

## MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be a period of morning business, with Senators permitted to speak therein for up to 10 minutes each, with the Republicans controlling the first 30 minutes and the majority controlling the next 30 minutes.

The Senator from Texas.

## ORDER OF PROCEDURE

Mr. CORNYN. Madam President, I ask unanimous consent to split our time equally between myself, the Senator from Georgia, and the Senator from Missouri.

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

## ENERGY

Mr. CORNYN. Madam President, after the last election in 2006, the Democrats gained control of both the House and Senate. With that victory comes responsibility; that is, to manage the agenda in a way that addresses America's most urgent priorities. Unfortunately, we have seen a record that does not reflect well and, perhaps, is one reason why poll numbers for the Congress are at a historic low. The American people, according to the latest Rasmussen and Gallup Polls I have seen, have given Congress the lowest ratings since polling began. One might ask, why is that? It is something we should all be concerned about.

First, we know it took 145 days until we finally passed a reauthorization of the Foreign Intelligence Surveillance Act. Thanks to the good work of Senators ROCKEFELLER and BOND on a bipartisan basis, they came up with a good bill. Unfortunately, we dawdled for 145 days on our ability to gather intelligence by listening to communications between foreign terror subjects. We waited for 145 days to finally get that done. Thankfully, we finally did. The rest of the record is not as good as even that. For 604 days, the Colombia Free Trade Agreement has been left pending. In Texas, we sell \$2.3 billion worth of agricultural goods and manufactured goods to Colombia each year. It bears a tariff because Congress has refused to take up, principally because of the Speaker of the House, Ms. PELOSI, the Colombian Free Trade Agreement that would remove those barriers to American goods being sold in Colombia. Unfortunately, it is not a two-way street, because Colombian goods bear no tariff coming into the United States. This is an example of the congressional inaction shooting American agriculture and the manufacturing sector in the foot when it comes to their ability to compete in a global economy, due to mismanagement of the agenda.

For 749 days, judicial nominees have been waiting for an up-or-down vote on

the Senate floor. I disagree with the distinguished majority leader. Judges do matter. People need access to courts. We might as well put a padlock on the front door of the courthouse if we are not going to confirm well-qualified judicial nominees to serve. Whether it is victims of crime who need access to the courts or a small businessman or woman who has a civil dispute they need resolved in a court of law, those people are being denied access to justice because we are not confirming enough judges nominated by the President.

Finally, it has been 815 days since Speaker PELOSI, before she ran for her current position, said Democrats, if elected and given the responsibility and the privilege of serving as leaders of the Congress, would come up with a commonsense plan to relieve prices of gasoline at the pump. Back when she assumed control of the House and when Democrats assumed control of the Senate, gasoline was \$2.33 a gallon. Today it is \$4.11, and we are still waiting for that commonsense plan to relieve the pain at the pump.

It is no secret the price of energy is driving up the price of all sorts of commodities, including food. I recently was at a food bank in Houston where they said the demand for their services to provide food to people who can't otherwise provide for themselves has gone through the roof because the cost of food has gone up, along with the cost of gasoline and energy.

We want to try to work with our colleagues on the other side. I hope we can on this Energy bill the majority leader has brought to the floor. But it only addresses a narrow aspect of the problem, speculation on the commodities futures market. We need a comprehensive bill to deal with the law of supply and demand and to acknowledge that Congress has been part of the problem and not part of the solution by imposing moratoria on development of oil and gas reserves on the Outer Continental Shelf for 27 years. Last year, when Congress put a ban on development of the oil shale in Colorado, Wyoming, and Utah, Congress became part of the problem and not part of the solution, when it comes to producing more oil domestically and relying less on imported oil from the Middle East.

I have been fascinated by the Presidential campaigns, the slogans the different parties have adopted. I know we have seen Senator OBAMA say "Yes, we can" and talk about change. But unfortunately, the answer from our friends on the other side of the aisle, when it comes to a commonsense energy policy, when it comes to bringing down the price of oil by producing more American supply, seems to be: No, we can't.

We would love to work with our friends on the other side of the aisle to say, yes, we can address the needs of the American people and help relieve some of the pain they are suffering at the pump. But every time we bring up

an energy proposal, whether it is on nuclear energy, clean coal, offshore exploration, oil shale or ANWR, it seems we get an answer of no. The so-called energy bills our friends on the other side of the aisle have proposed do not produce one drop of additional energy or one kilowatt of additional electricity. How can you call that an energy policy?

The new energy produced as a result of our friends on the other side saying no, instead of yes, to bipartisan efforts to solve the problems has been no new energy produced. Our friend, Senator MENENDEZ from New Jersey, said we need to talk less and act more. I would agree with that. We need to talk less and act more. Unfortunately, what we have received so far is a lot of talk and no action. We need action to help bring down the price of gasoline at the pump.

Republicans believe we need a comprehensive policy that conserves energy and eliminates waste. Recently, I was in Tyler, TX, at a Brookshire Grocery, where they have modified their tractor-trailer rigs to use less diesel and modified the speed at which they drive. They are reducing consumption of the skyrocketing prices of diesel. We can conserve and use less, but we also need to find more. It makes no sense, as some have suggested, that we ought to sue OPEC to get them to open the spigot even wider so we can send more money overseas to the Middle East and to the Organization of Petroleum Exporting Countries. That makes no sense whatsoever, to pass higher tax burdens on those people who produce domestic energy. We tried that back in the 1980s during the Carter Presidency. All it did was drive down domestic production and drive up foreign imports. Eventually, as we all know, higher taxes get passed on to the consumer. That is not an answer.

We believe the answer to our energy problems is to find more and use less. As we travel this bridge to a clean energy future, we know we need more renewable fuels—wind energy, solar—to develop electricity. Yes, we need biofuels, but we have to work through the problem of using food for fuel that has contributed to higher food prices. We need a balanced energy policy.

We implore the distinguished majority leader not to try to check the box to try to say we have done something, when, in fact, we have done nothing to address high prices at the pump, and to work with us to allow us to increase supply of domestic energy. We could produce as many as 3 million additional barrels of oil a day from American sources, if Congress would simply get out of the way, lift the moratoria, and allow that exploration and production to begin. If we did that, it would send an important signal to the commodities futures markets that Congress is not going to stand in the way and that more supply will be available in the future. I believe it would have a dramatic impact and a dramatic reduction on the price of future contracts for