

By now it should be clear to all that grand experiments are very costly. It is time for a national epiphany. The sound of Katrina's bugle must be heeded. We cannot continue to commit billions of dollars in Iraq when our own people are so much in need—not only now in New Orleans, but all across America—for everything from education to health care to homeland security to securing our own borders. We need to stop making excuses, stop spinning the facts, and come to grips with the unpleasant truth. The Government of the United States is failing the American people. Failing. That is the catastrophe.

Where is the national debate about our priorities which Katrina should prompt? What does it take to wake us up? Hey, listen, hear me: It is a debate that must begin, if not on this Senate floor, then in the barber shops and in the grocery stores of America and in the print and broadcast media of this great Nation.

It is past time for that debate and high time for all of us to realize that there is nothing more patriotic than taking a good, hard, honest look at our national priorities. We, the people—we, the people—always have that right. A strong republic depends upon just that kind of periodic soul-searching. Does our moral sense of ourselves translate into Government policies? I believe that. Presently, it does not. We have a disconnect in Government policy in everything from a tarnished U.S. image abroad to a failure to address gasoline shortages and skyrocketing prices that will certainly slow our economic engine and take their toll on working people.

Instead of asking the public not to buy more gas than needed, I wish somebody would ask the giant oil companies to pass up some profits and help hold down gas prices as a patriotic gesture for our country. Would that be so outrageous? What do you think?

Why have we not had the vision to invest in alternative energy sources on a grand scale to free us from the addiction to foreign oil? For too long—for too long—our great land has been allowed to drift toward balkanization, a separation between the haves and the have-nots, with the lower end of the income scale at risk from a tattered safety net and a neglected infrastructure, lacking the jobs and housing they need, the health care to stay well, the insurance to cover hospital stays, or the educational opportunities to prepare for the future.

I remember, yes, I remember an America that used to feel more like one country—one country, an America that shared the sacrifice of war and tightened its belt so we could pay for it now. But now we borrow to go to war, and we cut taxes to spare those in the high brackets from sacrifice.

Where is the sense of shared destiny? It has taken nature's own weapon of mass destruction, a category 4 hurricane, to remind us that we are all

American and that our Government has a moral obligation to serve and protect us all.

This country is on the wrong track, and the course needs correcting. Continued denial serves no good purpose. Further loss of American life in Iraq may permanently sour the American people on future military action and damage the recruitment for our all-voluntary force.

To everything there is a season—a time to kill and a time to heal. We have seen the fallacy of sending too many members of the National Guard to the Middle East. What folly.

As I speak, we have lost 1,886 sons and daughters in Iraq. And for what? And there seems to be no end in sight, no plan. We have 137,000 troops still serving in Iraq with 2,000 more scheduled to go in October. We are building at least—now get this—we are building at least four semipermanent bases in Iraq structured to hold 18,000 troops each. Why? That does not sound like “staying not one day longer than needed” to me. In truth, most Americans no longer support a massive deployment in Iraq. Nor do they understand the mission of that continued deployment. Despite repeated directives by the Congress, the “powers that be” refuse to actually budget for Iraq, so that a total picture of our fiscal situation and the cost of the war is deliberately obscured. We are driving our country ever deeper into debt and stretching every resource that we possess to the breaking point. How much longer can it last? Prudence demands that we reassess our posture. Our inept and pathetic, pitiful response to Katrina has underlined our vulnerabilities and writ them large before the world. The American people deserve better than this.

I call upon the leaders of this country to come together and to work together to repair our storm-ravaged Gulf Coast and help salvage the lives of its victims. But more than that, I call upon the Congress to inventory our homeland with an eye to the future. Let us look around, America, and target our deficiencies. Let us work with State and local communities to shore up our weaknesses. We must react in a crisis, of course, but for God's sake, let us finally understand that we must also anticipate the future and be unafraid to commit the resources to make us strong at home. The lesson of Katrina most surely is that an ounce of prevention is worth several tons of cure.

We need to also learn that we cannot long remain a world power if we continue to let America crumble from within. The alarm bells are sounding—listen. The alarm bells are sounding and we must answer the call. This is no time to play for partisan advantage. This is certainly not the season to circle the wagons and hunker down. We need not stretch our brains to write new talking points or invent new excuses. And please, oh, please, please,

let us not resort to the trusty bureaucratic ruse of simply reorganizing Government agencies once again.

It is time for real leadership. It is the season for true humility. The Bible says:

Pride goeth before destruction, and an haughty spirit before a fall.

For years we have been getting it wrong here in Washington. But if we have the will, we can begin to get it right. The American people deserve leaders with the honesty to take responsibility for failures—quit making excuses, quit spinning the facts—and the wisdom to change when change is obviously and so urgently needed. And may God, may almighty God, grant us the grace.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. SUNUNU). Under the previous order, the Senator from Louisiana is recognized.

HURRICANE KATRINA

Mr. VITTER. Mr. President, I thank my colleagues, especially the senior Senator from Louisiana, Senator LANDRIEU, and the distinguished Senators from Mississippi and Alabama for all of their leadership during this Hurricane Katrina crisis. I thank all of my colleagues who have offered their heartfelt thoughts and prayers and very concrete help over these past 2 very difficult weeks.

I arrived back yesterday from the battlefields of the other gulf war. I stand before you to offer my firsthand report. I don't mean to be overly dramatic in my use of the analogy to war. I mean to be accurate. I mean to effectively convey the magnitude of the destruction, the enormity and complexity of the ongoing human impacts, and, perhaps most important, the level of national resolve and commitment that we need to win the recovery effort.

We have all seen very powerful and destructive storms come ashore. We have seen them cause enormous damage, create short-term flooding, even take lives. And then the next day we respond and the residents of the stricken area walk through their community and try to begin picking up the pieces.

This is different. It is not just fiercer or bigger, it is wholly different.

Yes, Katrina was one of the most powerful hurricanes ever. When it hit Louisiana's coast, it did so with sustained winds of 140 miles per hour. Its low pressure reading of 920 at landfall made it one of the three most ferocious storms ever to hit the United States, along with Camille in 1969 and the Labor Day Storm of 1935. But it was much more than that. Yes, Katrina was also one of the largest hurricanes ever geographically. Those ferocious winds extended 100 miles from the eye of the storm, which means they pounded the stricken area for hour upon hour upon hour, a devastated area roughly the size of Great Britain; roughly 2½ times larger than the area hit by Hurricane Andrew in 1992.

But it was even more than that. You see, Katrina was a ferocious, huge hurricane that hit a treasured coastline, an entire region, including a major American metropolitan area, and that population center is one of the poorest in the country, and it is the only one that sits largely under sea level, protected by levees until some of the levees broke.

What does that mean? Storm surges of up to 25 feet; large portions of southeast Louisiana with long-term flooding of up to 20 feet; tens of thousands of people who had not evacuated, most in one-story wooden houses, driven to their attics and roofs, many to be trapped there.

The crisis did not stop or stabilize there. In the ensuing days, it meant the breakdown of basic institutions: the failure of all communication systems; lawlessness, which began spiraling out of control; thousands of evacuees collecting in safe havens such as the Louisiana Superdome and the New Orleans Convention Center, which quickly became some of the most unsafe hellholes imaginable.

What does it all mean now? It means a major American metropolitan area evacuated. This is the first time this has happened since the Civil War. There is that war theme again. But the difference is, American cities have grown quite a bit since then. This metro area is home to 1.3 million people. It means hundreds of thousands of evacuees from southeast Louisiana. These are numbers comparable to some of the historic dislocations during World War II, but the difference is it is right here in America.

During all of this I was in southeast Louisiana. My wife Wendy and I packed up our minivan and our four kids and drove to Memphis the Saturday before the storm. After leaving them safely with family, I returned to Baton Rouge that Sunday, where I slept in a true safe haven, the State Police compound, and began traveling into all of the devastated areas beginning that Tuesday morning.

Much like in war, what I saw covered the whole spectrum of human activity. Indeed, it tended to concentrate on the two ends of the spectrum: great acts of personal heroism followed by a truly awesome military operation beginning on day five on one end of the spectrum; looting and worse and bureaucratic incompetence on the other end.

Let me be very clear and precise about this because some reports of my critique of the early relief effort have caused some consternation. I was quoted after the first few days as saying that the early government relief effort was a failure. I was quoted correctly and this was clearly, unequivocally, indisputably true. In that initial relief effort, FEMA failed us miserably and Louisiana's hurricane preparation and emergency bureaucracy failed us miserably, too.

Don't take my word for it. Talk to the mother with her young daughter

whom I left at the Lafayette shelter. They were still in shock, not from the storm but from the hell on Earth that they had been placed into at the Louisiana Superdome. Or talk to nurse Jody Lopez, who was holed up in Lindsey Boggs Memorial Hospital, or Dr. Tom Kiernan, trapped at Tulane Hospital, who struggled to keep critical care patients alive for days with no sign of help in sight.

Thank God that while the bureaucrats failed, others succeeded. The first group of heroes who held on and overcame amazing challenges in those first few days were local leaders and citizens on the ground. This was true in every community I visited—New Orleans, St. Bernard, Slidell, Bogalusa, Amite, Kenner, to name a few. Sheriff's deputies in St. Bernard were living on a small riverboat so they could continue their vital work. Eight days after the storm most had not seen their homes or talked to their families, but they were committed to keeping St. Bernard safe and putting their duty above their families and property.

There were hundreds of private citizens such as David Fakaouri of Baton Rouge, who pulled his boat down to New Orleans and spent days combing the city for survivors, saving more than 60 people personally. These private citizen rescuers slept in their boats and trucks, using their own fuel, and witnessed suffering at a level we cannot imagine.

Local leaders such as State Senator Ben Nevers of Washington Parish worked tirelessly to secure police reinforcements, water, food, gasoline, even chain saws to cut out of isolated areas.

There was the lunch crew at Belle Chasse High School in Plaquemines Parish who, operating on emergency power only, fed hundreds of relief workers every day. When I left them, they were working to feed the Army Rangers who had arrived to provide support and security.

These local leaders and private citizens were also aided by counterparts from around Louisiana and around the country. These counterparts collected food, water, ice, generators, fuel and other necessities, and with no plan and with no budget they got it to devastated areas, in many cases over a week ahead of the bureaucrats.

Local police units from communities in Kentucky and Illinois were among the first to show up and offer assistance to our local police forces. Similar dispatches from communities in California and Ohio sent security reinforcements to their comrades in Gretna.

Wal-Mart voluntarily offered its Kenner store as the food supply and distribution center for the entire city of Kenner the day after the storm and then, after the Kenner store was depleted, Wal-Mart National continued to send two truckloads of relief per day to keep that effort going.

Members of the Young President's Organization raised millions in essential supplies to turn over to their fel-

low YPO member, State Senator Walter Boasso. Walter used his company barges and worked with other leaders to set up their own dock operation and get supplies to St. Bernard. Acadian Ambulance is a private Lafayette-based ambulance service whose people not only inundated the area with ambulances to evacuate hospitals and nursing homes, but who actually created and implemented an ad hoc but effective evacuation plan while the State Department of Health and Hospitals dithered.

These local leaders and private citizens, heroes both from throughout the devastated area and around the country, got us through those first crucial days. And then another group of heroes helicoptered in, the men and women of our military. In fact, we turned a corner in our relief efforts the Friday after the storm, day five, because it became a full-scale military operation. And with that came a completely different mindset, a completely different culture than the bureaucratic one we had been fighting for 5 days. "We can't do that," and "That's not our job exactly," was replaced with, not "Yes," but "Yes, sir." Members of the Coast Guard who were out saving lives Monday afternoon, before the storm's winds even died down, rescued more than 33,000 people.

U.S. Army LTG Russell Honore from Pointe Coupee Parish, LA, assumed command of the Active-Duty military effort in our State and personally took charge to establish that can-do attitude.

The 82nd Airborne, which took charge of New Orleans Airport that Saturday, organized the operation overnight and evacuated thousands. This same organization that landed in Normandy, where the Higgins boats made in New Orleans were key to victory on D-Day, also helped in the rescue efforts by dropping in food, water, and supplies to thousands in need.

Coast Guard VADM Thad Allen is now in charge of relief efforts and now finally pushing that same can-do attitude onto the bureaucracies of FEMA and the State bureaucracies that floundered in the early response.

These groups of heroes—local leaders partnered with private citizens and the military—have stabilized efforts in the devastated areas, but enormous challenges remain. In the areas hardest hit by Katrina, these challenges include reinstituting the necessities of a modern, civil society, such as a full-fledged New Orleans police force and criminal justice system, replacing countless miles of electricity and phone lines, establishing huge communities of temporary housing, bulldozing and rebuilding entire neighborhoods and parts of the metropolitan area, and bringing businesses and jobs back.

Beyond the devastated area, the radius of our challenges has expanded to wherever there are large numbers of evacuees—Houston, San Antonio, Charlotte, Salt Lake City, Milwaukee—and

every town and city across the rest of Louisiana. You see, so many of the evacuees lived their lives paycheck to paycheck. So many others depended on Social Security or other programs. They need immediate help in all of those areas—well beyond Louisiana. Unfortunately, the bureaucrats are still in charge of this.

As we tackle these challenges, let us remember what worked in the initial relief effort and what didn't work. As we investigate—and we must—let us focus on that central question: what worked and what didn't work.

I have heard many Washington talking heads say that heads must roll. I am all for that, and I have my own personal list. But that alone isn't enough. We need to look at the big picture—not just which people failed but which institutes and models failed, and, just as importantly, which others worked against all odds. A new head bureaucrat is not the solution to a failed bureaucracy. We need to look at the successful can-do military culture and the startling success of people-power and private initiative. Government outlays alone will not rebuild a great American metropolitan area and repopulate it with jobs. We need mega-enterprise zones to harness private sector investment power and to recreate jobs. Returning to the same routine of begging and scraping for flood and hurricane protection will ensure that this happens again.

We need energy royalty sharing as a stable source of revenue for Corps of Engineers hurricane protection projects, and we need the same to use and to invest in coastal restoration to protect Louisiana and our Nation's oil and gas supply.

Second, the tens of billions of dollars in government relief money through FEMA and the State OEP—the very same agencies which failed us—will lead to more failure. We need a Katrina reconstruction commission headed by a no-nonsense, nonpolitical businessman manager so that we will all have something lasting to show for this enormous spending.

I am working with my colleagues in the Louisiana delegation, Senator LANDRIEU, and all of our House Members, to introduce a comprehensive legislative package for implementing these ideas, and we will be outlining our specific proposals in the very near future.

In closing, let me make one final plea; that is, as we do all of this, let us do it together in a sincere spirit of bipartisanship.

I saw horrific scenes in the days after the storm. I smelled sweltering stench. But what I sometimes heard coming out of Washington was more sickening—ridiculous arguments tying the suffering to the war in Iraq and the Reagan deficit, talk of boycotting bipartisan hearings and stonewalling independent commissions. Nobody in the stricken area is talking that nonsense. They are rebuilding lives.

So perhaps the best thing we can do as leaders is to follow—follow the basic goodness and common sense of Louisianians and Americans. If we don't, if we allow this matter to become just another partisan political football, then we will have done one thing; that is, to victimize the victims of Hurricane Katrina all over again.

Two of Louisiana's beloved football teams—the New Orleans Saints and the LSU Tigers—lifted our spirit with victories this past weekend. The Saints beat the odds, and the Tigers won in the game's last second with a pass verging on a Hail Mary. It reinforced for us what we already knew: that even in dark times, hope springs eternal, prayers are answered, and a can-do attitude pays dividends. I have no doubt that Louisiana's resolve and spirit will be demonstrated in the coming months as our families rebuild their lives and their communities. America is joining us in that same spirit. Let us all follow their example.

Thank you, Mr. President.

The PRESIDING OFFICER. The Senator from Louisiana.

Ms. LANDRIEU. Mr. President, I was pleased to be in the Chamber to hear the remarks of the junior Senator from Louisiana and want to sincerely say to all of our colleagues who are here that Senator VITTER and I offer our views about the conditions in Louisiana and the gulf coast having been there, as Senator VITTER said, through almost every day of this horrific and devastating tragedy, a tragedy not just for our city of New Orleans and the parish of Jefferson but the region of the gulf coast.

I thank Senator VITTER for his words to our colleagues about the way we have urged our delegation to work in a bipartisan spirit, with commonsense solutions and out-of-the-box thinking to put together a framework of a plan for rebuilding that calls on the best from our National Government, the best from our State government, the best from our local government, the best from our private sector, individual citizens, and nonprofit communities to rebuild this region and rebuild our cities and our towns, our counties and our parishes, in a way that honors the spirit of the great Americans who have called this place home for over 250 years.

I thank the Senator for his remarks. He has been a steady voice of outstanding confidence for the people of our State, and his views and his wisdom that he shared with all of us today truly is inspirational to us all. I thank him very much for the personal invitation to be with him as he spoke today.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. COBURN). The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. PRYOR. 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. PRYOR. Mr. President, I ask the current business be set aside.

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

AMENDMENT NO. 1703

Mr. PRYOR. Mr. President, I have an amendment to send to the desk, and I ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Arkansas [Mr. PRYOR], for himself and Ms. MIKULSKI, proposes an amendment numbered 1703.

Mr. PRYOR. I ask unanimous consent the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To require the FTC to conduct an immediate investigation into gasoline price-gouging, and for other purposes)

On page 190, between lines 14 and 155, insert the following:

Sec. 522. Of the funds appropriated to the Federal Trade Commission by this Act, not less than \$1,000,000 shall be used by the Commission to conduct an immediate investigation into nationwide gasoline prices in the aftermath of Hurricane Katrina; *Provided*, That the investigation shall include (1) any evidence of price-gouging by companies with total United States wholesale sales of gasoline and petroleum distillates for calendar 2004 in excess of \$500,000,000 and by any retail distributor of gasoline and petroleum distillates for use as motor vehicle fuel against which multiple formal complaints (that identify the location of a particular retail distributor and provide contact information for the complainant) of price-gouging were filed in August or September, 2005, with a Federal or State consumer protection agency, (2) a comparison of, and an explanation of the reasons for changes in, profit levels of such companies for gasoline and petroleum distillates for use as motor vehicle fuel during the 12-month period ending on August 31, 2005, and their profit levels for the month of September, 2005, including information for particular companies on a basis that does not permit the identification of any company to which the information relates, (3) a summary of tax expenditures (as defined in section 3(3) of the Congressional Budget and Impoundment Control Act of 1974 (2 U.S.C. 622(3))) for such companies, (4) the effects of increased gasoline prices and gasoline price-gouging on economic activity in the United States, and (5) the overall cost of increased gasoline prices and gasoline price-gouging to the economy, including the impact on consumers' purchasing power in both declared State and National disaster areas and elsewhere; *Provided further*, That, in conducting its investigation, the Commission shall treat as prima facie evidence of price-gouging any finding that the average price of gasoline available for sale to the public in September, 2005, or thereafter in a market area located in an area designated as a State or National disaster area because of Hurricane Katrina, or in any other area where price-gouging complaints have been filed because of Hurricane Katrina with a Federal or State consumer protection agency, exceeded the average price of such gasoline in that area for the month of August, 2005, unless the Commission finds substantial evidence that the increase is substantially attributable to additional costs in connection with the production, transportation, delivery, and sale of gasoline in that area or to national or international market trends; *Provided further*,

That the Commission shall provide information on the progress of the investigation to the Senate and House Appropriations Committees, the Senate Committee on Commerce, Science, and Transportation, and the House of Representatives Committee on Energy and Commerce every 30 days after the date of enactment of this Act, shall provide those Committees a written report 90 days after such date, and shall transmit a final report to those Committees, together with its findings and recommendations, no later than 180 days after the date of enactment of this Act; *Provided further*, That the Commission shall transmit recommendations, based on its findings, to the Congress for any legislation necessary to protect consumers from gasoline price-gouging in both State and National disaster areas and elsewhere; *Provided further*, That chapter 35 of title 44, United States Code, does not apply to the collection of information for the investigation required by this section; *Provided further*, That if, during the investigation, the Commission obtains evidence that a person may have violated a criminal law, the Commission may transmit that evidence to appropriate Federal or State authorities; and *Provided further*, That nothing in this section affects any other authority of the Commission to disclose information.

Mr. PRYOR. Mr. President, I will visit with my colleagues today about a problem this Nation is facing, something very critical to our economy and critical to every section of this great land. It is something I was reminded of time and time again when I was at home in Arkansas during the August recess: It is the high price of gasoline.

The price of gas in the last month has risen across the Nation anywhere from 30 to 70 cents per gallon. In Arkansas and throughout the country gas prices are at an unprecedented high. Unfortunately, Hurricane Katrina made a bad situation worse. The Gulf of Mexico and the State of Louisiana are absolutely essential in our Nation's production of crude oil and gasoline. Hurricane Katrina has caused major disruptions in the supply of these crucial commodities. This is one reason for the recent spike in the retail price of gasoline, but I am certain it is not the sole cause.

As I traveled my home State last month, I heard from countless citizens who believe the oil companies are taking advantage of them. Can you blame them? It is hard for the people in my State, as I am sure it is for the people in other Members' home States, to fill up their gas tanks and pay record high prices at the pump while, at the same time, opening up the business page and seeing the oil companies are making record profits. That does not sit well with people.

I believe the consumers have a legitimate concern, a legitimate question about why prices are so high, why they have been trending up in the last year or so. We should have an investigation. If price gouging is occurring, we need to know that. If it is occurring—I am not saying it is—if it is occurring, we need to stop that activity dead in its tracks.

This is why I offer this amendment to the Commerce, Justice, and State

appropriations bill that directs the Federal Trade Commission to conduct an immediate investigation into nationwide gasoline prices in the aftermath of Hurricane Katrina. We must find out—when I say “find out,” I do not mean speculate, not accuse, not assume but find out whether gas price gouging is occurring through the supply chain or distribution markets. And if price gouging is occurring, we must punish those who take advantage of this national tragedy.

I thank my colleague from Maryland, Senator MIKULSKI, who has been a leader on this issue and who has helped shape this amendment and is one of the cosponsors of this amendment. I thank her for her leadership. She has done a great job not just on this legislation but many others as we all know.

In the aftermath of Hurricane Katrina, we have seen this country come together. It has been very heartwarming. Today I have been on the phone with people all over my State who are operating these camps for people who have been evacuated from the gulf coast area. It is encouraging to see communities, to see people come out of the woodwork to help. It has been very encouraging to see churches in my State go the extra mile for people who need it the most. I am very encouraged by that.

We also need to be mindful of what high gas prices do to this Nation's economy. We need to know who the honest brokers are. We need to know when gas stations raise their prices, are they doing it because they need to, because they are being charged, or are they doing it to make a quick buck? Those are legitimate questions.

We also need to know what companies sold their gas at a higher price because they needed to and what companies sold their gas at a higher price with greed as their motivation.

The people in my State and the people in your State and the people in all of our States have a right to know why gas prices are so high right now. This will cause a great hardship for the economy, for every sector of this country. Everything we buy, everything we pay for, has a fuel component built into it. We understand that.

As I wind down, we have had complaints from all over my State. We had one guy write in and say the price jumped 60 cents in 1 day. I know other Members have had complaints. I appreciate consideration of this amendment and appreciate my colleagues looking at it. It is important for this country. It is important for the Senate to take up this issue.

Ms. MIKULSKI. Mr. President, may I make a request of the Senator from Vermont, the ranking member of the Judiciary Committee? I want to be able to speak on the Pryor amendment. I wonder, given what the Senator needs to do and, of course, the responsibilities that are pressing, should we do that after this?

Mr. LEAHY. Mr. President, we have 20 minutes.

The PRESIDING OFFICER. Twenty minutes equally divided and under the previous order.

Mr. LEAHY. I ask the Senator from Maryland how much time does the Senator seek.

Ms. MIKULSKI. It was 5, but I could get it to 3.

Mr. LEAHY. Could we start ours later?

Mr. INHOFE. Mr. President, reserving the right to object, let me suggest it has been the request of some of the people on the Judiciary Committee that we delay about 10 to 12, maybe 15 minutes, and that gives the Senator from Maryland an opportunity to be heard. Is that acceptable?

Mr. LEAHY. Mr. President, why don't we begin debate on mercury, and I ask unanimous consent we begin it at 12:17. That gives us time for the Senator from Maryland. I know we are going to break in the Judiciary Committee, and that would give plenty of time.

Mr. INHOFE. We will say 20 after.

Mr. LEAHY. Twenty after.

The PRESIDING OFFICER. Is there objection to the unanimous consent request that we proceed to S.J. Res. 20 at 12:20?

Without objection, it is so ordered.

Ms. MIKULSKI. Mr. President, I rise as a cosponsor of the Pryor amendment. Why? Because American people believe there is gasoline price gouging. We have to find out if there is. What this amendment does is add \$1 million for the Federal Trade Commission to investigate whether there is price gouging.

There seems to be evidence of price gouging throughout the supply chain and in the distribution markets. The impact of gasoline price spikes on our country is severe. They impact people's day-to-day lives at the family level, at the small business level, and at the macro level. And the American people believe deep down there is gouging.

All of America knows that Hurricane Katrina had a terrible impact on our country, that the storm had a significant impact on oil production and oil refining capacity in the gulf. We understand refineries were down and badly damaged, distribution pipelines were affected, shipping channels were blocked due to obstructive deposits and, of course, we have seen offshore drilling impacted. But these disruptions happened over a 3 week period. Why were the gas prices being spiked an hour and a half after Katrina happened? We saw price spikes in Maryland even before that. Marylanders are hot about this and so is this Senator.

Now, my cost of commuting from Baltimore to Washington has already gone up \$30 a week. I can afford it; I am a Senator. But I saw on a local Baltimore TV station a woman who filled up her minivan—a soccer mom—and it was \$90. She put her head on the windshield and wept about how her family was going to afford filling the family vehicle with gas.

My Governor is also deeply concerned. He brought in the gasoline station operators to find out why prices were the third highest in the Nation. Little Maryland, behind California. And who are the other two highest? New York and the District of Columbia, our neighbor.

What are we saying? The average price in Maryland is over \$3, compared to \$2.46 just a month ago. Throughout the Baltimore-Washington corridor, gas is selling at \$3.49, \$3.39. But do you know what. We think there is some kind of deal going on because it can vary within a 3-mile radius. Over where I live, gas has been selling for \$3.63 a gallon. If you go into another neighborhood, just 5 miles away, it is selling for \$3.03—a 60-cent-a-gallon difference.

Tell me, who is pulling the strings? Who is setting these prices? Well, right now, we could end up just with finger-pointing. I want to pinpoint the problem.

First of all, I salute Governor Ehrlich for convening the meetings he had. His meetings broke up, and he was not satisfied. He is going the next step. I want us to now operate on facts because we see how gasoline prices are affecting families, such as the cost of commuting to work, and Maryland is a commuter State.

The price of gasoline is skyrocketing. It is affecting small businesses, from the florists who deliver flowers, to the pharmacies that deliver prescription drugs, and so on.

Then, you look at our businesses. So much of our food supply comes to our communities, our wonderful supermarkets, by truck. Also, you go out along the Chesapeake Bay where people love our crabs, but my watermen are just aghast at what it costs to take their boats out to harvest seafood.

So I could give story after story. But Marylanders want to know, is there price gouging? If there is, we have to go after it and stop it. We know there are record high profits in the oil and gas industry. We know there is price variance with the oil companies. We know there is price variance even block by block as to how much consumers are being charged for gasoline.

But, most of all, we know there is going to have to be shared sacrifice because of Katrina. We are going to have to examine how we build refineries in our country. We have to have an oil conservation strategy; conservation could be our next North Slope. We should focus on those things.

But right now I am worried about what is being charged at the pump. We want to make sure there is not price gouging, and that there is not price fixing. We are asking the Federal Trade Commission to investigate. I want to advocate an amendment to put money in the Federal checkbook to do so.

Mr. President, know that we Marylanders want to move ahead, we want to cooperate, but we want to know why gasoline is so expensive and what is behind the price spikes and price fluctuations?

And hello, oil companies out there, if you are listening, if you want to respond to me, I am right there at 503, in the Senate Hart Building. I have an open line to listen to what you have to say because I am getting an earful in Maryland.

Mr. President, I yield the floor.

DISAPPROVING A RULE PROMULGATED BY THE ADMINISTRATOR OF THE ENVIRONMENTAL PROTECTION AGENCY

The PRESIDING OFFICER. Under the previous order, the hour of 12:10 having arrived, the Senate will proceed to the consideration of S.J. Res. 20, which the clerk will report.

The legislative clerk read as follows:

A resolution (S.J. Res. 20) disapproving a rule promulgated by the Administrator of the Environmental Protection Agency to delist coal and oil-direct utility users from the source category under the Clean Air Act.

The PRESIDING OFFICER. Under the previous order, there will be 20 minutes equally divided for debate between the Senator from Oklahoma, Mr. INHOFE, and the Senator from Vermont, Mr. LEAHY, or their designees.

The Senator from Oklahoma.

Mr. INHOFE. Mr. President, I think we have now agreed by UC that we will begin our equally divided 20 minutes at 20 minutes past the hour.

The PRESIDING OFFICER. The Senator is correct.

Mr. INHOFE. That being the case, 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. REID. 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. REID. Mr. President, I would ask Senator INHOFE and Senator LEAHY if we could start the 20 minutes now.

Mr. INHOFE. I have no objection.

Mr. LEAHY. I have no objection.

The PRESIDING OFFICER. Under the previous order, there will be 20 minutes evenly divided for debate between the Senator from Oklahoma, Mr. INHOFE, and the Senator from Vermont, Mr. LEAHY, or their designees.

Who yields time?

The Senator from Vermont.

Mr. LEAHY. Mr. President, I discussed this with the distinguished Senator from Oklahoma. I yield 3 minutes, first, to the distinguished Senator from New Jersey.

The PRESIDING OFFICER. The Senator from New Jersey is recognized for 3 minutes.

Mr. LAUTENBERG. Mr. President, very quickly, we are about to vote on an issue that really has to touch every one of us in some form or fashion, if one is a parent or one is a grandparent or if one has any contact with children, as to the kind of issue we are discussing.

I will start off by seeking unanimous consent that letters and other material in support of this resolution from environmental, sportsmen, fishing, and religious groups be printed in the RECORD following my remarks.

The list is long. They talk about the health community having grave concerns about the threat of mercury pollution to the public health, about potent neurotoxins that can affect the brain, heart, and immune system. There are almost 40 organizations cited in this one letter. They include organizations such as the American Academy of Child and Adolescent Psychiatry, the American Association on Mental Retardation. A lot of these groups are focused on the thought process—Cure Autism Now, Learning Disabilities Association, the National Autism Association, the Society of Pediatric Nurses, and United Cerebral Palsy.

Mr. President, I ask unanimous consent that these materials be printed in the RECORD at the conclusion of my remarks.

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

(See exhibit 1.)

Mr. LAUTENBERG. Mr. President, I suspect most Americans are going to be shocked to learn the administration wants to allow more poisonous mercury into the environment. But that is exactly what they are trying to do. We should not permit this vote to take place as it is.

I hear the arguments that are being made that reducing toxic emissions from coal-fired plants may in fact increase the cost of energy, that it would be terrible. People are being shocked by the cost of fuel and energy generally.

But if you want to look at a bunch of children and say, "No, we are going to risk these children having learning disabilities and to not be able to function properly, not be able to be an integral part of their school body as would be planned," as opposed to perhaps—perhaps—the energy we use costing a couple more cents, there cannot be any justification for this resolution not to pass.

I hope our colleagues in the Senate will look very closely at the decision they are making, between children and a little extra cost for energy.

JULY 27, 2005.

EXHIBIT 1

DEAR SENATOR: As leading national health organizations, we are writing to ask that you vote to protect the public's health, especially children's health, from the threat of mercury pollution. The upcoming vote on the Collins-Leahy joint resolution to stop EPA from implementing its new Mercury Clean Air Rule is an opportunity to put children's health first. Since EPA unfortunately ignored the calls from health professionals, scientists, a number of states, our organizations and the public when it finalized the mercury rule earlier this year, we now turn to Congress to ask for your intervention.

The health community has grave concerns about the threat of mercury pollution to public health. Mercury is a potent