

to me that many of the best ideas—if not all of the best ideas—are found outside of Washington, DC. From a dairy farm in western Montana that converts cow manure into enough electricity to power that farm and its neighbors through hydrogen fuel cells that keep the lights on in college classrooms, to a generator that turns tree bark into electricity, Montanans are finding innovative ways to meet their energy needs. That can not only help Montana, but it can help the whole country's energy future.

It is no wonder, as I traveled around the State, as we see in Montana, gas prices a little under \$4 a gallon, and as we see winter coming in and the potential of a cold winter and the potential for high heating oil and natural gas prices, that Montanans are very concerned about their energy future.

This fall, over the next few weeks, we have an opportunity to address this country's energy future both in the short term and in the long term. Hopefully, we will address it. Hopefully, we can put the partisanship away. Hopefully, we will be more concerned about energy for this country's citizenry than about who is going to win the next election.

Back in 1978, one of the other times we had energy problems in this country, Montana put out this book. It says 1978 on the bottom, and it is called "Montana's Energy Almanac." This book contains information about oil and gas and coal. It also contains information about electricity transmission, solar power, geothermal, renewable energy, and a myriad of other issues. This book could have been written in 2008. The fact is we had a format to move forth with this country's energy future, and it didn't happen. We had the ability to develop a long-term energy plan for this country, and it didn't happen—30 years ago, it didn't happen; a generation ago, it didn't happen.

We need to make it happen this fall. It is critically important for this country. It is critically important for this Nation's security. As we come forth with an energy plan over the next few weeks, it will include drilling, make no mistake about it, and it should. Also remember this: It is not going to significantly decrease the prices at the pump right now. That doesn't mean it is the wrong thing to do. It is the right thing to do, because the truth is that if we can take our reliance off of places such as Venezuela, Russia, and Saudi Arabia, that is a good thing. You also must note that, right now, we are drilling. In fact—and I have stated this before on the floor—right now, it would be difficult to find a rig in the United States to punch a hole for gas or oil, because they are already doing that. If you are lucky enough to find a rig, you would be hard pressed to find the casing to put in that hole once it is drilled.

The truth is we need to drill, and how much we drill will probably depend upon the availability of rigs and cas-

ings, and right now they are being used up. Drilling is part of the plan. We also need to invest in renewables, because drilling should be a bridge. We talk about bridges, but we never talk about where that bridge is going to go. It will go to nowhere unless we invest in renewables such as solar, wind, geothermal, biofuels, and cellulosic ethanol, and it is critically important for our long-term energy future. So we need to invest in those things by a myriad of ways.

My colleague in the Senate, MAX BAUCUS, has a bill that will do exactly that. That bill needs to be a part of the Energy plan to invest in solar, wind, geothermal, biofuels, cellulosic ethanol—the list goes on and on—because there is tremendous opportunity out there. We need to invest in R&D in clean coal, battery technology, hydrogen technology, high-mileage cars, hybrids, and electric. We need to encourage innovation in R&D. It will happen because it is happening on the ground in places such as Montana now. We need to encourage the innovation.

As this book said on all these issues, we also need to invest in transmission. We need to invest in the grid. If we are going to get electricity to consumers in a way that makes sense, in a way that is efficient and cost-effective, we need to invest in transmission.

Finally, and potentially the most important of all these points, we need to eliminate the redtape. A few years ago, we eliminated the redtape for gas and oil companies. We need to do the same thing for renewable energy. The agencies have been understaffed and, quite frankly, it occupies a lot of time now to get a project through.

We have a Montana-Alberta tie line project to move electricity from Montana to Alberta and from Alberta back to Montana with renewable energy on that line. It has been 3 years in progress. The redtape needs to be eliminated.

I will be introducing a bill to cut through the redtape and encourage these kinds of renewable energy projects because, for the long-term future of this country, it is absolutely what we need to do.

In closing, I wish to say this: Oil is hovering around \$100 a barrel right now. It has backed off somewhat. Back in the seventies, we saw oil peak and then back off, and this book was put on the shelf and never looked at again, and probably every State in the Union had a book such as this.

The truth is, we have an opportunity right now to address this issue from a short-term and a long-term standpoint. This issue is not going to go away. We have 3 percent of the reserves. We use 25 percent of the oil. We need to figure out not only ways to maximize our own oil capacity but also how we are going to take renewables into the future and other energy sources into the future so it makes sense for this country and its consumers and this country's security.

As I said earlier, with countries such as Venezuela, Russia, and Saudi Arabia

determining our energy future, that is no way to run a country. We need to address our energy problems, and we need to do it together today by all of us giving a little bit to find common ground to move forward.

As we move across the next 57 days to the election, we ought to forget about it. We ought to forget about the election and do what is right for this country and develop a short-term and long-term energy plan that addresses current demand, future demand, affordability, and sustainability. Thirty years from now, I don't want to see a Senator standing up on this floor holding this book up saying: In 2008 we had this same problem, and we need to deal with it today.

We need to deal with it now in 2008, this fall. We cannot blow this one.

Mr. President, I yield the floor.

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

ORDER OF PROCEDURE

Mr. GREGG. Mr. President, I ask unanimous consent to speak in morning business for 15 minutes, and after I have completed my speech, Senator CORNYN be recognized for 15 minutes.

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

The Senator from New Hampshire is recognized for 15 minutes.

Mr. GREGG. I ask the Chair to notify me when I have used 10 minutes.

FISCAL RESPONSIBILITY

Mr. GREGG. Mr. President, yesterday the CBO gave us their estimates of what the deficit is going to be and what the deficit for next year will be, and it is not good news. The deficit has more than doubled. It is projected now to be \$407 billion. That is up from about \$160 billion. That has all occurred under the leadership of this Democratic Congress. Obviously, the administration takes significant responsibility, but the Congress, under the law, under the Constitution, controls the purse strings, and the Congress has the control over the check writing of the Government. As a result, the first responsibility for fiscal restraint and fiscal discipline is with the Congress, and it has failed that test.

It is hard to imagine how the deficit could jump this much in this short period of time. Most people will say it is the result of the war—or people on the other side will say that. It is not. This jump in the deficit, to the extent it was controllable from the Federal Government's standpoint—in other words, it wasn't caused by the slowdown in the economy—was purely a function of increased spending on nondefense—not purely but was significantly increased by spending on nondefense activities and a dramatic increase in spending.

The problem is that not only is this deficit now at \$400 billion and going up

under this Congress, but the outyears are even more severe that the risk for us as a nation is even more dramatic from the standpoint of fiscal policy because looming over the horizon is the problem with entitlement spending which will expand dramatically as the baby boom generation retires and where we already know there is more than \$60 trillion of unfunded liability.

What has this Congress's response been to this situation? It is the worst record in the last 20 years. One appropriations bill—one appropriations bill—freestanding, has been passed in the last 2 years, the Defense appropriations bill last year. There have been Omnibus appropriations bills passed. Then this year, we are going to pass, it looks like, not an Omnibus appropriations bill but simply a continuing resolution; a complete abdication, a complete abandonment of the budget process, of the responsibility—the first responsibility of the Congress, other than defending the country—of setting up a fiscal process for managing the taxpayers' dollars has occurred under the leadership of this Democratic Congress. It is truly the worst record in the last 20 years. Nothing like this has happened where so much that Congress is supposed to do has not been done. No appropriations bills have been brought to the floor of the Senate, and no appropriations bills have passed the Senate and the House. None. We are supposed to pass 12 bills. None have been passed.

The debt has gone up over \$1 trillion, \$1 trillion added to the debt in the last 2 years. The deficit has doubled, and yet there has been no effort at all not only to do the day-to-day responsibility of managing the Government, which, after all, is the responsibility of the Congress, by passing appropriations bills, but to address the issue of the looming crisis in our entitlement accounts—no effort to address entitlement reform or even at the margin to try to control the rate of growth of entitlement programs. Even the most simple ideas which are reasonable and could have been accomplished have not been pursued, ideas such as making wealthy people pay for some portion of their Part D premium.

Today, Warren Buffett, who qualifies for a drug benefit under Medicare, does not have to pay for any of that or pays only a marginal amount of that cost compared to what he should be paying as a high-income individual. That adjustment has been ignored. Ideas such as that which make sense that would at least save us some money have not even been brought forward; zero effort in the area of Medicare reform, in the area of Medicaid reform, and in the area of entitlement reform by this Congress, zero effort in the area of controlling spending. Not one program has been reduced, not one program has been eliminated, not one program has been adjusted downward. Everything has gone up and up and up. Thousands of earmarks have been proposed, thou-

sands—7,000 or 11,000, I have forgotten the number. Senator COBURN knows it off the top of his head. But it is so many you can't even keep track of them.

It is a true dereliction of duty by this Democratic Congress the way the fiscal house of this country has been managed. They do debt, they do deficits, and they do nothing, and they deserve a D minus when it comes to managing our fiscal house.

It is unfortunate because all these costs which we are running up represent radical increases in borrowing which means dramatic burdens for our children and our grandchildren as they have to pay these bills when they come due in the outyears instead of paying as we go, which is the appropriate way to proceed with spending. We are simply borrowing from our children.

In fact, the pay-go rules, which were supposed to discipline spending, have been waived, adjusted, and gamed time after time to the point where over \$399 billion under this Congress has been spent or put on the books as an obligation which should have all been subject to a pay-go point of order. But those pay-go points of order have been adjusted, waived, or gamed so they did not even get raised or, if they did get raised, they got run over by the majority in this Congress.

So the rules which this Congress put in place to try to discipline spending and which we so often hear chest beating about from the other side of the aisle—I am for pay-go—have been eviscerated. I call it "Swiss-cheese go." It has no relevance at all any longer because the spending around here occurs in a manner which is profligate and there is no attempt to adjust spending to reflect revenues, to attempt to bring down the deficit. In fact, the deficit is now double.

It is not good news for the American taxpayer. Here we are in a situation where we are facing some very serious fiscal times, and we ought to at least be able to discipline our budgets in a more effective way. We ought to at least do the business of the Congress, which is to pass appropriations bills which are within the budget rather than pass supplemental emergencies which are outside the budget.

This is a problem, and it is a significant problem. It is brought about in large part because this Congress has failed to do its job of managing the fiscal house or even taking up the bills which are supposed to manage the fiscal house.

There is another subject I want to touch base on—I see the majority leader is here and as a courtesy, I will proceed to those comments so I don't take up too much of his time—and that is the issue of the highway trust fund needing to be replenished to meet obligations which it has incurred.

A little bit of history is important, if the majority leader will allow me to proceed briefly to outline the history.

We passed something called SAFETEA back in 1995. That bill set

out highway spending which was supposed to be paid for from the highway fund, which the highway fund is paid for by gas taxes. But that bill was intentionally structured—intentionally structured—so that the spending would exceed the income. We knew one day during the term of that bill—people thought it would be later in the process—the highway trust fund would be spent out and there would be a problem.

Why do we know that? Because that bill included 6,000 earmarks totaling \$24 billion which we knew were not going to be able to be totally paid for by gas tax revenues even if the gas tax revenues had maintained themselves.

The ACTING PRESIDENT pro tempore. The Senator has used 10 minutes. Mr. GREGG. I thank the Chair.

What happened was that the gas tax revenues have fallen because of the increase in gas prices and the American people's appropriate effort to try to conserve their use of gasoline. So the day of reckoning has come earlier, much earlier, than expected, but we knew there was going to be a day of reckoning because the bill was structured to fail. All these 6,000 projects that were put in there, \$24 billion of spending we knew was not going to work or be paid for under the present bill. So now the suggestion is that rather than pay for them in a responsible way, we should raid the general fund, take that money and use it in the highway trust fund.

The highway trust fund has always been a separate entity. The whole purpose of the highway trust fund was to fund highways and have them have their own stream of revenues to fund them and to not commingle those funds with the general fund.

The argument has been made—and it is a straw dog argument of the most extraordinary level—that back in 1998, the highway trust fund lent \$8 billion to the general fund, and they are just trying to recover that now as an accounting event. That puts a whole new spin on the concept of accounting. Even the people who did Enron's internal accounting would have found that one a hard sell. That was a movement in 1998 of nothing more than paper.

This event is a real addition to the Federal debt of \$8 billion. This is real money; that had no real money involved. This has a real effect; that had no real effect involved. So that argument is truly a straw dog argument put out there to try to legitimize a raid on the general fund in order to settle up the highway fund.

Now, I know I am going to lose this fight, and I am not trying to stop the fight. I am not trying to stop the event. I haven't suggested we need 60 votes to go through this. What I have suggested—and I will ask unanimous consent to accomplish this—is that we simply have two amendments: One—mine—would put back in place pay-go rules and the Byrd rule prospectively—so it doesn't even affect this event—so

this doesn't happen again. Both of those should be disciplining events on how we fund roads, and it is the right procedure. It is not an outrageous request to proceed that way. The other is the Coburn-DeMint amendment, which says that any money that is taken out of the highway fund will be used for building roads or bridges, as I understand it, and not be used for things such as bike paths and basketball arenas.

So those are the two amendments; that those amendments be brought up, debated, and voted on in a very short and very constricted timeframe and then we have a final passage vote. The majority leader has asked for an amendment to his proposal, so if either one of these proposals were to pass, it is going to go back to the House.

The argument that this is going to slow the process doesn't really have legs because, first off, we may lose both our amendments, but even if we don't lose them, the majority leader has proposed a unanimous-consent request which has an amendment in it, and that amendment will pass because, in effect, it is an effective date amendment. But that will send it back to the House and it will have to be done again, anyway. So as a practical matter, these proposals aren't going to slow the process.

It does seem to me it is reasonable to have two amendments and then final passage or three amendments and then final passage rather than just one amendment and have final passage, and do it all within a framework that has a reasonable timeframe.

UNANIMOUS-CONSENT REQUEST—
H.R. 6532

Mr. GREGG. Mr. President, I ask unanimous consent that the Finance Committee be discharged and the Senate proceed to the immediate consideration of H.R. 6532, the highway trust fund bill, under the following agreement: that the Baucus amendment at the desk changing the enactment date be agreed to and the only other amendments in order be the Gregg amendment on budget discipline and the Coburn on nonessential projects, the text of which is at the desk, with 30 minutes of debate on each amendment and 1 hour on the bill equally divided in the usual form. I further ask unanimous consent that upon disposition of the amendments and following the use or yielding back of the time, the bill, as amended, be read a third time and the Senate proceed to a vote on passage without any intervening action. I further ask unanimous consent that no points of order be waived by virtue of this agreement.

So the maximum amount of time that would be involved here would be 2 hours, and then there would be a vote on final passage.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. REID. Reserving the right to object, Mr. President, the one thing I am

not going to do is get into a debate on the Senate floor with the Senator from New Hampshire on the rules relating to the budget. He knows them inside out and upside down. The only person I know who is qualified to debate him on these issues is Senator CONRAD. So his amendment is something I am not going to discuss at all because, without in any way demeaning myself, I am not capable of doing that.

But I can say a few things about the Coburn nonessential projects amendment. My friend, the junior Senator from Oklahoma, has held up scores of bills. His definition of nonessential is unique to him. For example, we all know—we have been through it before—that he has held up the Lou Gehrig bill, which would allow a registry to be set up so we could start doing research on this dread disease that is killing people as we speak. The Senator from Oklahoma has held up the Christopher and Dana Reeve Paralysis Act, which is so important to people who are paralyzed. Postpartum depression—I don't know if anyone has had this in their family, situations where this disease has reared its ugly head. It is very severe. A woman has a baby, and following the woman having a baby, she becomes emotionally unstable and needs help. We need to do research on this to try to find out what we can do to alleviate this very serious problem. The Senator from Oklahoma has held that up. Conquering childhood cancer—held up. Breast cancer research was stopped by Senator COBURN. The Emmett Till Unsolved Crimes Act—stopped. Child pornography prosecution—stopped. Enhancing child pornography prosecution—stopped. Funding victims for torture—stopped.

So, Mr. President, I have great respect for my friend from New Hampshire, but the President of the United States and his Cabinet officer, the Secretary of Transportation, called me personally to say they needed this legislation done Monday. They have said they want it done Monday. They want it done now. All 50 States are facing a highway funding crisis if we don't get this bill to the President's desk immediately. His Transportation Secretary, Mary Peters, after opposing our efforts for months to do this, has stated that the crisis has become so severe that the bill needs to be on the President's desk no later than Friday of this week. The Department of Transportation has told us that by this Thursday, States will be reimbursed to the tune of 62 cents on the dollar. That will mean immediate layoffs, immediate terminations of existing contracts.

We don't have time for debating frivolous amendments. The amendment my friend talks about is one the President wants and can be completed just like that. We need to get this done. We need to pass the bill now with an immediate implementation date so that our Governors and our highway workers will know they will have the Federal funds they are owed. Anything

short of that is playing Russian roulette with our economy.

Mr. President, it speaks volumes that we are here, as we should be, talking about how much money \$8 billion is. Keep in mind that we want to take that money and put it in the highway trust fund to keep jobs, to keep people from being laid off, when yesterday it was announced by the administration that we are going to have the highest deficit in the history of our country this year. Where is President Bush when we have been talking about these deficits for such a long time?

So, Mr. President, with all due respect to my friend, the senior Senator from New Hampshire, I object.

The ACTING PRESIDENT pro tempore. Objection is heard.

Mr. GREGG. Mr. President, might I inquire of the majority leader—

The ACTING PRESIDENT pro tempore. The time of the Senator from New Hampshire has expired. The Chair is informing him of that. This is the Republican time.

Mr. GREGG. Mr. President, I ask unanimous consent to proceed for 2 minutes to enter into a dialog with the majority leader and that it not affect the 15 minutes that has been reserved for the Senator from Texas.

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

Mr. GREGG. Might I inquire of the majority leader, 2 days ago, the majority leader—yesterday—proposed a unanimous-consent request, and I didn't note in that request that he had a recorded vote involved. Also, if I heard his statement correctly, if the Senator from North Dakota were to agree to my amendment, would he be willing to place it into this amendment?

Mr. REID. No. Mr. President, what I said is that I am not going to debate these very complicated issues relating to budgetary matters with the Senator from New Hampshire. I said the only person who I think is as knowledgeable of the budgetary provisions of the law and precedents here in the Senate is the Senator from North Dakota. So I have every belief that the Senator from North Dakota is not going to come and do this, and I have an even stronger belief that the Senator from North Dakota would not agree to what the Senator suggests.

Mr. GREGG. Well, I suspect the Senator knows the position of the Senator from North Dakota well.

Mr. REID. I would also say this, Mr. President: I would be happy to propound a unanimous-consent request. My request, which I have done on two separate occasions—Monday and Tuesday, and now it is Wednesday—called for passage by unanimous consent with no rollcall vote. I would be happy to change that so that we have a rollcall vote on this. That rollcall vote would be scheduled forthwith.

Mr. GREGG. Mr. President, I would like to talk to the majority leader about that.