Washington Post which was extraordinary. It was written by one of our Republican colleagues, Senator JOHN MCCAIN of Arizona.

JOHN MCCAIN and I came to the House of Representatives in the same year—1983. Though he came to the Senate first, we have worked on many things together over the years. We have our differences, that is for sure. But there are times when JOHN does extraordinarily good things, and this morning was one of them. He wrote a column in the Washington Post about the issue of torture. It is an issue that has been in the headlines for the last 2 weeks, after the capture and killing of Osama bin Laden and the questions raised as to whether so-called enhanced interrogation techniques, or torture in another parlance, were used to obtain information that led to Osama bin Laden.

A few years ago, that issue came up on the floor of the Senate. I had strong feelings about it. But Senator MCCAIN stepped up and led the effort to put the Senate and our government on record that we were opposed to the use of torture. No person is better qualified in this Congress to speak to it than Senator MCCAIN. He was a victim of torture himself when he served in the U.S. Navy during the Vietnam war. He was shot down as a naval aviator and spent more than 5 years in prison. I cannot imagine what that must have been like. Couple that with the severe physical injuries he still labors with today and the torture—mental and physical—that accompanied it, and no person is as well qualified as Senator MCCAIN to speak to it.

This morning, in the Washington Post, he once again stated what may not be the popular view but I believe is the right view—that the United States should make it clear we do not accept torture as a standard for our conduct when it comes to dealing with our enemies. For the longest time, that has been our standard. It was only relaxed or changed after 9/11, when some in a previous administration argued that was the only way to get information from these hard-core terrorists.

Senator MCCAIN made a good point in his article this morning in the Washington Post. He asked Leon Panetta, head of the Central Intelligence Agency, whether there was any linkage to these enhanced interrogation techniques and the information that led to the disclosure of the messenger who was then linked to Osama bin Laden which led to his capture. Leon Panetta said no, and MCCAIN revealed that in his article. In fact, the information which came out of waterboarding one of these terrorists ended up being just plain wrong. Senator MCCAIN made the point in his article, when you are being tortured, you will say almost anything to make the torture stop. You will lie, if you have to, just to make it stop. That is what happened here.

So I wish to commend him. It was courageous for him to write that article this morning—not very popular but right. I wish to thank JOHN on behalf of both sides of the Senate aisle for his leadership and for having the courage to speak out on such an important issue relative to the values of America and who we are.

He ended his column talking about how we would expect our troops to be treated if they were taken prisoner. If anyone tortured an American soldier, I don't know of a single American who wouldn't step forward and say it is an outrage. Well, if we are going to stand for humane treatment, sensible treatment of detainees, then we are doing it not only to protect our values but to protect our men and women who serve this country both in the intelligence agencies and in the military services.

OIL SUBSIDIES

Mr. DURBIN. Mr. President, an issue is going to come up next week which is very important for every American family and business; that is, the issue of gasoline prices. I have been across my State, and as I mentioned on the floor earlier, my expert on gasoline prices is my wife. When I speak to her in the morning in Springfield, IL, she will tell me the latest in gasoline prices. Last week, it was $4.20 a gallon. I don't know what it is this week. But what she asks me is—as everyone in Illinois must ask—what are you going to do about it?

It turns out we are going to do something. It may not have a direct impact on gas prices, but it certainly has a direct impact on our policy toward oil companies. You see, American families are being clobbered three times by high prices at gasoline stations: first, at the pump; second, when we give $4 billion in subsidies every year in the Tax Code to oil companies; and third, when we have to borrow the money from China to give to these oil companies and we end up paying interest to China—ourselves, our children, and our grandchildren.

Paying three times for outrageous gasoline prices is an outrage itself. The big oil companies have made almost $1 trillion in profits over the last 10 years—over $35 billion in the first 3 months of this year. Some of these oil companies are breaking records on Wall Street for corporate profits. The Wall Street Journal also reported last week that the CEOs of oil and gas companies who are appearing before the Senate Finance Committee today had the highest median compensation—at $13.7 million annually in 2010, up 17.3 percent from the year before.

In addition to the profits, the oil industry receives over $4 billion in tax giveaways each year. Instead of using that money to lower prices at the pump, these giveaways have merely been used to pad the profits and the compensation of the oil companies and their executives. Yesterday, Senator MENENDEZ introduced a bill, which I am cosponsoring, to end the special treatment of tax breaks given to the five largest oil companies in America. This would save Americans over $4 billion a year, and it is our goal to use that money to reduce our Nation's deficit.

Americans across the board agree it is time to end this corporate welfare for the big oil companies. In a recent poll, three out of four Americans support eliminating tax credits for the oil and gas industries to reduce the Federal deficit. We have to deal with our deficit that is growing at an unsustainable rate, and I am hoping this will be a commonsense, good-faith, bipartisan agreement to end these subsidies. We can take the taxpayer dollars flowing to the oil companies and give them, instead, to those who are dealing with our deficit to reduce it.

Incidentally, we are not talking about business expenses at these oil companies, which is what many of these executives would like to have people think. These are subsidies used to increase profits and reduce their tax burden. Last year, Exxon had an effective tax rate on its U.S. income of 16 percent—less than half the corporate tax rate. According to the Congressional Budget Office, the average American has an effective tax rate of over 20 percent. So Exxon was actually paying a lower tax rate on their profits than the average American pays on their income.

In addition, the big five oil companies have used 71 percent of their profits not for exploration and production, which is what they would like you to think, but rather for boosting share prices. Actually, they used only 12 percent of their prices for exploration and new development. In other words, these oil companies spend almost six times as much on dividends and stock buybacks as they do in looking for new sources of oil. The primary use of these subsidies is not to discover new oil, it is to discover new record-breaking profits.

It is time for government handouts to these extremely profitable, well-established companies to come to an end. Ending them will not raise gas prices, as some Republicans have argued. We are dealing with a world market for oil. The price is set by the global market. Gasoline prices have risen significantly, even with these subsidies in place. Removing them will not change these prices.

The Congressional Research Service has said the effects of removing the subsidies would be very small. According to the Department of the Treasury, removing them would cause the loss of less than one-tenth of 1 percent of the global oil supply and have little or no impact on prices in the United States.

In addition, removing oil subsidies reduces U.S. oil production by less than one-half of 1 percent, and it will increase exploration and production costs by less than 2 percent for companies that are making record-breaking profits.

Removing these subsidies will not affect the price of gasoline, nor will increasing our domestic production. That is the other thing. Remember the chant ''drill baby drill''? It was all over the place during the last Presidential campaign. In fact, domestic oil production in 2010 was at the highest it has been in 7 years. Even with production strongly increasing, oil prices keep going up, and so do gas prices.

Keep in mind, the United States has less than 2 percent of the world's proven oil reserves and every year we use 25 percent of the world's oil production. Even though we have increased production, we still see prices going up. Our fuel price would not be altered by increased drillings. We would still need to import over 50 percent of our oil.

As has been said many times: We can't drill ourselves out of this problem. We simply don't have enough oil. The only way to end our dependence and insulate ourselves from high gas prices is to finally develop for America a national energy policy. Other countries have one. We don't. We need a sound, comprehensive policy that includes plans for energy efficiency and new renewable sources. Increased drilling is not going to significantly reduce gas prices.

Actually, Congress has taken another step to help consumers bring prices under control at the gas pumps. Last year, Congress voted to reform the swipe fee that big banks get paid from merchants on debit card transactions. So every time you fill the tank and swipe your debit card, you are paying, on average, 40 cents or more to the bank for the swiping of that card. What we have done is to say the Federal Reserve should establish a reasonable and proportional level for that fee. They think it should be much less than 40 cents.

The big banks and credit card companies are screaming bloody murder. The notion that the gas company, the convenience store, the retailer, the restaurant, the hotel would not have to pay these high swipe fees means a loss in profits to the big banks. But what it means to consumers is more competition in price and lower prices. As long as you have a competitive market—one gas station across the street from another—when you reduce the cost to the owner of the gas station, you are more likely to see a reduction in the prices charged to consumers.

I received a letter on Tuesday from 52 national, regional, and State trade associations representing virtually all the gas retailers in America. They made it clear swipe fees inflate gasoline prices and that because the gas retailing industry is extremely competitive, lower swipe fees will produce savings that will be passed on to consumers.

The big banks and credit card companies are trying to stop this reform. You can understand that. These credit card companies and big banks make over $1 billion a month on what they charge for our using a debit card. If you bring it down to an actual reasonable and proportional cost, they will make less, merchants will get more, and consumers will pay less.

There is a movement to try to delay this for a so-called study of 30 months. I did the calculation. Thirty months times the profits the big banks and credit card companies will take out of the existing swipe fee comes to about $40 billion that is going to be taken out of the American economy if we agree to a 2½- or 3-year delay of this. That is not fair to consumers, it doesn't help the economy, and it doesn't help bring down gasoline prices.

American families can't afford to continue paying for high gasoline prices at the pump, in subsidies to oil companies, and in interest paid on money borrowed from other governments to help us pay these subsidies. It is time to end these handouts to the big profitable oil companies. It is time to rein in the swipe fee that is benefitting the biggest banks in America as well as the credit card companies. It is time to finally focus on families and consumers across America who have a challenge today because of this increase in cost.

Mr. President, I ask unanimous consent to have printed in the RECORD a letter dated May 10, 2011.

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

MAY 10, 2011.

Hon. RICHARD DURBIN,
Majority Whip, U.S. Senate,
Washington, DC.

DEAR SENATOR DURBIN: Our associations represent virtually every part of the retail industry selling motor fuels in the United States. Like many Americans, we are concerned about the price of gasoline today. Not only are rising prices bad for our customers, but when the price of gasoline rises, retailers make less money. That might not make sense at first glance, but the retail sale of gasoline is extremely price competitive. Retailers put their prices on large signs that motorists can see as they drive. Studies have shown that customers will drive out of their way just to save one or two cents per gallon. As a result, when the wholesale price of gasoline rises, retailers cannot raise prices to consumers fast enough to keep pace.

This is one of the many reasons why the swipe fees paid by our industry are so offensive. Swipe fees are fixed centrally by the credit card giants for both debit and credit cards as a fixed fee plus a percentage of the transaction. That means the fee retailers pay to sell gasoline goes up every time the price of gasoline goes up. While gasoline retailers make less money on rising prices, they pay higher and higher fees. That simply is not fair.

With gasoline nearing $4 per gallon, debit swipe fees average about 6 cents per gallon—and credit swipe fees are about 8 cents per gallon. Our customers worry about every extra penny they pay for gasoline and 6 to 8 cents extra is far too much money. To put these huge fees in perspective, consider that every penny per gallon change in the retail price of gasoline costs consumers an additional $3.75 million per day or $1.38 billion each year.

The surest and swiftest way to reduce gas prices, however, is to let the Durbin amendment and the Federal Reserve's rule implementing it take effect on time. Doing that will reduce the fees gasoline retailers pay, and the EIA definitively concluded in a 2003 report that gasoline retailers pass through 100 percent of cost reductions in the form of lower gasoline prices. That means lower debit swipe fees will lead to lower gas prices.

Senator Tester's bill (S. 575) would do the opposite. It would stop swipe fee relief for two years and keep pushing up gas prices. That same 2003 EIA study found that cost increases get passed along in the form of higher gas prices. Therefore, a vote for S. 575 is a vote for two years of higher gas prices than anyone should be paying.

There are many reasons why reform is needed now to limit the price-fixing by credit card giants and banks on debit swipe fees. While some of those reasons might be subject to debate, it is hard for any of us in the business of gasoline retailing to understand why—given the pricing pressures we and our customers all face today—any Senator would vote for two years of higher gas prices when some relief is only a couple of months away. We urge you in the strongest terms to vote against S. 575, a bill that will keep gas prices too high.

Sincerely,

NACS—National Association of Convenience Stores; NATSO—National Association of Truck Stop Operators; PMAA—Petroleum Marketers Association of America; IGMA—Society of Independent Gasoline Marketers of America; P&CMA—Petroleum & Convenience Marketers of Alabama; APMA—Arizona Petroleum Marketers Association; AOMA—Arkansas Oil Marketers Association, Inc.; CIOMA—California Independent Oil Marketers Association; CWPMA—Colorado Petroleum Marketers and Convenience Store Association; ICPA—Independent Connecticut Petroleum Association FPMA—Florida Petroleum Marketers & Convenience Store Association, Inc.; GOA—Georgia Oilmen's Association; HPMA—Hawaii Petroleum Marketers Association; IPM&CSA—Idaho Petroleum Marketers and Convenience Store Association; IPMA/IACS—Illinois Petroleum Marketers Association/Illinois Association of Convenience Stores; IPCA—Indiana Petroleum Marketers and Convenience Store Association, Inc.; PMCI—Petroleum Marketers & Convenience Stores of Iowa; PMCA—Petroleum Marketers and Convenience Store Association of Kansas; KPMA—Kentucky Petroleum Marketers Association; LOMACS—Louisiana Oil Marketers and Convenience Store Association; MODA—Maine Energy Marketers Association; MPAMACS—Michigan Petroleum Association/Michigan Association of Convenience Stores; MAPDA—Mid-Atlantic Petroleum Distributors' Association; MPM—Minnesota Petroleum Marketers Association; MPMCSA—Mississippi Petroleum Marketers & Convenience Stores Association; MPCA—Missouri Petroleum Marketers and Convenience Store Association; MPMCSA—Montana Petroleum Marketers and Convenience Store Association; NCPA—Nebraska Petroleum Marketers & Convenience Store Association; NPM&CSA—Nevada Petroleum Marketers & Convenience Store Association; NEFI—New England Fuel Institute; IOMANE—Independent Oil Marketers Association of New England; FMANJ—Fuel Merchants Association of New Jersey; NMPMA—New Mexico Petroleum Marketers Association;

ESPA—Empire State Petroleum Association, Inc. (NY); NCPCM—North Carolina Petroleum & Convenience Marketers; NDPMA—North Dakota Petroleum Marketers Association; OPMCA—Ohio Petroleum Marketers & Convenience Store Association; OPMCA—Oklahoma Petroleum Marketers & Convenience Store Association; OPA—Oregon Petroleum Association; PPMCSA—Pennsylvania Petroleum Marketers & Convenience Store Association; SCPMA—South Carolina Petroleum Marketers Association; SDPPMA—South Dakota Petroleum and Propane Marketers Association; TFCA—Tennessee Fuel & Convenience Store Association; TPCA—Texas Petroleum Marketers and Convenience Store Association; UPMRA—Utah Petroleum Marketers and Retailers Association; VFDA—Vermont Fuel Dealers Association; VPCGA—Virginia Petroleum, Convenience and Grocery Association; WOMA—Washington Oil Marketers Association/Pacific Northwest Oil Heat Council; WPMA—Western Petroleum Marketers Association; OMEGA—West Virginia Oil Marketers and Grocers Association; WPMCA—Wisconsin Petroleum Marketers & Convenience Store Association; CWPMA—Wyoming Petroleum Marketers and Convenience Store Association.

THANKING MAYOR RICHARD M. DALEY

Mr. DURBIN. Mr. President, if you were to have visited the city of Chicago in the last 50 years and someone had asked you the name of the mayor and you said Daley, you would have been right about 90 percent of the time because for 42 of the last 55 years there has been a Richard Daley as mayor of Chicago. Monday marks the end of that era, when Richard M. Daley steps down as the current mayor after six terms in office. He has led Chicago for 22 years and 8 months, 5 months longer than his dad and longer than any mayor in Chicago's history.

I know Rich Daley pretty well. We started together in politics. He was a State senator and I was a staff attorney to the Illinois State Senate back in 1970s. Back then, he was a young father with a young family, brand new to public life. I worked for him on the Senate Judiciary Committee and I got to know him sitting next to him for many hours of hearings, watching his reaction to ideas, measuring the man.

He and his wife Maggie were going through a tough time then. They had a little baby who was very sick and eventually passed away. It was an emotionally draining experience for the whole family and those of us who worked closely with him felt the sense of loss that he and his family experienced. But he is an extraordinary man.

Richard Michael Daley was born in 1942, the fourth of seven children, and the eldest son of Richard J. Daley and Sis Daley. His father, who ran Chicago from 1955 until his death in 1976, was one of the most powerful big city mayors America has ever known.

Rich Daley grew up in a modest red brick house in Bridgeport, a storied Irish neighborhood of blue-collar bungalows on the south side of Chicago. The famine Irish immigrants who settled the neighborhood in the 19th century called it ''Hardscrabble.''

Rich Daley's mom and dad taught the kids that family always comes first. His father, even as mayor, made a practice of eating dinner every night at home with his family, with very few exceptions.

Mayor Daley introduced his kids to politics at an early age. Often after dinner he bundled them up and put them in the car and took them to ward meetings he was attending, so I guess politics is in the Daley blood.

One brother, Bill, is now President Obama's Chief of Staff. He served as U.S. Commerce Secretary under President Clinton. Another brother, John Daley, is a Cook County commissioner. In Chicago's De La Salle High School, which Rich Daley attended, his nickname was ''Mayor.'' No surprise. In his yearbook he said his ambition was to become a ''great lawyer and a politician.''

His family name may have helped open some doors to his dreams, but then he had to make a name for himself. As he once told a reporter, his father said to him: ''I can put you on the ballroom floor, but you have to dance yourself.''

He started his political life as a delegate to the convention that rewrote Illinois' constitution in 1970. Two years later, he was elected to the Illinois State Senate in a landslide. As a senator, he steered to passage important mental health and nursing home reforms. He pushed for laws to combat child abuse and drug abuse—and against a sales tax on food and medicine.

In 1980, he was elected Cook County State's attorney. As the county's chief prosecutor, he earned a reputation for law and order. He tripled the number of African-American prosecutors in the office and was reelected twice. He first ran for mayor in 1983. After finishing last in a three-way primary, he considered getting out of politics. Thank goodness, he changed his mind. He got a second chance to run for mayor in 1989, in a special election to finish the unexpired term of Chicago's beloved first African-American mayor, Harold Washington. That time, he won with 56 percent of the vote, and took the oath of office on April 24, 1989, his 47th birthday. He would go on to be reelected five times, never with less than 60 percent of the vote.

Richard Daley's vision has always been clear: To make Chicago one of the best cities in the world. And he has pursued that goal with fierce determination. His leadership helped transform Chicago from a rustbelt manufacturing center to a cultural and commercial center that the Global Cities Index calls the sixth-most global city in the world, alongside New York, London, and Hong Kong.

Richard Daley is funny, blunt, impatient, emotional, and notoriously demanding—especially of his staff. Like his father, he is a hands-on manager. Whenever he sees anything that needs attention—a pothole, graffiti—he makes a note on a blue slip of paper and then calls department heads to make sure the problems are fixed.

His tenure includes some disappointments—most recently, the city's failed bid to bring the 2016 Olympic and Paralympic Games to Chicago. But we gave it our best try. But it also includes far more remarkable successes.

He travelled the world promoting Chicago. He helped bring new jobs and new vitality to the Greater Loop, the economic heart of Chicago. The Daley years brought the expansion of McCormick Place, the ongoing modernization of O'Hare International Airport, the redevelopment of Soldier Field, home of the Chicago Bears, and the transformation of Navy Pier into one of the city's top tourist attractions. Mayor Daley pushed bravely for sensible gun laws. It is understandable. Too many times he has had to attend the funerals of policemen and other people in the city who were gunned down by gun violence from gangs and other sources.

Mayor Daley has worked relentlessly to make Chicago the most livable bigcity in America and the most environmentally friendly city in the world. During his tenure, Chicago created a comprehensive plan to help lower greenhouse gas emissions and address climate change. The city planted more than 600,000 trees and built more than 600 green roofs covering more than 7 million square feet, more than any other city in America. New flower beds now line the sidewalks and medians.

Downtown, a 24-acre expanse that was once an eyesore of tangled rail lines is now Millennium Park, one of the most magnificent city parks in the world, an emerald-green showcase for music, recreation, art and design.

In 1995, Mayor Daley made his boldest and riskiest political move. He asked the State legislature for control and responsibility of Chicago's public schools. When a political ally told him that taking on the schools ''could be the end of your career,'' the mayor replied, ''If I can't do that for the children of Chicago, then I should not be mayor.'' Underperforming schools were closed, new schools were opened. Test scores went up, and dropout rates were down, and some of the most innovative educators in America led the Chicago public school system forward. The mayor would be the first to tell you we still have a long way to go. But were it not for his determination and his accepting the responsibility the school system would not be as good as it is today.

In 1999, the city took control of the Chicago Housing Authority, razed some of the most notorious public high-rises in the country—places like the Robert Taylor Homes and Cabrini-Green—and replaced them with mixed-income housing—safe, clean houses.

Richard Daley's greatest success is the sense of common purpose he has