us they are considering using this opportunity to amend the request for proposals to give greater weight to a bigger plane.

As a result of those comments, defense experts and analysts are now beginning to predict that as a result of that, the contract will simply go back to Airbus. I brought this up in a meeting this week with Acting Air Force Secretary Donley, in which we discussed the history of this tanker contract, and we talked about the needs of the Air Force, the criticisms that have been lodged against the latest competition, and our concerns about the amendment to that RFP that would tip the scales to favor one bidder.

I am not saying the Pentagon cannot change the requests for proposals. However, I strongly believe that all those changes have to be rooted in the original requirements that were set out by the Air Force when it began the process of replacing the military's midsized tanker, the KC-135.

I recognize the Pentagon's procurement team is very serious about getting this competition right. They want to get the right tanker for our warfighters. They want to do it quickly. But I also want to make it clear that if the Pentagon moves forward with this effort, officials must take the GAO's findings seriously and ensure that this competition is as fair and transparent as it can be.

Last month the GAO upheld eight points of protest that were raised by Boeing, including that the Air Force changed directions midstream in the process about which criteria were more important. It did not give Boeing credit for providing a more capable plane, according to the Air Force's description of what it wanted. Yet it gave Airbus extra credit for offering amenities the Air Force did not even ask for. The GAO report said the Air Force deliberately and unreasonably increased Boeing's engineering costs. When that mistake was corrected, it was discovered that the Air Force actually cost tens of millions of dollars more than Boeing.

The GAO found that the Air Force accepted Airbus's proposal even though Airbus could not meet two of their key contract requirements. They could not meet the contract requirement, Airbus could not, and refused to commit to providing long-term maintenance as was specified directly in the RFP, even after the Air Force repeatedly asked them for it.

Secondly, the Air Force could not prove that Airbus could refuel all of the military's aircraft according to procedure. This goes to show how there were major flaws that occurred throughout that process.

So as it continues with this competition now, the Department of Defense must make sure there is no reason to question its motives. If they truly plan to make this a fair contest, Secretary Gates has to ensure that before the selection team reopens this competition, it goes back and addresses each one of those GAO findings. It has to ensure that both companies are on the same footing and it has to prove the competition is as transparent as possible. Our refueling tankers are the backbone of our global military strength. They are stationed around the world today and they service planes from every branch of our Armed Forces. This is a contract that is ultimately worth more than \$100 billion. We are going to have these planes for decades. We cannot afford to make mistakes.

As I said at the beginning of my remarks, I recognize that Secretary Gates is very serious about getting this competition right. At the end of the

day, this is about getting the right equipment for our airmen and airwomen who are put in harm's way for our security every day. Our servicemembers deserve a plane that will enable them to do their job and return home safely.

Our taxpayers deserve to have confidence that the errors are going to be fixed in this contract as the GAO outlined. So I come to the floor today to say, as the Pentagon moves forward with this effort over the next several weeks, I strongly urge our officials to take those GAO findings seriously and ensure this competition is as fair and transparent as it can be.

SAMUEL SNOW

While I am on the floor this afternoon, I want to take a moment to say a few words about a different topic; that is, about a gentleman who sacrificed very dearly for our country.

My colleague from Florida, Senator NELSON, was on the floor earlier today talking about a veteran named Samuel Snow who traveled from Florida all the way to my home State of Washington, all the way across the country this past week, to finally receive the honorable discharge from the Army that he deserved to get more than 60 years ago.

This man traveled from Florida to Washington to finally get an honorable discharge 60 years later. Samuel Snow was one of 28 African-American soldiers who were wrongly prosecuted in a court martial for a crime that occurred in Seattle at Fort Lawton in 1944.

Last weekend, 64 years later, the Army finally publicly acknowledged that Mr. Snow and 27 others were unjustly convicted and issued a formal apology. As my colleague from Florida talked about this morning, Mr. Snow came all the way from Florida to Seattle and participated in the dinner there with sons and daughters of some of the men he served with in prison. But later that evening in Seattle, Mr. Snow checked himself into a hospital, and he missed the next day's ceremony. His son Ray Snow went to the ceremony and accepted the honorable discharge on his father's behalf, that honorable discharged he had waited decades to receive, and took it from that ceremony, went to his father's hospital bed and was able to hand it to him personally and see the smile in his dad's eyes for the first time.

Sadly, very sadly, his father, Mr. Snow, passed away shortly after he was handed that honorable discharge. Samuel Snow was a hero for our country who suffered unjustly. He deserves the thanks of our entire country for his service and his sacrifice. My thoughts now are with the Snow family during this difficult time. I am so glad he was able to finally receive that honorable discharge he waited for so many years and to receive it before he died.

I yield the floor.

The PRESIDING OFFICER. The Senator from Utah is recognized.

RESEARCH TAX CREDIT

Mr. HATCH. Madam President, I rise today to express my growing alarm

over the current state of the expired and expiring tax provisions, and to express what I see as real problems in getting these important provisions taken care of before Congress adjourns this year.

My office is increasingly being contacted by businesses and individual taxpayers, not only from my home State but around the Nation, who are asking what the delay is in taking care of the so-called extenders. I am sure this is true of all offices of all of my colleagues on both sides of the aisle.

It is already way past the time when Americans should have been able to expect a reasonable Congress to take care of what in prior years has been a fairly routine issue. While the almost annual rite of passing a tax extenders bill has never represented an ideal way of governing, the Congress has generally exercised a modicum of responsibility in getting this chore taken care of within a reasonable time. That is, until recently.

Over the past several years, Congress's ability to take care of what is the least common denominator in our duty to ensure a stable tax system has eroded. We are now bordering, in my opinion, on gross negligence. No wonder the Congress's approval ratings are so incredibly low.

Mr. DURBIN. Would the Senator from Utah yield for a question?

Mr. HATCH. I would be happy to.

Mr. DURBIN. We were doing half-hour segments. We had 11 minutes remaining on ours. How long is the Senator planning on speaking?

Mr. HATCH. Not more than 10 minutes.

Mr. DURBIN. I ask unanimous consent that we have some reallocation of the time.

The PRESIDING OFFICER. Without objection, it is so ordered. The time will be reallocated.

Mr. HATCH. I was told to be here at 5:40. I thank my dear colleague for his kindness and understanding of the situation.

Senate leaders on both sides have tried to make progress on the extenders bill but have repeatedly failed. The distinguished majority leader has chalked up this failure to Republican obstructionism, as he has with almost every other failure of his party to pass legislation this year, or legislation they desire.

Contrary to the accusations of our leader on the other side, the reasons for Republican opposition to the Democratic extender bill are grounded in principles of solid tax policy and fiscal responsibility. Unfortunately, our position has been grossly distorted by many on the other side and many Democrats on the outside. The Democratic extenders legislation has failed because it contains fundamental flaws. The other side is insisting on raising taxes to pay for the loss in revenue from extending the expired tax provisions. Their so-called pay-as-you-go or pay-go rules call for all revenue losses

to be matched with revenue increases or certain spending decreases. While I continue to be a strong believer in fiscal responsibility, there are three basic reasons why Republicans have rejected the false fiscal responsibility of the Democratic extenders bills.

First, it is wrong to raise taxes on one group of taxpayers in order to prevent another group of taxpayers from suffering an increase in taxes. Second, it is wrong to offset temporary extensions of current law with permanent tax increases. Finally, it is wrong to increase taxes at a time when the Federal Government is already collecting more revenue as a percentage of gross domestic product than the 40-year historic average. This is particularly true at a time of slow or no economic growth. Our friends on the other side are ignoring a solution the Republicans have offered that would finance the tax extenders bill in a fiscally responsible way. We believe we should reduce the explosive growth in Federal spending instead of raising taxes in order to offset the revenue losses. Just during this Congress, Democrats have passed billions of dollars of new spending without bothering at all to offset the effect of these increases on the deficit. Billions more of new spending has been approved through the Democratic budget resolution.

Among the tax provisions that have already expired is one the business community relies on to keep products and processes flowing, innovations that are the lifeblood of our economy. Businesses across the country are, once again, anxiously waiting to see if we will reinstate this important incentive for innovation, the research tax credit, which I have championed for decades. The purpose of the research tax credit is to encourage investment in technological innovation. Companies generally cannot fully recover R&D expenditures, thus discouraging companies from investing in innovation. The Federal Government provides tax incentives in order to support business R&D, and the business community is depending on us to continue to support R&D. We cannot wait until the end of this year to commit to this vital investment, this vital tax policy. The time is now.

At a time when we are looking for ways to spur economic growth, I know of no thoughtful person who does not believe research and development is vital to our economy and to our future prosperity. My colleagues on the other side of the aisle are trying to create ridiculous permanent offsets in order to pay for temporarily extending the research tax credit which I argue we cannot afford to lose.

Many U.S. companies are looking elsewhere to establish their R&D activities. Testifying before the House committee on Science and Technology, Dr. Robert Atkinson, president of the Information Technology and Innovation Foundation, testified that "eight of the top ten [research and development]-spending companies in the world

have established R&D facilities in China.”

They could just as easily have been established here. If we are not careful, we will soon not only be dependent on foreign oil but also dependent on foreign research and development. The result would be a tragic loss of American jobs, economic growth, world leadership, and prestige. We simply cannot allow this to happen. Here we have a tax incentive that has been around for almost 30 years, which enjoys wide acceptance by the business sector, the academic community, economists, and which has very broad support from practically every corner of the political spectrum. Yet this tax credit provision has been allowed to expire 13 times. Each time we play the extension game, Congress seems to get a little more cavalier about the expiring or expired provisions in general and the research credit in particular. While we play this extension game, our business community loses out on chances of innovation that could spur economic growth at a time when we need it to be spurred.

Now is not the time to create tax uncertainty for employers. A retroactive or, even worse, lapsed research credit will cost American jobs. There is no way you can avoid it, if we don't get this done. Seventy percent of research tax credit dollars are used for wages of R&D employees. It is estimated by the Information Technology Association of America that the lapse of the research tax credit will cost the economy \$51 million per day. Are my friends on the other side of the aisle willing to risk losing American R&D jobs and severely impact the already difficult U.S. economy in the name of a perverse and wrong-headed sense of fiscal responsibility?

We cannot drive our economy into the ground in the name of false fiscal notions such as a pay-go rule that is used only to grow Government and to add more taxes to people. Tax increases are not the prescription to what ails our economy. But extending these expiring tax cuts and making the research tax credit permanent will help our economy grow. I urge my colleagues on the other side of the aisle to reconsider their opposition to spending cuts as a way to responsibly pay for the cost of extending the expired and expiring tax provisions. I wish we could make the research tax credit permanent. If we would, it would help our economy. It would help companies to have some sense of what is going to happen in the future. It would help them in their planning. It would help create jobs. It would help to create more and more innovation. My gosh, it makes sense. I hope my colleagues will reconsider and that we can get this tax extenders bill passed as soon as possible.

Having said all that, I thank my friend, the majority whip, for his graciousness in allowing me to make this statement, especially since I have been

picking on him to a degree, only in good nature but also in seriousness. We have to work together. We have to start solving some of these problems. We can't do it by always increasing taxes.

I yield the floor.

The PRESIDING OFFICER (Ms. CANTWELL). The majority whip.

Mr. DURBIN. Madam President, the Senator from Utah is my friend. We disagree on so many things politically. But on a personal basis, we have a very good friendship and relationship. I am hoping the day will come when we find that issue on which he and I can march together arm in arm to achieve greatness for the country. I know that day is coming. I am an optimist.

Mr. HATCH. If the Senator will kindly yield, this is the issue. This is one we could both march arm in arm on. We both agree. The question is, How do you pay for it? Frankly, we are not going to go with the pay-go rule. We have to find some other way. I would like to make it permanent. I would like to get rid of the AMT that is hurting so many, 24, 25 million people. I believe my colleague wants to do these things as well. But we have to find a way of getting together and doing it. I think my good colleague knows where I stand on these issues.

Mr. DURBIN. I thank the Senator from Utah.

Madam President, we have a deficit. It is terrible. It is a debt which is growing. It is a mortgage on America. Our children are going to be saddled with it. The mortgagor, the bank for America's debt? China, Korea, Japan, the OPEC nations; they are holding our mortgage. Many of us believe this isn't fair to our children and grandchildren to continue to pile on the debt. We came up with a very simple approach. If you want to spend money, you have to pay for it. You either have to raise taxes or cut other spending. If you want to cut taxes, you have to have some balance; in other words, cut spending or raise another tax. When it is all over, we want a zero sum so it doesn't add to the national debt.

I don't think that is unreasonable because it means we have to make choices. Here is the choice we faced in the last 2 days. We have a thriving industry in America for renewable energy. I can't believe what is going on in my State of Illinois. I go into parts of downstate Illinois and see farm after farm covered with wind turbines. Outside of Bloomington, IL, is the Twin Groves project, 240 wind turbines generating enough electricity for cities in Bloomington normal—no pollution, farmers love it because they get paid for the wind turbines on their land, and they can plant the corn and soybeans right up next to it. So it is a win-win situation, and it is there because we had a provision in the Tax Code which created an incentive to invest in wind power, solar power, geothermal, the clean energy solutions that will generate electricity without causing more global warming.

We brought it to the floor. We said to our colleagues: We need to renew this. It is about to expire. If we don't renew it, these businesses may not reinvest. But giving a tax break takes money out of the Treasury, so we want to balance the books. To balance the books, we suggested raising a business tax to offset the cut in taxes for renewable energy, balance the books. The Republican side, the party of so-called fiscal conservatism, rejected this. As my friend from Utah said, they don't believe we should have to pay for tax cuts.

Well, tax cuts, unfortunately, take money out of the Treasury and add to the deficit. We think balancing the books is the only way to get this deficit under control. So when the vote came—there are nominally 51 Democrats, 49 Republicans—there were a few absences on both sides, but we were able to attract 5 Republicans who would join us for the renewable energy tax credits.

The others said: There is no way. Forty-one of the forty-nine Republican Senators have signed a letter which I call “death before taxes.” It is a letter which says they will never—ever, ever, ever—vote to increase a tax, never. That kind of paints you into a corner. Because if you are not willing to increase a tax on someone to cut a tax on someone else, you are stuck with a Tax Code that never changes, or you are stuck with a deficit which continues to get worse and worse as you try to make the Tax Code a generator of economic growth.

The Republicans, for the last several weeks, have been on the floor talking about America's energy picture. They should. We have talked about it a lot on our side of the aisle. Their solution is a solution which is old-time religion: Drill, drill offshore, drill onshore, drill everywhere. If we drill and find more oil, we will be fine.

They ignore the reality. The reality is, if you look at the entire potential supply of oil in the world, the United States has access and control of 3 percent of the world's oil. Each year our economy consumes 25 percent. So let's do the math. If you drilled all the oil available in the U.S. offshore/onshore, how long could we sustain our economy just by drilling? The answer is, we couldn't. It can't be done.

What is the alternative? You can import oil, which we are doing now, 70 to 80 percent of the oil we use is brought in from overseas, from other countries, or you can find another approach—responsible exploration and production in America that doesn't violate basic environmental regulations, doesn't run the risk of contaminating or polluting offshore, and then a forward-looking approach to energy, an approach which looks for renewable, sustainable sources of energy for the future, that deals with the possibility that we will replace current electric power generation with pollution-free generation from wind turbines and solar power,

moving toward a new generation of cars and trucks.

A few years ago, about 4 or 5 years now, I offered an amendment on the floor to improve CAFE standards. We had not increased fuel efficiency in cars for over 20 years. We were stuck with an old number. We were falling backward. People bought heavier trucks and SUVs, and they were not as fuel efficient. So I said: Let's have a new goal, moving toward more fuel-efficient cars. Let's have a challenge to our industry and to our science to find these new cars for the future, safe cars, cars that use less fuel and meet our needs. I got beaten badly on the floor when I offered that, but gasoline wasn't \$4.50 a gallon then. I lost that attempt twice in a row. The votes weren't that good. I am not sure I even had 30 votes out of 100 for the idea of fuel efficiency. But someone once said: There is nothing more pregnant than an idea whose time has come, and with gasoline at \$4 a gallon, the idea's time has come. We passed a law to require more fuel efficiency in years to come. So we are moving in the right direction there. That is the future for us. The future for us is to find ways to conserve, find ways to be more fuel efficient, find ways to generate more renewable energy that doesn't pollute the environment.

Today's vote was a disappointing vote. We tried to create incentives for renewable energy, and only 5 Republicans out of 49 would come and vote with us. Four of the five are up for reelection, some of them facing tough contests in November. They know it is hard to explain voting against this bill. They voted against our bill, which would have created incentives for biomass and hydropower, incentives for solar energy and microturbines, biodiesel production, renewable projects, coal electricity, advanced coal electricity demonstration projects, plug-in electric cars, new batteries that we will need for plug-in hybrids, ways to reduce pollution from trucks with idling reduction units, installing more E-85 fuel pumps around America so consumers have a choice to use a cheaper and more environmentally friendly fuel, home credits, building credits. All of these were incentives to move America in the right direction, not the wrong direction, and only 5 of the 49 Republicans would vote for that.

Their goal is more drilling. Their agenda is written by the oil companies. The oil companies have consistently asked for more and more and more that they can put in their portfolio of possible areas to drill. However, currently there are 68 million acres of federally owned land under lease to the oil companies that they are not using, they are not exploring. They are not bringing oil and gas out. They have ample opportunity in that area and others to meet the needs of future exploration. They are not doing it. Yet from the Republican side of the aisle, we hear they need more.

This sign shows that the Republicans have engaged in 91 filibusters in this session. For most people who are following this debate that number may not mean much. In the history of the Senate, the largest number of filibusters in any 2-year period of time was 57 before this session. What is a filibuster? It is an attempt to slow down or stop the Senate from acting. Ninety-one times the Republicans have tried to slow down or stop the Senate from acting. Today they did it again. They stopped us when we tried to pass this energy policy for America that creates incentives for renewable energy.

That isn't all that was in this bill. It wasn't just about energy alone. In this bill was protection for working families from the alternative minimum tax, creating more tax liability for them in next year's return. That is a good bill as far as I am concerned. We should be protecting working families who are struggling to get by.

In this bill as well was \$8 million for the highway trust fund. We are afraid this highway trust fund will run out of money before the end of the year and 400,000 good-paid workers would lose their jobs in America. I don't want to see that happen in my State; I don't think any Senator does. We tried to protect our economy from that happening in this bill.

There was a provision, totally unrelated—and critics of Congress say: Why do you do things like this? Why would you put that provision in a bill about energy and jobs? But I will tell you, I would put that provision I am about to describe in any bill. It is called mental health parity. This bill would require private insurance companies to provide opportunities for people to buy health insurance to cover mental illness. We have been fighting for this for as long as I have been in the Senate. The fight was started by Paul Wellstone of Minnesota. What a great man he was. We lost him when he died in a plane crash 6 years ago, and we have tried to pass this bill ever since. I think we should put that amendment on every bill. There are so many American families who are affected by mental illness. We put that before the Senate today and only five Republicans would vote for that. I don't understand their thinking. Many have said they really believe in it, but they wouldn't vote for it. That is where we are.

So their filibuster ended up stopping a bill from moving forward, as it did earlier this week. Earlier this week, another Republican filibuster stopped a bill which had 34 or 35 provisions in it to deal with a number of different issues. Some of them were health related: a registry for those suffering from Lou Gehrig's disease so we can do better research in finding a cure; efforts for additional research in rehabilitation activities at the National Institutes of Health for those suffering from paralysis; a stroke treatment bill, a bipartisan bill—all of these bills, incidentally, have passed the House of

Representatives overwhelmingly. The Melanie Blocker Stokes MOTHERS Act—one I am familiar with—dealing with postpartum depression to try to make sure new mothers who are suffering from that depression get the treatment they need. Vision care for kids so that we help the States pay for more visual screening so kids don't fall behind in the classroom simply because they need eyeglasses.

Then we had a number of bills out of our Senate Judiciary Committee: a bill to reauthorize a program to find runaway and homeless kids. The Emmitt Till unsolved Civil Rights Crime Act, Senator DODD and I and others have co-sponsored this one. Those responsible for killing civil rights workers, no matter how long ago, should be held accountable, and this bill would have moved us in that direction—a bill to deal with mental illness and crime, unfortunately, closely linked, and we should be doing something about it; bills dealing with reducing Internet child pornography.

All of the things I have just mentioned—health care and crime related—were in a package of bills which the Republicans refused to support. I don't get it. I don't understand it. I don't know how you could go home and explain to the people you represent that you voted against these bills. Obviously, they think it is easy to do, and maybe it is for them. It wouldn't be for me. In the State of Illinois, there are too many people affected by these bills.

The Republicans consistently—with their filibusters and holding back their votes—have stopped us from doing the people's work. I understand when people think of Congress across America, it is not in positive terms. They want us to do more. They want us to respond to the issues of the day, the things that make a difference. Whether we are dealing with medical issues, of research; whether we are dealing with law enforcement; whether we are dealing with the energy picture—these are things on which we should be voting to move forward. However, time and time and time again, the Republicans, through their filibusters, have stopped us in the Senate. That is what happens in a 51-to-49 Senate where it takes 60 votes to do anything significant. They have control of the agenda—at least control enough to say no—and they have said no repeatedly on 91 different occasions with their filibusters, breaking all the records in the Senate.

I wish to get back to this energy policy. I don't want us to go home without addressing it, but I am afraid the Republicans have closed the door not just yesterday but again today. Earlier, the leader on the Democratic side, Senator HARRY REID, read from this morning's New York Times, July 30, an article by Tom Friedman entitled "Drilling in Afghanistan." What Tom Friedman said about the Republican strategy on energy, I think, really hits the nail on the head. I quote from this article:

Republicans become so obsessed with the notion that we can drill our way out of the

current energy crisis that reopening our coastal waters to offshore drilling has become their answer for every energy question. Anyone who looks at the growth of middle classes around the world and the rising demand for natural resources, plus the dangers of climate change driven by our addiction to fossil fuel, can see that clean, renewable energy—wind, solar, nuclear, and stuff we haven't yet invented—is going to be the next great global industry. It has to be if we are going to grow in a stable way—

Thomas Friedman writes.

Therefore, the country that most owns the clean power industry is going to most own the next great technology breakthrough: The ET revolution—the energy technology revolution—and create millions of jobs and thousands of new businesses just like the IT revolution did. Republicans, by mindlessly repeating their offshore drilling mantra, focusing on a 19th century fuel, remind me of someone back in 1980 arguing that we should be putting all our money into making more and cheaper IBM Selectric typewriters and forget about those things called the PC and the Internet. It is a strategy for making America a second great power and economy.

So when it comes to paying for what we do on the floor of the Senate, the Republicans vote no. When it comes to an American energy policy that is forward looking, sadly, the Republicans vote no. When it comes to medical research in critical areas, this week the Republicans voted no. When it comes to crime provisions to deal with runaway kids and to deal with Internet pornography and children, this week the Republicans voted no.

There comes a point where you have to stand for something. We have tried our best to bring these issues before the Senate. We will continue to.

The last point I will make is this: There is one thing—one thing—the President can do tomorrow morning that can change the debate on energy in America instantly, and that is an announcement. There is an announcement he could make that the United States—which has a Strategic Petroleum Reserve of 700 million barrels of oil that has been gathered and protected for our national security—is now going to be part of our energy solution. If President Bush announced that he would start releasing oil from that reserve, selling it on the market, with the goal of bringing the price of a barrel of oil down to \$100 from its current level of about \$122, it would do more to breathe life into the American economy than any other thing. It would say: The United States can stop being a victim when it comes to energy and can become a player on the global market. It would send the signal that we are not going to tolerate \$145-a-barrel oil and the prices it generates at the gasoline pump and when it comes to jet fuel for our airlines. If the President showed leadership in releasing oil from the Strategic Petroleum Reserve—if he called in the oil companies and put them on the carpet for the outrageous profits that they continue to report—we could turn this around.

Simply suggesting that we have to drill more offshore in the hopes that 8

to 14 years from now there will be additional oil is not going to solve our energy problem. It is yesterday's answer. As Senator DORGAN from North Dakota has said so frequently: When the Republicans think of energy, it is yesterday for everything.

Let's think about tomorrow. Let's have an energy policy that looks forward.

Madam President, I yield the floor.  
The PRESIDING OFFICER. The Senator from Minnesota.

#### MENTAL HEALTH PARITY

Ms. KLOBUCHAR. Madam President, this afternoon I spoke about how important it was to pass that extender bill, how important it was for my State and for the rest of the country to promote green jobs, to look at this new energy future, to stop spending \$600,000 a minute on foreign oil. I said this afternoon we only got four Republicans to vote with us on a bill that was paid for, a bill that was the right way to go—only four Republicans.

There was something else in that bill that is just as important to me and to my State of Minnesota and to the millions of people living in the shadow of mental illness, and that is the Paul Wellstone mental health parity bill that is included in that package. We have tried to pass this through the Senate over and over again. Senator DOMENICI on the other side of the aisle has been one of the biggest supporters and sponsors of this bill. Senator KENNEDY has worked on it. Senator DURBIN has worked on it. There are many people in the House, including PATRICK KENNEDY, and one of my favorite Republican Congressman, JIM RAMSTAD, who is retiring this year, and he doesn't want to leave the House until that bill gets done.

For me, the Paul Wellstone mental health parity bill is about Paul Wellstone. It is about everything he stood for. It is about fighting for the people who don't have a voice. It is about all the people who have come up to me in the Capitol, not the Senators but the secretaries and the tram drivers who remember Paul and remember how kind he was to them. This bill is about his brother Stephen who struggled with mental illness his whole life. Paul would always talk about how the house they grew up in was always dark because of Stephen's mental illness and how, after Stephen got better and went on to teach, what a difference it made in the family, but it was a lifelong struggle for him.

So this bill is for Paul. When Paul was alive, our friends on the other side of the aisle said they wanted to pass this bill. And when Paul died, they said they wanted to pass this bill. This is the time, and it was a part of that package. Senator KENNEDY is at home watching everything that goes on in this Chamber, and he wants to get that done. Paul's son, David, has been here, day after day, walking the halls of the Capitol, knocking on doors to get this done in his father's memory. I implore

my friends on the other side to get this done.

Mr. DURBIN. Will the Senator will yield for a question?

Ms. KLOBUCHAR. Yes.

Mr. DURBIN. I served with Senator Paul Wellstone from Minnesota, who passed away 6 years ago, just weeks before the election. He and his wife Sheila, his daughter, several staff members, and the pilot and copilot were lost in that plane crash. I attended that memorial service for him at the University of Minnesota.

Paul had such a passion for so many issues. But the one thing that meant more than anything to him was this mental health parity bill. I am saddened that, 6 years later, we still haven't passed it. We only had 5 Republicans join us today and vote for it. I hope the Senator from Minnesota feels as I do, that we need to pass the Wellstone mental health parity bill—make no excuses, find no alternatives, other than to make sure it is named in his memory, the man who started us down this road and whose journey needs to be finished by us today.

I am glad the Senator from Minnesota is here to participate in that. It should be the highest priority before we adjourn this year. Since I need to ask the question, I ask her if she agrees.

Ms. KLOBUCHAR. I thank the Senator so much for that question. I know from his family, those he left behind, who miss him so much, this is what he wanted to get done. I actually remember, I say to the Senator from Illinois, the last time I saw Paul Wellstone before he went down in that tragic plane crash. It was at an event for new citizens. Sheila, his wife, was supposed to be there, and the two of us were talking about our immigrant families, where they came from and how they pulled themselves up and funny stories about our families in Appalachia. There were about 30 new citizens there and no press, no cameras. All of a sudden, by surprise, in walked Paul. You know, it was 3 or 4 weeks before one of the biggest elections in the country, and he was in that room with the new citizens.

I knew there were two reasons: One, he loved Sheila and he wanted to surprise her. Second was he embraced this idea that no matter where you came from, no matter what you have gone through in your life, you could pull yourself up in this country. That is part of why this mental health parity bill was so important to him. He had seen in his family how his brother struggled and was able to pull himself up. There was a horrible financial situation for their family. He didn't want that to happen to someone else. He felt that if you can cover physical illnesses, you should also cover mental illnesses. This bill is what Paul wanted to get done.

I know the majority leader and others have said the other side said they would pass it when he was alive and

then when he died. This is their chance.

I thank the Chair and yield the floor.  
The PRESIDING OFFICER. The majority whip is recognized.

DETENTION OF GAMBIAN JOURNALIST EBRIMA MANNEH

Mr. DURBIN. Madam President, America has long been a champion and source of hope around the world for those suffering human rights violations—those holed up in dictators' prisons, those fighting for press and political freedoms, those bravely standing up to tyranny or injustice.

Many of those who have suffered, such as Vaclav Havel and Nelson Mandela, or continue to suffer this fate, such as Aung San Suu Kyi, are well-known to us. Sadly, for each one of them, there are many other, lesser known heroes being detained or harassed all over the world simply for wanting basic human freedoms.

Through our annual human rights reporting at the State Department, our diplomacy, and steady public pressure on basic human rights, the U.S. has traditionally been a source of hope for those being illegally detained or persecuted.

We should never forget what this kind of attention and pressure can accomplish and what kind of strength it provides for those being detained.

Take for example, Ngawang Sangdrol, a Tibetan nun who was detained and tortured for peacefully expressing her belief in Tibetan independence. She was freed after 12 years of imprisonment following immense public pressure. After her release she said,

I have been overwhelmed by the outpouring of love and support . . . I am deeply touched to learn that many individuals, organizations, and governments . . . have worked towards my release. It is very clear to me that I have been released and allowed to come out to the free world for medical treatment and to enjoy my freedom because of international concern.

Or Gurbandurdy Durdykuliev, a political activist from Turkmenistan who in 2004 was seized and forced into a psychiatric hospital by the country's ruling dictator. His crime—requesting permission for a peaceful political rally.

He was released a few years later, just 10 days after 54 members of Congress sent a letter to the Turkmen Government about his case.

We should listen and act upon the appeal made by Aung San Suu Kyi, who has remained under house arrest in Burma for most of the last 19 years:

Those fortunate enough to live in societies where they are entitled to full political rights can reach out to help the less fortunate in other parts of our troubled planet. . . . Please use your liberty to promote ours.

I realize we must also work to address our own recent shortcomings by unequivocally renouncing torture and by closing the detention facility in Guantanamo—and we will continue to work toward ending these shameful legacies.

At the same time, we must continue to speak out in support of those imprisoned for advocating basic freedoms around the world.

Many of us on both sides of the aisle have been arguing that America's strength resonates not only from its military power but from the power of its ideas and inspiration, the power of its values and hope, the power of its generosity and diplomacy—its smart power.

Sadly, I worry that a measure of this leadership, of this inspiration, and of this uniquely American hope has been lost in recent years.

Accordingly, today I want focus the Senate's attention on a tragic story from the small west African Nation of The Gambia.

Chief Ebrima Manneh was a reporter for the Gambian newspaper, the Daily Observer. He was allegedly detained in July 2006 by plainclothes police officers thought to have been from the Gambian National Intelligence Agency after he tried to republish a BBC report critical of President Yahya Jammeh.

He has been held incommunicado, without charge or trial, for two long years. Amnesty International considers him a prisoner of conscience and has called for his immediate release.

I agree.

Recent reports suggest he is being held at the Fatoto Police Station in eastern Gambia. In July 2007, he was also reportedly escorted by the members of the Gambian Police Intervention Unit to the Royal Victoria hospital in the capital for high blood pressure treatment.

Despite repeated attempts by Manneh's father and fellow journalists, including the Committee to Protect Journalists, to seek information on Mr. Manneh, the Gambian Government continues to deny any involvement in his arrest or knowledge of his whereabouts.

My direct request to the Gambian Embassy here in Washington has also been met with shameful silence.

Last month in Nigeria, the Community Court of Justice of the Economic Community of West African States declared the arrest and detention of Mr. Manneh illegal and ordered Gambian officials to release him immediately.

And yet the Gambian Government ignored this court's ruling as well—even though this court has jurisdiction for human rights cases in the Gambia.

Is the Gambian Government so afraid of one of its own reporters that it cannot even acknowledge his detention?

I say to President Jammeh: Release this reporter. Let him return to his family.

Sadly, Mr. Manneh's case is not alone in The Gambia. In December 2004, a critic of President Jammeh, and press freedom advocate, Deyda Hydara, was shot and killed. His murder has yet to be solved or investigated.

The government has also enacted laws muzzling the press and imposing mandatory prison sentences for media

owners if convicted of publishing defamatory or seditious material—all part of a larger deterioration of basic freedoms in The Gambia.

Madam President, the United States needs to be a forceful advocate for these kinds of blatant human rights abuses. Doing so is not only the right thing to do, but it is the smart thing to do in terms of our engagement abroad and in demonstrating our American values.

I yield the floor.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. REID. Madam President, I withdraw the motion to proceed to S. 2035.

The PRESIDING OFFICER. The motion is withdrawn.

#### NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2009—MOTION TO PROCEED

Mr. REID. Madam President, I made this unanimous consent before and it was objected to.

I move to proceed to Calendar No. 732, S. 3001, the DOD authorization bill—that is the Defense Department authorization bill—and I send a cloture motion to the desk.

#### CLOTURE MOTION

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the cloture motion.

The assistant legislative clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the motion to proceed to S. 3001, the National Defense Authorization Act for Fiscal Year 2009.

Carl Levin, Christopher J. Dodd, E. Benjamin Nelson, John F. Kerry, Claire McCaskill, Joseph R. Biden, Jr., Bill Nelson, Blanche L. Lincoln, Richard Durbin, Daniel K. Akaka, Robert Menendez, Kent Conrad, Sherrod Brown, Jack Reed, Jim Webb, Charles E. Schumer, Harry Reid.

Mr. REID. Madam President, I ask that the mandatory quorum be waived.

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

Mr. REID. Madam President, I appreciate my friend from Iowa allowing me to do this. He has been waiting for some time.

The PRESIDING OFFICER. The Senator from Iowa is recognized.

#### TAX EXTENDERS

Mr. GRASSLEY. Madam President, at 2:42 today on the Senate floor, the Senate majority leader made an incorrect statement. In discussing the negotiations last night between the chairman of the Senate Finance Committee and this Senator, the Senate majority leader, who was not present at the meeting, stated: "The only thing that Senator GRASSLEY wanted to discuss is having all these extenders not paid for."