

Americans don't want to pay more for gasoline at the pump. Yet they are experiencing it every day. I saw it this past weekend in Wyoming. Week after week the price at the pump goes up. American families don't want to pay more for electricity to heat their homes and run their small businesses. Yet the President's Environmental Protection Agency is attempting to bypass this Congress and enact their own cap-and-tax policy through regulation.

Cap and tax is unacceptable to the American people. It was unacceptable 3 years ago, it was unacceptable 2 years ago, it was unacceptable last year, and it is still unacceptable today.

The EPA may think they know better than the American people. That is why this EPA must be stopped. There are different ways to stop the EPA's ongoing regulations. We have three proposals before us today, but only one is a solution. Of the other amendments, one is a surrender and another is a distraction. The McConnell-Inhofe amendment, the one I support, is an amendment that will block the EPA's attempt to enact the same cap-and-tax bill that has been defeated time and time again on Capitol Hill. That is the solution I will talk about shortly.

However, I wish to talk about the amendments I have concern with. One is the Baucus amendment. I do not support the Baucus amendment. To me, it is an attempt to surrender in the face of the EPA's dramatic regulatory overreach. It is the so-called "agriculture exemption."

When I talk to people in agriculture—the so-called agricultural exemption doesn't shield agricultural producers from increased fuel, increased energy, and increased fertilizer costs.

The factories, refineries, and powerplants that are the glue that holds the farming industry together and allows it to function will be hit with significant energy taxes under the Baucus amendment.

The aftershock will be felt by American small businesses and farmers across the West and the Midwest.

Farmers and small businesses will face higher electricity costs, higher gasoline costs, higher diesel costs, and higher fertilizer costs.

Everything from driving a tractor to shipping your produce to market will skyrocket.

Farms will close, and the cost of produce at the local grocery store will go up for all Americans.

We are not just seeing pain at the pump; people are paying more for gas, but they are also paying more for groceries these days. This will make that worse.

If you have any doubt about the impact the Baucus amendment will have on farms, talk to the American Farm Bureau because they oppose this amendment.

Another amendment dealing with the EPA is the Rockefeller amendment. It calls for a partial delay of EPA regula-

tions for 2 years. This is not a delay, it is a distraction. The question is, does it truly delay the regulation of greenhouse gases? Not really. A couple are delayed—two of six—but four greenhouse gases are not. If that sounds like only a partial delay, you are correct, it is only partial.

Does the Rockefeller amendment put in safeguards to ensure the Environmental Protection Agency abides by the 2-year partial delay? No, it doesn't. The Rockefeller amendment does nothing to stop the EPA from stalling construction permits during the 2 years.

The Rockefeller amendment does nothing to prevent EPA from retroactively requiring costly mandates on small businesses, powerplants, and manufacturing facilities. It also does not prevent climate change nuisance suits, which are filed in court by groups opposed to fossil fuel development.

It seems to me the Rockefeller amendment only delays job growth, while giving a green light to EPA to proceed with regulations that will be costly to American families and to our American economy.

For those of us looking to protect jobs across the country and restore Congress's authority to determine our own energy future, this type of amendment can only be described as a partial delay. It is a distraction.

We don't need a surrender or a distraction; what we need is a solution.

The solution is the McConnell-Inhofe amendment. This amendment restores the Clean Air Act to its true meaning and congressional intent. Let me get back to that. This amendment restores the Clean Air Act to its true meaning and congressional intent.

The McConnell-Inhofe amendment blocks EPA's attempt to enact cap and tax. They are trying to do it in a backdoor route with cap and tax. But the McConnell amendment blocks EPA's attempt to enact cap and tax by blocking EPA's authority to regulate greenhouse gases under the Clean Air Act, by repealing the EPA's endangerment finding that says carbon dioxide is a threat to public health, by repealing the tailoring rule that says EPA can arbitrarily pick and choose which businesses they want to target, and also by applying it immediately to all greenhouse gases.

This is the amendment we must pass to rein in EPA and to protect jobs. This is the amendment that has been endorsed by the U.S. Chamber of Commerce, the Business Roundtable, the American Farm Bureau, and Americans for Prosperity. The list of supporters of this amendment is extensive.

We need to get serious about America's energy future. Congress needs the time to get this policy right. We need to make America's energy as clean as we can, as fast as we can, and do it without raising energy prices or hurting American families and jobs.

The McConnell-Inhofe amendment is the right solution.

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

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

The assistant legislative clerk proceeded to call the roll.

Mr. ENSIGN. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. FRANKEN). Without objection, it is so ordered.

## LIBYA

Mr. ENSIGN. Mr. President, I rise to speak in reaction to President Obama's speech this week outlining what he believes to be in our Nation's interest in Libya. Last week, while working in Nevada, many of my constituents asked what my thoughts were on the military action we have taken in Libya. My answer to them was simply that I did not believe the President had outlined a vital U.S.-American interest in our engagement in Libya, and that the United States cannot afford to be the police force of the world.

This week, with the President's address to the Nation, I had hoped I would hear something to change my mind or, better yet, something that would instill confidence about the President's decision, but, unfortunately, this address provided the American people with many more questions than answers. President Obama left me wondering why any vital U.S.-American interest in Libya would justify military action.

He said refugees would stream into Tunisia and Egypt, but we often aid refugees without F-15s. He said we needed to preserve the writ of the United Nations Security Council, but he did not explain why the safety of our men and women in uniform should ever be put at the service of that body. He said we needed to show dictators across the region that they cannot use violence to cling to power, but if President Obama's policy fails to get rid of Qadhafi, that is exactly the lesson they will learn.

The President left me wondering about the definition of "military success." He said our military mission is limited, but how do we know when we have hit our limit? Is it when Qadhafi poses no threat to civilians? Is it when all of Qadhafi's thugs are gone, or is it when Qadhafi steps down?

This week's address from President Obama makes it clear that we may be headed for another decade-long military operation in the Middle East. Our service men and women cannot afford to be engaged in another Middle East dispute; they are stretched thin enough as it is.

This weekend, Secretary of Defense Gates said, when asked about whether Libya is in our vital interest:

No, I don't think [Libya] is a vital interest for the United States. . . .

So what are we doing? I understand the President may sincerely want to

save lives in Libya, but our country cannot afford to be the police force for the rest of the world. We did not step in when there was genocide in Darfur. As a matter of fact, there is a story today which I ask unanimous consent to have printed in the RECORD.

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

[From www.reuters.com, Mar. 29, 2011]

**DARFURIS FEEL BETRAYED BY LIBYA NO-FLY ZONE**

(By Opheera McDoom)

**KHARTOUM.**—People in Darfur watching how quickly a no-fly zone was imposed on Libya by the United States and its allies said they felt betrayed because U.S. President Barack Obama had broken his promise to protect them in the same way from government attacks.

The government in Khartoum is still defying a U.N. Security Council resolution by bombing rebels in Darfur.

While Darfur was a foreign policy priority for Obama during his election campaign, the festering conflict has fallen into oblivion since his election.

Sudan's President Omar Hassan al-Bashir is wanted by the International Criminal Court for genocide and war crimes in Darfur, where the United Nations estimates at least 300,000 people have died in a humanitarian crisis sparked by a brutal counter-insurgency campaign that began in 2003.

A prominent Darfuri leader said a no-fly zone would protect civilians in the isolated region.

"Right now—forget in the past—right now what is happening in Darfur is worse than in Libya," said Barouda Sandal of the opposition Popular Congress Party. "The air force is bombing civilians and thousands are fleeing."

Peacekeepers from the joint U.N.-African Union force this week confirmed aerial bombardments in areas they visited and said more than 70,000 people had fled fighting in the past few months alone, swelling miserable camps already housing more than two million people seeking refuge from the fighting.

**NO-FLY ZONE**

During his 2008 presidential campaign, Obama backed a no-fly zone in Sudan's west and tougher U.S. sanctions on Khartoum. But once in the White House, his special envoy eased the embargo and promised to remove Sudan from the list of state sponsors of terror.

Washington was the first capital to label Darfur's conflict genocide, infuriating Khartoum, which blames Western media for exaggerating a conflict it describes as tribal. It says 10,000 people have died in the violence.

But quick U.S. intervention in Libya on humanitarian grounds has provoked debate as to what is the standard for intervention in foreign conflicts.

"The swiftness of the international community's response to Colonel Gaddafi's bloody repression of the Libyan uprising has surprised no one more than the diplomats involved," journalist Rebecca Tinsley wrote in the Huffington Post.

"At the same time it has left survivors of state-sponsored massacres in Darfur, Rwanda . . . bewildered by our double standards."

The U.S. embassy in Sudan said Washington remained engaged in Darfur, giving aid and supporting the peacekeeping mission.

"It is not inconsistent for the United States to play different roles in each vital international effort," it said in a written statement.

Many Darfuris believe the quick military intervention in Libya was because of its oil, rather than for humanitarian reasons.

"We are astonished that over a few weeks about 1,000 Libyans have been killed and they went in, but in Darfur they killed hundreds of thousands yet no one comes. And Darfuris are feeling very bad about this," said Ibrahim el-Helu, a commander from the Sudan Liberation Movement, a Darfur rebel group.

"Hundreds of Darfuris are calling me, saying let them come and drill for oil here if it means they will come and protect us too," he said.

**Mr. ENSIGN.** The headline reads:

Darfurians feel betrayed by Libya no-fly zone.

We didn't step in in Darfur. We also didn't help the people of Rwanda. The last time we did try to police a situation such as this was in Somalia, and we all know how that ended.

That is probably why we haven't intervened in the Ivory Coast, even though there are more than 1 million people who have fled their homes and hundreds of thousands have crossed into neighboring countries.

Other nations such as France wanted to take the lead on addressing the Libyan situation. I believe we should have allowed them to do so. The President's address made it clear that our military action in Libya is less about humanitarianism and more about realizing a multilateralist fantasy.

While Secretary Clinton has continued to refer to S. Res. 85 as the Senate's endorsement of the President's establishment of a no-fly zone, I would like to point out to the American people that this talking point is misleading. This is what she said:

The U.S. Senate called for a no-fly zone in a resolution that it passed, I think, on March the 1st, and that mission is on the brink of having been accomplished. And there was a lot of congressional support to do something.

This Senate resolution received the same amount of consideration that a bill to name a post office has. This legislation was hotlined. There was no debate allowed, no legislative language provided to consider. There was no vote. S. Res. 85 described a no-fly zone as a possible course of action for the U.N. Security Council's consideration. It did not instruct the U.S. Ambassador to the United Nations to take action, let alone authorize a military operation. Using the hotline process for this resolution as a congressional endorsement for the President's policy is simply not an adequate use of Congress's role in authorizing military action. The administration unilaterally developed, planned, and executed its no-fly zone policy. The President consulted with the United Nations, he consulted with NATO, he consulted with the Arab League, but he did not consult with the body that is mandated under the Constitution: the U.S. Congress. There was no congressional approval or oversight of this military commitment.

The Senate resolution simply does not authorize or endorse the use of

force. It urges a multilateral body to consider a no-fly zone as a possible course of action. This is not the legal equivalent of an authorization to use force. This is not the political equivalent of that authorization. So what is it?

I believe it is a disrespectful checking of the box for congressional approval by the administration's unilateral action. As Secretary Gates has stated, there is not a vital interest for our Nation in Libya, which means now that we are engaged there, the United States is at risk of mission creep and the possibility of a "take two" of what happened in Somalia.

Before our military intervention, U.S. interests in Libya were minimal. Our intervention has overinflated our interests in Libya's civil war. If Qadhafi stays in power—and many believe he will—and continues to fire on innocent civilians, demands for U.S. military capabilities will go up. This sounds strikingly similar to what happened in Somalia. Furthermore, this engagement has explicitly announced our support for the rebel cause. Yet we don't even know who or what these rebels are or what their ideology is. President Obama's military strategy risks damaging our already shaky credibility in this unstable region of the world. Even with complete military success, President Obama's policy may appear to fail because he has disconnected military means—a no-fly zone—from his strategic ends—Qadhafi's removal.

The Obama administration has confused our priorities in the Middle East. Operations in Libya divert our focus from unstable situations in Syria, Yemen, and Iran, all of which are more important for U.S. interests. Operations in Libya muddle our interests and undermine our ability to lead across the region. If turmoil in Libya calls for a no-fly zone, are we prepared to make the same commitments in Syria and Iran, where we have far greater strategic interests? If not, what kind of message does this send to reformers in those countries?

Last year, when there was an uprising in Iran, the President basically said: Hands off. It is not in our interest. We can't do anything about it. What kind of a message does that send?

Some have argued that oil is the underlying reason for our engagement in Libya. Whether this is the case or not, the perception is there. Instead of lessening our dependence on dangerous foreign oil, this administration has steadfastly refused to allow the United States to tap into its own oil reserves.

In Alaska alone there are three places that would supply the United States with 65 years' worth of what we import from the Persian Gulf.

Unfortunately, as strongly as I believe in renewable energy, it is going to take us 30 to 40 years for renewable energy infrastructure to be up and running enough to start contributing significantly to our Nation's energy supply, which is why we need to act to get

more oil, natural gas, and other types of American fossil fuels into our energy supply today.

I would argue that there is a vital U.S.-American interest to harvest our own energy or we risk engaging in a military conflict every time those in an unstable Middle East cannot get along.

This is absolutely a critical debate. There are legitimate differences on both sides of the debate, but this is a debate that Congress should be willing to have: whether the President should have consulted and whether this is in our vital U.S.-American interest to go forward.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. UDALL of New Mexico). Without objection, it is so ordered.

#### ORDER OF PROCEDURE

Mr. ALEXANDER. Mr. President, I ask unanimous consent to divide equally the remaining amount of morning business time.

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

(The remarks of Mr. ALEXANDER and Mr. SCHUMER pertaining to the introduction of S. 679 and the submission of S. Res. 116 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. SCHUMER. Mr. President, I yield the floor and note the absence of a quorum.

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

The assistant legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Virginia.

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

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

#### HONORING OUR FEDERAL EMPLOYEES

JOSHUA BIENFANG

Mr. WARNER. Mr. President, I come to the floor again today to once more honor another great Federal employee.

I know the Presiding Officer and I, as well as some of our colleagues, recognize that in the State of New Mexico and the Commonwealth of Virginia and here in Washington, there are countless Federal employees who do great things in terms of public service and don't often get the recognition they deserve.

As we debate the balance of this year's budget and think about the in-

credible issues in front of us in terms of our debt and deficit—issues that have to be confronted—we also sometimes have to remember that our actions or our failure to act has enormous consequences on the people who defend our country, protect our homeland, or make sure the basic operations of government work. It could be making sure our Federal parks are open or making sure the folks here in Washington who are Federal police are on the job. Sometimes our failure to agree or our failure to come together on particularly the predictability of the balance of this fiscal year has an effect on their lives.

That is not the subject of my purpose of rising today, but I do think it is important to bear that in mind as I continue the tradition that was started by Senator Kaufman last year of coming to the floor on a regular basis to honor Federal employees.

Time and again, I have seen how the skills and dedication of Federal workers have yielded groundbreaking benefits for our country. Today, I wish to highlight a Federal worker who is at the forefront of modern technology.

Joshua Bienfang is a physicist at the National Institute of Standards and Technology. He created a new method of transmitting encrypted messages in a 100-percent secure way by using quantum physics. I know the Presiding Officer is an expert in quantum physics. I, unfortunately, am not. But since there are so many business operations in the great State of New Mexico, I know he is very familiar with these subjects, but I still have a great deal to learn. My understanding is that in practical terms, this means that message interceptors will be unable to capture sensitive information—critically important to protecting the homeland.

Prior to Mr. Bienfang's breakthrough, quantum cryptography was thought to be a largely experimental means of transmission. But he was able to both secure messages and speed up their delivery. In fact, this technology has set world speed records in the quantum cryptographic field. I know the Presiding Officer probably knows what those speed records are. I don't know. His background in quantum physics makes him understand that, but I think it is a very remarkable achievement.

Without a doubt, Mr. Bienfang's discovery will be greatly important to our national security as well as commerce and equally important to the privacy of medical records. His work also demonstrates the diversity of our Federal workforce. While we may have our fair share of bureaucrats, there are literally hundreds, if not thousands, of scientists and researchers doing cutting-edge work within the Federal Government and applying their intellect to benefit the American people.

I hope my colleagues will join me in congratulating Joshua Bienfang as well as those at the National Institute of Standard and Technology on their suc-

cess, which will no doubt aid Americans in the years to come.

Mr. President, I yield the floor and note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. WARNER. 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. WARNER. Mr. President, I ask unanimous consent that the period of the quorum calls between now and 2 p.m. be equally divided between both sides.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. WARNER. I yield the floor and note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BARRASSO. 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. BARRASSO. Mr. President, I ask unanimous consent that I be allowed to engage in a colloquy with my colleague from Texas.

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

#### HEALTH CARE

Mr. BARRASSO. I come to the floor as a physician who practiced medicine in Wyoming for a quarter of a century as an orthopaedic surgeon, taking care of families across the State, and to present a physician's second opinion on what has happened with the health care law people are dealing with. As NANCY PELOSI said 1 year ago: "First we have to pass it before you get to find out what's in it."

The American people are finding out what is in it and, frankly, they are not happy with it. They don't like it, they don't want to live with it, and they don't want to live under it.

One year ago, when we started this discussion, what we heard and what I believed as a physician was that what people are looking for is the care they need, from a doctor they want, at a cost they can afford.

This 2,700-page bill that is costing trillions of dollars doesn't deliver that at all. To me, it is a bill that makes it harder to create jobs. It increases the cost of care, eliminates choice, raises taxes, is locking 16 million Americans into a broken Medicaid system, and is taking \$500 billion from our seniors—not to help take care of Medicare and solve that problem but to start a whole new government entitlement program.

I was visiting with one of my colleagues, Dr. Kris Keggi, an orthopedic surgeon whom I trained under in my residency program. Just the impact on