

I find this to be remarkable. Of course, in dealings with foreign nations, every State Department, every President has to be careful to try to win friends and influence people. But I do not think that you make a deliberate decision not to enforce a law that Congress has passed, which the American people clearly want enforced, simply because people in the Government of Mexico are unhappy if the law is enforced. That is obviously the country we are talking about because the Mexican Government itself intervened in the litigation to make exactly that point.

So, again, is it any wonder the American people wonder about this administration's commitment to enforcing the law, when one of the key arguments it raises in the litigation is that we do not want to have to be under a standard of complete enforcement of the law because we have some other considerations we need to take into account.

The judge says: I will agree with that and therefore say that the State of Arizona cannot insist on complete enforcement of the law because the Federal Government may have reasons not to totally enforce it. That is a troubling proposition to me, among other things, because Congress has not interpreted the law in any way other than we wrote it; namely, enforce it.

That brings up the final point. Congress passed, as part of our immigration laws, a requirement that the Department of Homeland Security respond to inquiries by Federal, State, and local officials who call in about the status of individuals whom they have stopped, for example, at a traffic stop or who they may have reason to believe are in the country illegally, and they respond to about 1 million of those inquiries a year. They have 152 employees to do it.

The Federal Government actually argued in the case, believe it or not, that the reason Arizona had to butt out and not try to help the Federal Government enforce the law was because it would result in a lot more inquiries about the legal status of people and they could not handle anymore inquiries; their capacity was only 1½ million a year; they are up to 1 million; and they only have 152 people in this unit responding to these inquiries, so they could not possibly accept this burden.

As a result, the judge ruled that the U.S. Government would be harmed in such a way that she had to grant an injunction. It would be irreparably harmed as a result of Arizona enforcing the statute. The question, obviously, occurred to me: Well, why do we not hire a few more people to answer these inquiries? I calculated it might cost about \$15 million to double the number of people, and certainly this law is not going to double the number of inquiries. But say you doubled the number of people to 300 instead of 150. That solves that problem.

In other words, people in the U.S. Government, under this administra-

tion, seem to be looking for reasons not to enforce a law. That is wrong. We take an oath to uphold the law. When Congress passes a law, we intend it to be enforced. Yet you have this administration, this Justice Department, making arguments as to why the law cannot or should not be completely enforced. Is it any wonder my fellow citizens in Arizona and others around the country want someone to do what they can to try to enforce the law? If the U.S. Government will not do it, then maybe we should start to get our States involved. I agree, it is better to have the U.S. Government do it. It should be our obligation.

But if our own administration is not willing to do it to the letter of the law, and if they are willing to abide by employees who spend their time writing memos such as this, to show how to get around the law, to grant a "non-legislative version of amnesty," then clearly something is wrong, and I think Congress has to speak up.

If you reward illegality, you are going to get more of it. When this administration tries to find ways to keep people in the country who came here illegally by virtue of redefinitions and guidelines and changing opinions that go back to 1990, it suggests to me we are simply inviting more illegality, and we should not do that.

So I am going to join my colleagues on the Judiciary Committee in asking for hearings on this matter, to find out why this is being done; hopefully, to confirm that they do not intend to move forward with this but, in any event, to try to reestablish with the American people that their government in Washington does represent them, it does want to carry out their intent expressed in properly enacted legislative laws, and that, once and for all, we can make a commitment in this country that the American people have been asking for for a long time now that when it comes to our immigration laws, the Federal Government is committed to enforcing them.

Until that is done, we are not going to make progress on all the other issues relating to immigration reform that so many people have asked for. As a result, we would do well to examine this issue carefully and then reach the appropriate conclusions. If we need more money, if we need more personnel, \$15 to \$20 million is a drop in the bucket of this administration's \$3 trillion budget. We can clearly afford to hire a few more people to do the job, if that is the government's real concern about the immigration laws; otherwise, we should have these employees come and explain why they think it is within their purview to get around the law, in the absence of congressional action.

I suggest the absence of a quorum.

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

The legislative clerk proceeded to call the roll.

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

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

Mr. DORGAN. I ask unanimous consent to speak for 15 minutes as in morning business.

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

#### ENERGY POLICY

Mr. DORGAN. Mr. President, I wished to talk for a moment on the subject of energy policy.

This week is our last week prior to the August break, and it is a very important week. We will likely see on the floor of the Senate the Clean Energy Jobs and Oil Company Accountability Act that was brought to the floor by the majority leader, Senator REID.

I wish to commend him for what he has proposed. He has proposed a piece of legislation that includes a number of very important issues, including issues that deal with the oil spill and oil companies' accountability for the Deepwater Horizon spill, issues that will enhance the use of natural gas in our truck fleet in this country, provisions for electric vehicles and infrastructure, provisions that will provide substantial consumer savings in the HOME Star Program, and provisions to protect the environment and create substantial new jobs.

But I wished to also say that this is but a first chapter of the book of energy changes that are essential to this country's future. I wished to chat about why it is important this week to start a process that I hope will last through September, and perhaps through the lame duck session as well. I hope there will be opportunities that will allow us to achieve the objectives we sought beginning last year, when we spent 12 weeks in the Senate Energy Committee trying to write an energy bill and finally reported out a bipartisan energy bill from that committee.

That committee product includes a lot of very important things. First and foremost, people might say: Well, what is the urgency?

Why are we concerned about energy? We have people exploring the globe trying to figure out where they can punch a hole in the planet and suck oil and gas out. We have been pretty successful in doing that. Each day we take about 85 million barrels of oil out of the Earth. Each day about one-fourth needs to come to the United States because that is our prodigious appetite for oil. Some call it an addiction. Whatever it is found around the globe, one-fourth of all the oil that is extracted every day has to be delivered to this little place called the United States. Seventy percent of all the oil we use, from foreign oil to domestically produced oil, is used in the transportation fleet.

It is pretty clear we have a very substantial dependence on foreign oil. Over 60 percent of the oil we use in this country comes from outside the country. Some of it comes from areas of the world that don't like us very much, areas that are unstable. If we go to bed tonight and, God forbid, tomorrow morning we wake up and discover that in one way or another concerted acts of terrorism have cut the pipeline of oil into our economy, very quickly this American economy would be flat on its back.

What do we do about that? We talk about it. We talk about it every decade, about how we are going to reduce our dependence on foreign oil. We speak really well. We do a lot better job talking than we do enacting policy. That is for sure. We are going to make us less dependent on foreign oil, we say. Meanwhile, for a couple of decades we are more and more dependent on foreign oil. That potentially holds our country's future and the economy hostage to oil coming from other countries over which, in many cases, we have very little long-term control.

Should we do something about that? I think we should. I believe it is urgent. There is an assumption—not just about oil but about everything that represents our country, its strength and the opportunities we have always provided. There is a notion that here in America, what always was will always be in the future. That is not necessarily the case. It was the case when I was a child. I always knew we were the biggest, the strongest, and the best, and we would produce opportunities that other countries could not for the masses of people to expand job opportunity, to expand income, to allow them to climb the economic ladder. It is the case that we were very successful in doing that for a long time. But polls now show that the majority of the American people believe their children will not have it quite as well as they did. That is the first time that we have ever seen that. Most people believe the future is going to be less advantageous to their children than it was to them.

Part of that reason is because they look at policies and say: Are you making the right choices for the future? Are you making hard choices? Are you doing the right thing to make decisions that will help promote a better economic future?

One of those decisions deals with the question of energy. The fact is, we live on energy. It is central to our daily lives. Yet none of us think much about it. We get up in the morning, and when we get up, we shut off an electric alarm. We turn on a light. We start a coffee maker. We put some toast in the toaster that is electric. We get in our car and turn a key where we use oil.

The fact is, we use so much energy even before we get to work, never even giving it a second thought. The dilemma is, in the mix of energy in this country, we are far too dependent on foreign oil.

At the same intersection of concern about that dependency, that vulnerability, now comes climate change. There is something happening to our global climate which leads us to ask how do we use energy, particularly fossil fuels. In the future while we put out less carbon into the atmosphere, how do we address these two things together? Both are very important.

I tell all of that because we wrote the Energy bill, the American Clean Energy Leadership Act. It took us 10 or 12 weeks in the Energy Committee, 13 months ago. We don't yet have that Energy bill on the floor of the Senate. There are a lot of complicated reasons for that. But first let me describe what was in that bill.

No. 1, we do, in fact, reduce our dependence on foreign energy and increase domestic production. This bill would do the things that give us the opportunity to maximize the production of renewable energy, where the wind blows and the Sun shines. There is no reason for us not to collect energy in one place and ship it to where it is needed in the load centers. We do that in this bill.

We establish a first ever national renewable electricity standard, what is called an RES. It says: Here is where we are headed. We want X percent of our electricity to be produced from renewable sources. That is the way we get to a desired destination, by deciding where we are headed. If we don't care where we are going, we will never be lost. But we will never get to where we want to head if we believe the country needs to achieve a certain direction.

That is very important. If we are going to have our country less dependent on foreign oil, we have to produce more at home. I believe in responsibly producing more oil and gas at home, but I also believe in producing more electricity from renewable sources.

It also creates a transmission superhighway. We built an interstate highway over which we can drive. One of the interstate highways goes through my State. It connects New York to Seattle. It is a wonderful thing. It is also the case that we have not built a strong, interstate transmission system, an interstate highway of transmission lines to allow us to collect the energy where the wind blows. My State is the windiest State in the Nation. My State is called the Saudi Arabia of wind, but we don't need more electricity in our State. We produce far more than we need or can use.

So the question is, How do we produce it where the wind blows and put it on a wire and move it to a load center where they can transmit the electricity? We do that by creating a transmission superhighway which we don't have. We need to build it. That itself will allow us to maximize the production of renewable energy and make us less dependent on foreign oil.

The bill electrifies and diversifies our vehicle fleet. The fact is, we will make

ourselves less dependent on foreign oil by moving toward an electric vehicle fleet. That makes a lot of sense as well and is a responsible step to take. The Senate Energy Committee just passed legislation I wrote, along with my colleagues Senators ALEXANDER and MERKLEY, called the Promoting Electric Vehicles Act.

What we are trying to do is move the country in this direction by providing the right policies and incentives. It makes a lot of sense. If we build an electric system for peak load when people are air-conditioning and heating their homes during the day, and then at night that load requirement goes way down. But we still have the capability to produce all this energy, and we are just not using it. If we are able to plug in our cars in the garage at night to use energy that we have already developed an infrastructure to create, we make maximum use and opportunity of energy resources that currently exist.

That is what we do with respect to the electrification and diversification of the vehicle fleet. Energy efficiency is the lowest hanging opportunity in the country. We can achieve that through appliance standards, new technology, and building retrofits. We expand clean energy technology. All this means substantial job creation opportunities, and we train the energy workforce of tomorrow.

It is the case that the bills we will consider on the Senate floor, a piece of legislation that Senator REID has decided to bring to the floor includes some pieces of what I have just described and apparently another competing piece of legislation and perhaps cloture votes on these issues—they are steps in the right direction but very short, in my judgment, of what we could and should do before the end of this session to say to the American people: We understand your concern about the future of this country. We understand about the vulnerability you know exists when we send \$1 billion a day, every day, 7 days a week to other people around the world to pay for their oil.

We understand that makes our country vulnerable, and we will do something about it. We are not going to take baby steps. We are going to take big steps in the right direction to fix the vulnerability that exists.

We have had some in this Chamber who have held up the Energy bill from the Senate Energy Committee because they said we shouldn't do this unless we also take up a climate bill. I believe we should put a cap on greenhouse gas emissions. Something is happening to our climate. We would be fools not to take a series of no-regrets steps so that 50 or 100 years from now, when we look in the rearview mirror, we decide to take commonsense steps. We would be fools not to have done some important things in the meantime that would help address these issues just in case.

I believe the consensus of scientists is that there is something happening to

the climate. But those who have insisted that this Congress in this year address climate change have said: If you are not going to address climate change, you can't do the bill from the Energy Committee.

If we brought a bill to the floor of the Senate that established all kinds of benchmarks on CO<sub>2</sub> emissions, how would we then limit CO<sub>2</sub>? We would go back and do these very things I have just described. We would maximize the production of wind and solar energy, the biofuels, a whole series of things that represent what we have done in the Energy Committee. It has never made much sense to me that we would hold up or block the opportunity to do this bill. If we brought this bill to the Senate floor in September or in a lame-duck session, it would be wide open for amendments to offer a climate title.

I have said I will support limiting carbon. I will also support a mechanism to price carbon. I have also said—clearly, many times—that doesn't include cap and trade because I have no interest in the trade piece by creating a \$1 trillion carbon securities market on Wall Street. The reason for my concern about that is, I have watched in the last several years what has happened with respect to various kinds of speculative excesses in other markets. I am not someone who wants to sign up the cost of our energy future to carbon securities traders.

There is an opportunity between now and the end of this year. I hope we don't miss it. It is easy for us to minimize our actions. It is easy to take small steps. It is much harder to take bold steps in the right direction. But I am mindful, as is everyone involved in the political system, that the American people are plenty upset about a lot of things. We have just been through the deepest recession since the 1930s, and we are not out of it yet. There is some improvement, to be sure, but we are not out of this. There are a whole lot of folks out of work, feeling hopeless and helpless. Some have looked for jobs for a year, 2, 2½ years, and can't find them. They are concerned about pension benefits, concerned about Social Security, about whether grandpa and grandma will have decent health care, and concerned about quality schools among other national issues.

They are concerned about whether they live in safe neighborhoods. They are concerned about whether they can find a job or whether they have a job and job security. They are concerned about a lot of things. This is one of them, however, the issue of energy. They worry that if we are not smart and if we don't take action that is bold and decisive in the right direction, we will miss the opportunity to address some very important issues in the future.

The most important issue to me with respect to energy is our unbelievable dependence and vulnerability of having to get so much of our energy outside of our country, especially from areas that

are in troubled parts of the world. We can do a lot better.

We hear a lot of people talking about wanting to hear "made in America" again. I want to hear that about a lot of products. I want to see a vibrant manufacturing industry and sector built once again. But "made in America" can also mean produced in America. We can use our resources—yes, even our fossil energy—if we use them differently.

One final point is the question about the use of hydraulic fracturing for oil and natural gas production. I know this is very technical. In my State, we produce a lot of oil at the moment, and it increases all the time. It is the largest reservoir or largest reserve of technically recoverable oil ever assessed in the history of the lower 48 States. It is called the Bakken shale. That oil shale formation is 10,000 feet underground.

In recent years, we been able to access it with great success. We go down 2 miles, 10,000 feet, with a drill, and then we make a big curve with the same drill and go out 2 miles. So we can go 4 miles, including a curve in the middle, with one drilling rig. Then with a water solution, we initiate hydraulic fracturing to crack open the shale rock to release the oil. I understand that is 2 miles below the surface. It is 100 feet thick. They drill for the middle third of a 100-foot seam 2 miles below the surface. That is how sophisticated it is.

The oil can only be extracted from that deposit by using hydraulic fracturing techniques. The U.S. has been using hydraulic fracturing for 50 years. Some people have raised concerns about what that does to the water table when producing oil or natural gas. There is like chance of doing anything to the water table 10,000 feet below. Hydraulic fracturing has been used for a long time in a way that has not affected the water table. I am very concerned about carefully vetting issues from who have concerns about hydraulic fracturing. I don't want to shut down a substantial portion of that which can be produced in America to support our country's need for home-grown energy in the future. I will have more to say about that at some point when the bill comes to the floor, but I did want to mention that issue because I think it, too, is very important as we discuss energy issues.

All of us want the same thing for our country. We want stability, economic opportunity, and environmental protection. We want to give our kids hope that the future for them is going to be better than the future for their parents. We all want those things. But the only way we will achieve those things is if we at last, at long, long last make some big and bold decisions on a wide range of issues. Yes, fiscal policy on energy policy and on a wide range of other issues, we need to make some big and bold decisions, some of which may not be popular in the short term but are essential for this country's well-being in the long term.

We need to do that now, not later, not next year. We need to take those steps this year. That is why I wanted to talk about the opportunities that still can be achieved well beyond the size of the legislation we are going to consider this week on the oil spill and energy. There is an expanded capability on energy legislation that took us 12 weeks to write. It was passed on a bipartisan basis and represents a menu of things we could and should do in order to address both our vulnerability and dependence on foreign energy as well as to begin to address the issue of climate change.

Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Delaware.

Mr. KAUFMAN. Mr. President, I ask unanimous consent to speak in morning business.

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

#### STEM EDUCATION

Mr. KAUFMAN. Mr. President, there is no doubt we stand at a critical moment in history. I am honored to be a Senator at this time in our history but even more so to be an engineer Senator. I believe the key to the future of our country and the world rests on the ability of the United States to use STEM—science, technology, engineering, and math—to solve the major problems we face.

You can work on an issue in the shadows for decades and then suddenly the Sun breaks through and it is shining on you and it is shining very brightly. This is one of those moments for engineers, in particular for the promotion of STEM education.

Today, America's engineers have a central role to play in developing the innovative technologies that will help our economy recover and promote real job growth. In particular, as the global economy turns increasingly competitive, many nations are investing heavily in training their future scientists and engineers. We have to do the same.

We do not know from where the next generation of innovation will come. That is the very nature of innovation. But we do know the problems we face. We do know our central economic challenge. When we get through this crisis—and we will—when this recession has passed, we need to create new jobs. It is not enough to try to win back the jobs we have lost. To keep pace with our population and to keep the sacred promise to our children and grandchildren, we need to create a whole new generation of jobs.

As former President Bill Clinton has said, in recent years, we were creating jobs in three areas: housing, finance, and the consumer economy. All three of those benefited from loose credit and easy money to build up a bubble. All three of those have suffered in this economy.

I am very sorry to say that many of those jobs are not going to be coming