My response to that is, maybe we could. Maybe we can do that. And you can put them in a U.S. court, but why in the world would you want to? You could, but should you?

The administration likes to tout its confidence in the U.S. legal system. Well, I don't believe the American people need to try any enemy combatants in our own hometowns and cities to prove that our court system works. We know it works. We are American citizens.

Prosecution is certainly important. But let's be clear, prosecution is not our ultimate goal in this war. Our goal is to capture or kill those who want to kill us, here and abroad, and who are plotting even now, as this case clearly proves, to wreak havoc on our troops overseas.

This is quite simple: Those whom we capture should be interrogated and, if necessary, indefinitely detained and tried in a military setting. Through these interrogations additional intelligence can be derived that leads to additional targets, thereby weakening al Qaeda and other associated terror groups at a moment when they are vulnerable.

The good news is we already have the perfect solution for a case such as the one I have been discussing in Kentucky. These men don't belong in a courtroom in Kentucky. They belong in a secured detention facility at Guantanamo Bay, Cuba, far away from U.S. civilians. Sending them to Gitmo is the only way to ensure they will not enjoy all the rights and privileges of U.S. citizens. Sending them to Gitmo is the only way we can be certain there won't be retaliatory attacks in Kentucky. How would you like to be the judge in this case? How would you like to be the jurors in this case? Do they run the risk of being targets for the rest of their lives? Are they in sort of witness protection programs indefinitely? Why should we subject U.S. citizens to this kind of risk?

Sending them to Gitmo is the only way we can prevent Kentuckians from having to cover the cost and having to deal with the disturbance and disruptions that would come with a civilian trial, and sending them to Gitmo is the best way to ensure they get what they deserve.

Today I am calling on the administration to change course. Get these men out of Kentucky. Send them to Guantanamo where they belong. Get these terrorists out of the civilian system, get them out of our backyards, and give them the justice they deserve.

Madam President, I yield the floor.

RESERVATION OF LEADER TIME

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

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will be in a period of morning business until 11 a.m. for 1 hour, with Senators permitted to speak therein for up to 10 minutes each, with time equally divided and controlled between the two leaders and their designees, with the majority controlling the first half and the Republicans controlling the final half.

The Senator from California.

ETHANOL

Mrs. FEINSTEIN. Madam President, I rise today in support of the Ethanol Subsidy and Tariff Repeal Act, which Senator COBURN has offered and I have cosponsored, along with Senators BURR, CARDIN, COLLINS, CORKER, LIEBERMAN, RISCH, SHAHEEN, TOOMEY, and WEBB.

I know the fact that this amendment is on the floor scheduled to be voted on at 2:15 this afternoon has caused some deep consternation on my side of the aisle. There is objection to the procedures used. I am not going to get into that. I am going to say a vote is a vote, and we are facing a vote at 2:15 unless something changes.

To be candid, if there were an offer to bring this to the floor next week or the week after for a time specific and a commitment specific, I believe the author and myself and our cosponsors would certainly agree to that. But in the absence of that offer, it is important that the Senate take a position on a program that has become both gross and egregious, and I want to explain why I feel that way.

No other product I know of has the triple crown of government support that corn ethanol enjoys in this country. Its use is mandated by law. Oil companies are paid by the Federal Government to use it, so there is a subsidy, and corn ethanol is protected by a rather high tariff. Consequently, it has been very profitable for farmers. This amounts to almost $6 billion a year of taxpayers' money that goes to support the corn ethanol industry in this country.

Put another way, that is $15 million each and every day spent on this subsidy at a time when, candidly, we simply can't afford it.

They say there are very few privileges left out there. This is one that is enormous, and I think we have to take a look at it. I think if this amendment passes, nearly $3 billion is saved between July 1 and the end of the year. That is not insignificant. It goes into the general fund and it helps abate the deficit.

Since 2005, we have spent $22.6 billion on this subsidy, and it gets more expensive every year. In 2011, the government will spend $5.7 billion; in 2012, $5.9 billion; in 2013, $6.2 billion. And you can see, since the program came into being in 2005—and I voted against it then—it was at $1.5 billion; the next year, $2.6 billion; the next year, $3.3 billion; the next year $4.4 billion, the next year, $5.2 billion; and 2010, $5.7 billion of a trifecta of triple-crown subsidies to go to recompense people for using corn ethanol. It is wrong.

On top of this subsidy, we have imposed a 54-cent-per-gallon tariff on ethanol products from Brazil, India, and Australia and others that could import it more cheaply than it is grown here. This then contributes to making the United States more dependent on oil imports from OPEC.

Our amendment is simple. Beginning July 1, we would repeal the 45-cent-per-gallon ethanol subsidy, which goes overwhelmingly to large oil companies, and it would eliminate the 54-cent-per-gallon tariff on imported ethanol.

I believe very strongly that we need to act to repeal these subsidies and these tariffs before another $2.7 billion in taxpayer money, which is $15 million a day, is wasted over the remaining 6 months of this year.

Let me describe the real-world impact of these unwise subsidies and tariffs to our economy.

Last week, I was in the Central Valley at an event and I would say anywhere from six to eight farmers came up to me and said, ''Thank you for trying to end the ethanol business. I can no longer afford feed.'' I began to think, and so we took a look at what the situation is. The fact is this ethanol policy is inflating the price of corn and impacting other sectors of the economy.

Today, approximately 39 percent of our corn crop is now used to produce ethanol in this country. Here is where it has gone: The percent of corn for 2000, 7 percent; 2005, 14 percent; and 2010, 39 percent of the entire corn crop goes to produce ethanol. Corn futures reached a record $7.99 a bushel on the Chicago Board of Trade last week. Prices are up 140 percent in the past 12 months and continue to rise. In 2006, prices were $2 a bushel. Today they are $7.99 a bushel.

This has been a real spike in the price of feed. If it continues one can expect major price increases in grain and food as well. The average price of corn has risen 225 percent since 2006.

Here it is, here it goes on this chart. It goes down slightly and then it has gone up.

In California, the annual feed costs for Foster Farms—this is the largest poultry producer on the west coast—has tripled over the past year, increasing Foster Farms' cost for feed by more than $2 million. This is more than the largest profit the company has ever made.

I hear similar stories from small producers, from co-ops, from dairymen and cattlemen throughout California. The price of feed is rising to such an extent that experts are predicting a mass slaughter of hogs and dairy cows this summer. In other words, it is becoming cheaper to slaughter the animals rather than to feed them. That is wrong.

Paul Cameroon of Imperial County, CA, recently wrote to me:

As a cattle producer who has never asked for a subsidy of any kind, I only ask that