

that would advance the cause of freedom and peace," President Reagan said.

Addressing the Soviet Premier directly, he then continued:

If you seek peace, if you seek prosperity for the Soviet Union and Eastern Europe, if you seek liberation: Come here to this gate! Mr. Gorbachev, open this gate! Mr. Gorbachev, tear down this wall!

Two years later, Germans East and West did raze that wall, presaging German reunification and the fall of the Soviet Union. A piece of the Berlin Wall is preserved today in the Ronald Reagan Presidential Library in Simi Valley, CA.

At the time, the Soviet state-run press agency called this historic speech "openly provocative" and "warmongering." But Chancellor Kohl, who was there, knew the truth. "Ronald Reagan was a man who achieved great things for his country," Chancellor Kohl said in 2004. "He was a stroke of luck for the world, especially for Europe."

There we have an example of the power to make walls crumble, by the sound of freedom—all because of the right words, well chosen and linked to the right policy.

We cannot say what national security crisis will confront us in the future, but we can say that confront us they will, no question about it. When that happens, the world must know that America will fight on the side of justice and freedom.

One great leader made that clear 21 years ago today when he said four simple words: "Tear down this wall."

Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore. The majority leader.

#### REPUBLICAN FILIBUSTERS

Mr. REID. Mr. President, the remarks my friend, the distinguished Republican leader, made regarding the energy crisis facing us are, as has been this past week, Orwellian. Everyone listening to what he said understands the direct opposite has happened. Everyone knows we are not doing legislation because the Republicans will not let us.

There are 51 Democrats and 49 Republicans, a closely divided Senate. The Republicans have decided they are going to let us do nothing, and that is what they are doing, letting us do nothing. We want to legislate; they want to obstruct.

Let's take the three bills we dealt with this past week. Global warming: No, they would not let us legislate on that bill. We offered two amendments, three amendments, five amendments, eight amendments, relevant, germane—nothing. They did not want to legislate, and we knew that was the case because as we read into the RECORD several times, there was a piece of work that came on e-mail from the Republicans who are devising the strategy for the Republicans in the

Senate, and they said in that memo that there is no legislation going to take place here; we are going to play political games. "Political games" were their words, and that is what they did.

As we have been here—the Senate opened 20 minutes ago—global warming has gotten worse, not better. It is time we decided to take some hard decisions and realize we cannot continue to take all this carbon out of the Earth and put it into the sky. That is what global warming is all about. We have to stop this.

We wanted to do something about gas prices. Of course gas prices have gone up. Since President Bush took office, the price of gas has gone from less than \$1.50 a gallon now to \$4.06 a gallon. As the Republican leader said, diesel fuel is approaching \$5 a gallon. But during this period of time, we have been following the Cheney energy policy. The Cheney energy policy was one devised in the White House in secret. The press, groups around the country have tried to find out what went on, who came, what were the promises made. Obstruct—they would not allow us to find out what went on. The American people to this day do not know what went on. But we do know the Bush-Cheney administration is the most oil-friendly administration in the country. They made their fortunes in oil and they have treated the oil companies accordingly this past 7½ years.

We tried to do something about gas prices. We think it is important that we take a look at OPEC. It is not just Democrats talking about it. Arlen Specter, the ranking member and former chairman of the Judiciary Committee, believes that is an extremely important issue. OPEC is violating the Sherman Antitrust Act. Why shouldn't they be subject to it? That is what we wanted to legislate, and they would not let us.

We wanted to take away the huge amounts of free money the oil companies get. Why should they get all the free money from American taxpayers when they made during the past year \$250 billion in profit—not million, billion. We tried to legislate on that issue saying these subsidies to big oil should be terminated.

We thought it was important to do something about these windfall profits these companies are making. We were stopped from doing that.

The Presiding Officer knows about legislating. He understands that legislating is the art of compromise. Is any one of the pieces of legislation we introduced perfect? Of course not. But it is an opportunity for us to try to do something about these gas prices. In the short term—these are short-term fixes for the gas prices I talked about—they would not allow us to legislate. And yesterday we tried to legislate on doing something about alternative energy, renewable energy. The Sun shines, the wind blows, steam comes out of the Earth. Shouldn't we harness

that for our own benefit? Shouldn't we use that so we do not have to use 21 million barrels of dirty oil every day that is making our lives miserable with global warming, ruining the health of people all over the world? Shouldn't we do that? The Republicans say no. They would not let us legislate on that issue yesterday.

We want to give the American entrepreneurs the ability to invest in renewables. People are waiting to invest billions of dollars if they have the opportunity for these tax credits, but the Republicans say no.

My friend said that Democrats think this is some kind of a corporate plot. We don't think it is a corporate plot. We do think the oil companies are making far too much money. And the sad part about it—my brother for many years was a service station operator. My brother worked for Standard stations. I worked for Standard stations. He became a manager for Standard stations. The Chevron oil company had Standard stations and Chevron stations. Chevron stations were dealers, individuals such as my brother Dale—may my brother Dale rest in peace. He died at the age of 47. He was a Chevron oil dealer. He worked very hard. He didn't make much money with the gas that was pumped. He made money selling water bags, which was a canvas bag people needed to go across the desert if their car broke down, batteries, fan belts, tires. That is where he made his money; not very much, but that is where he made his money, not at the gas pump. And it is still that way. The modern Dale Reids with stations around America are not making much money. The money is going to these massive oil companies.

I don't think it is a corporate plot. I think it is a Bush-Cheney plot. I think these people have done nothing. These two men have done nothing to address the energy crisis facing America. It took 7 years of this man's Presidency before he could say the words "global warming."

My friend has used the name of the senior Senator from New York, Mr. SCHUMER. I am going to defend Senator SCHUMER. Senator SCHUMER is my friend. He does an outstanding job representing the people of New York, and he has done an outstanding job representing all Democrats as chairman of the Democratic Senatorial Campaign Committee. This is a difficult job, not one people seek. Senator SCHUMER took that job when he could have been Governor of the State of New York. All the editorials said he would be the next Governor of New York. I knew that when I became Democratic leader. I asked Senator SCHUMER, recognizing he could be the next Governor of New York: Will you take the Democratic Senatorial Campaign Committee? It is important for the country. And he gave up literally the governorship of New York, in my opinion, to take this job. He has done a tremendous job: nine new Democratic Senators last year.

He said yesterday in his speech before the Senate, among other things, that the 75 filibusters the Democrats have had to face with this Republican minority, which is so upset that we are in the majority, is creating problems for Republican Senators. It is the truth. Senator SCHUMER said:

It is unconscionable that the American public is being forced to use their stimulus checks just to pay for gas.

Senator SCHUMER came and spoke for the American people. He spoke for the people of New York, he spoke for the people of America, saying: Why not let us legislate? And the fact that the Republicans are not letting us legislate on anything is going to work in November to the advantage of the Democrats. I think that is clear.

Look around the country. I am not going to predict what is going to happen in November, but the majority is going to be bigger than 51 come November. Why? Because the American people see what is going on with this Republican minority. It is the same in the House. Republicans have the same philosophy: status quo, keep things the way they are, tread water a while.

As a result, when Dennis Hastert—he broke the record for the longest Republican Speaker in the history of the country—retired, a heavily Republican House district in Illinois goes Democratic. That was only a quirk, they said.

Then we have a race in Louisiana, a heavily Republican district, been Republican for a long time, and it goes Democratic. Why? Because the American people see what is going on.

Illinois, a Republican district, sees what is going on; a Republican district in Louisiana sees what is going on. In Mississippi, they appointed Congressman Wicker to be a Senator after Senator Lott retired. That district—we don't have to worry much about that, that is a Republican district, always has been, always will be, except the people of Mississippi see what is going on and they elected a Democrat. Now we have a Democratic House Member representing that so-called Republican district.

We want to legislate. We want to legislate for the American people. All we want is an opportunity to go forward and not have to face 75 filibusters and legislate as the Senate has been doing for many decades.

These Orwellian speeches given by my friend when he says "It's the Democrats' fault, they have been in power a year and a half; that is why gas prices are so high," think about that, everybody, think about that, how unreasonable that is.

The ACTING PRESIDENT pro tempore. The Republican leader.

Mr. McCONNELL. Mr. President, the speech of my good friend, the majority leader, sounds eerily similar to the one he made yesterday morning at exactly the same time, so I won't prolong this back and forth other than to say it is an interesting campaign speech, but

the issue before us is, if we do want to legislate, we know how we have to legislate in the Senate. We had the same discussion yesterday morning. The way you don't legislate in the Senate is refuse to let the minority offer amendments.

I know this is inside baseball to most observers who don't follow every nuance of what we do in the Senate, but the way you legislate in the Senate is you call up a bill and you have a free amendment process and then you pass it. Prematurely filing cloture, filling up the tree, preventing the minority from having any serious impact on legislation doesn't work. You can call that obstructionism if you want, but another way of looking at it would be to say the majority leader would like to turn the Senate into the House, and that is not the way we operate here. The Republican minority is pretty unified over the notion that they do not intend to be irrelevant.

With regard to the issue that is of most importance to the country—global warming—in fact, it is still the pending business. My Members are anxious to offer amendments on that debate. We have been on that measure. We discussed it all day yesterday and have been discussing it in previous days. We actually voted to continue the debate and would like to have a chance to offer amendments to it.

But I think my good friend, the majority leader, would like, rather than giving us a chance to truly amend the bill, to just simply check the box and say: That is another filibuster, and move on.

It is a fact—it is not any kind of Orwellian spin—that gas prices are up \$1.70 since the Democratic majority took over. It is also a fact that Republicans, as I indicated in my comments earlier, are open to any of the conservation measures that have been suggested. But the fundamental problem is that our good friends on the other side are not willing to do anything whatsoever on the production side.

Even though I think, for example, that suing OPEC is somewhat ludicrous, I would be open to it if someone on the other side would say: OK, we will sue OPEC and we will add to that a measure allowing the opening of the Outer Continental Shelf, where States want to. I mean, why should the Federal Government prevent a State that actually wants to open the Outer Continental Shelf from doing so?

That is the way you go forward around here, with each side getting something. But, unfortunately, in these debates, they want it their way or not at all, and they do not even want to give us a chance to consider or approve these efforts to increase our production.

So the way to legislate in the Senate is pretty clear. The majority leader and I have been around here a while. We remember when we used to pass legislation, and we also remember how we did it. As I indicated yesterday morn-

ing, a good model for big, complicated bills, as the Clean Air Act of 1990 was—it was on the Senate floor for 5 weeks with 180 amendments and everybody participating, everybody offering amendments. We worked our way through the process, and we passed a major piece of legislation. You can't bring up something like a climate bill, fill up the tree and file cloture, and call that a serious effort to legislate.

I am sure it is somewhat confusing to casual observers, all this spin back and forth, but the fact is, the Senate is a place full of serious legislators on both sides of the aisle, and the only way we will actually be able to accomplish anything for the American people is for everybody's rights to be respected, for everybody to have a chance to participate, and at the end of the day to make some kind of bipartisan accommodation that would include some things the other side would like to accomplish, which I might not think is a great idea, but would also include some things that most of my Members believe would make a difference. That is the way to pass major legislation.

So, Mr. President, I enjoy these morning discussions with the majority leader. He is a good friend of mine. I like him a lot, I enjoy working with him, and I hope we can get past making a campaign speech every morning and actually see if there isn't some way to move forward on important legislation for the American people.

I yield the floor.

Mr. REID. Mr. President, my friend would like everyone to be confused. No one is confused. No one is confused as to what is taking place here. All records in the history of this country have been broken on the number of filibusters. No one is confused about what is going on here.

We know we have worked with the Republicans to do something about production. Of course we have. But we want to do something long term; we want to do something short term. The American people are being drowned with the smoke in the air, and too much carbon is coming out of the ground into the sky. We want to do something with the Sun and the wind, the geothermal.

The OPEC measure is ludicrous? Mr. President, tell my friend, the ranking member of the Judiciary Committee, the former chairman of the Judiciary Committee, who is the biggest proponent in Congress of OPEC being subject to antitrust laws, that is ludicrous. I say to the Republican leader, tell ARLEN SPECTER it is ludicrous to go after OPEC. Those are the words of the Republican leader.

Finally, Mr. President, here is what they want to do on global warming. This Orwellian verbiage we have heard this morning, that they want to do something on global warming, well, here is what they want to do about global warming. The e-mail on the Republican strategy that we obtained says this:

The focus is more on making political points than in amending the bill.

That is what they said. And it continues:

GOP anticipates a struggle over which amendments are debated and eventually fingerpointing over blame for demise of the bill. The bottom line is that the GOP very much wants to engage in it for a prolonged period, and then make it as difficult as possible to move off the bill.

The focus is much more on making political points than on amending the bill.

The American people aren't confused, Mr. President.

#### RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

#### MEDICARE IMPROVEMENT FOR PATIENTS AND PROVIDERS ACT OF 2008—MOTION TO PROCEED

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of the motion to proceed to S. 3101, which the clerk will report.

The legislative clerk read as follows:

Motion to proceed to S. 3101, a bill to amend titles XVIII and XIX of the Social Security Act to extend expiring provisions under the Medicare program, to improve beneficiary access to preventive and mental health services, to enhance low-income benefit programs, and to maintain access to care in rural areas, including pharmacy access, and for other purposes.

The ACTING PRESIDENT pro tempore. The Senator from New York.

Mr. SCHUMER. Mr. President, I have come to speak on the Medicare bill, but I must make a few remarks in relation to the debate between the majority and the minority leaders. The bottom line is very simple, and that is they haven't said let's fight over what amendments nor have they offered amendments. They have said that we will not even proceed to the bill.

So when the majority leader, Senator REID, says it is Orwellian, of course it is. In every instance when the minority has come and said they will do amendments related to the specifics of the issue at hand, the majority leader has been more than accommodating, rankling even some on our side. But they don't want to do that.

Senator REID read the memo. They want to slow the bill down with extraneous amendments that have nothing to do with energy because they do not want to allow a vote, even on ANWR.

Now, my friend from Kentucky talks about ANWR as the answer. Even the most optimistic experts say it will be 7 years before we get a drop of that oil. So the minority leader and the minority are saying wait 7 years and maybe we will get oil prices down. We don't want to wait that long. In 7 years, we could have an energy policy that weans us away in part from fossil fuels in a serious and significant way, like what is being done in Europe and other

places. They do not want to do that because big oil dominates. They do not want to do that because their base says drill in ANWR, and the people say no.

This idea that we don't want any production, the minority leader is just patently incorrect. Democrats, including myself, helped lead the charge and voted to increase production in the east gulf. That is the place where there is the most available oil and gas near refineries. And it wouldn't take 7 years the way starting a whole new venture in Alaska would. We voted for it under Republican leadership, when the Republicans led. So we are willing to increase production, but we do believe we are not going to drill our way out of this problem.

The majority leader is exactly right. The actions of the minority leader say: Don't even debate it. Then he says they want to debate it. Well, if you want to debate it, don't block the motion to proceed. And I am certain—though I haven't talked to the majority leader about this, but I will, and I know from his past actions—if they have a series of amendments that are related to energy, they will be entertained. But if they want to debate George Bush's tax cuts or the estate tax, well, the majority leader has a perfect right to say, don't do it.

So, Mr. President, again, this week in the Senate, Republicans are blocking lower energy costs. They are the party of no—no, no, no. They are the party of no on global warming, they are the party of no on lower energy costs, they are the party of no on tax help for solar and wind, and they are the party of no on preventing the oil companies from just doing everything they want. And as the majority leader said, the status quo is not what America wants, but the status quo is exactly what the minority, the Republicans, are standing for.

I said it yesterday, and I will say it again—I said in the DSCC that I care more about the substance. I would much rather we move forward. But as head of the DSCC, the minority is filibustering themselves right out of their seats. When three-quarters of Americans demand dramatic change, and the minority says no change, that is not a formula for political success. You don't have to be a political genius to know it.

So I would say to the rank-and-file members on the other side, I don't understand the logic, I don't understand the thinking, but you are sure not helping yourself or helping your country.

Now, Mr. President, I would like to talk about Medicare for a minute—that is the bill we are on—and I rise to speak in strong support of the Medicare Improvement for Patients and Providers Act of 2008. I want to congratulate our leader on the Finance Committee, Chairman Max Baucus, for introducing this much needed legislation.

When Lyndon Johnson signed Medicare into law in 1965, he promised it

would transform the lives of America's senior citizens, and he said this:

No longer will older Americans be denied the healing miracle of modern medicine. No longer will illness crush and destroy the savings that they have so carefully put away over a lifetime so that they might enjoy dignity in their later years.

No one could have said it better, and yet 40 years later we are at a critical moment. Do we make much needed improvements to the program to allow it to fulfill its promise to America's seniors or do we ignore this challenge?

We have worked hard in the Finance Committee to put together fair and reasonable legislation that is supported by all physicians groups and millions of beneficiaries. We have compromised. I don't believe Medicare Advantage should come out of medical education. It affects my State, the majority of it will, and I am still willing to sort of suck it in and say, OK. But some on the other side are saying no, it has to be all their way. We know that fee for service in Medicare Advantage is far more lucrative and far more spread around the country. Yet we don't have very much of that in here to help pay for the other necessary increases. But it is a compromise bill. It is a bipartisan bill with broad support on the Finance Committee, and I urge all Members to vote for cloture today so we can provide help to millions of America's seniors and the hard-working health care providers who treat them.

We have to pass this bill to avoid catastrophic cuts to doctors. We know these physicians face a 10-percent cut. To those who say, well, they are doctors, they can afford it, the trouble is, if we do this cut, lots of doctors don't take Medicare, and our poor senior citizens are left in the lurch. When we cut resources to doctors, patients lose, in this instance. So we need to put aside politics and do the right thing for our seniors and pass this bill.

Some Members seem to think that doing more for low-income seniors—those Americans who are trying to make ends meet and are deciding between filling their car's tank with \$4 gas and paying for a doctor's visit—is wrong. Opponents of this measure say now is not the time to improve Medicare. Well, I say now is exactly the time. We need to cut costs where we can and enhance the program where it is needed.

Our constituents are waiting for action. In my State of New York, the AARP dropped off 20,000 petitions in three wheelbarrows at my office in Albany. These 20,000 petitions were from New Yorkers asking Congress to pass this bill, to pass S. 3101, because it helps seniors on fixed incomes, establishes an e-prescribing requirement, and helps limit premium increases.

We are particularly pleased the bill emphasizes preventive health care and expands coverage for key screenings, which can catch problems before they become more serious, and many other important measures.