THE ENERGY CRISIS

Mr. DURBIN. Mr. President, I would be remiss, following the remarks of the Senator from Alaska, if I didn't comment on the whole energy issue, which is one of great concern to families, individuals, and businesses across America.

I have listened carefully as critics of the Clinton-Gore administration came out with statistics about the reason for our plight today. One that is often quoted, and was quoted again by the Senator from Alaska, is the fact that we have not built a new refinery in the United States for the last 24 years. I have heard this over and over again. There are two things worth noting. If I am not mistaken, during the last 24 years, in only 8 of those years have we had a Democratic administration. So if there has been any laxity or lack of diligence on the energy issue, I think that statement reflects on other administrations as much as, if not more than, the current administration.

Secondly, the people who make that statement hardly ever note that existing refineries have been expanded dramatically across the United States. That is the case in Illinois and in so many other States. I think it is worth noting that to say we have ignored the increased energy demands for our economy is not a complete statement. We have responded to them. The question, obviously, is whether we have responded enough.

There have also been statements made as to whether oil companies have been guilty of price gouging or profiteering. Those of us in the Midwest who, this spring, endured increases in gasoline prices of $1 a gallon, and more, in a very short period of time did not believe that market forces were at work. We believed what was at work was the forces of monopolies that virtually can dictate prices to American consumers. We were not alone in our belief. The Federal Trade Commission, after looking at the issue, could find no reasonable economic or market explanation for this increase in gasoline prices in Chicago or Milwaukee.

The other side would blame the Environmental Protection Agency and virtually everybody connected with the Clinton administration. Yet there was no evidence to back up those claims. As a consequence, the FTC is investigating oil companies to determine whether or not they did take advantage of consumers, businesses, and families across the Midwest. We believe it cost tens of millions of dollars to our local economy, and I believe if any fine is ultimately imposed on the oil companies, it should go to benefit the businesses and families who were the victims of these high gasoline prices by these oil companies.

The Senator from Alaska also made reference to the decision of this administration within the last few days to release oil on a swap basis from the Strategic Petroleum Reserve. It was a hot topic. Mr. Bush and Mr. GORE were involved in this debate for a long period of time. The question, obviously, is whether or not it is going to have any impact on our growing concern about the cost of fuel and energy, particularly the cost of heating oil. Well, we might be able to speculate for a long time, but we don't have to.

I call the attention of my colleagues in the Senate to this morning's Washington Post in the business section. The headline reads ''Price of Crude Oil Drops Below $32.'' Let me read from this article by Kenneth Bredemeier of the Washington Post:

> The price of oil fell to its lowest level in a month yesterday in the wake of the Clinton administration's announcement last week that it is releasing 30 million barrels of oil from the Strategic Petroleum Reserve to help ensure adequate supplies of home heating oil this winter.

He goes on:

> ''It was not unexpected,'' said John Lichtblau, chairman of the Petroleum Industry Research Foundation. ''It reflects the fact that inventories will be increased. This is not a sharp decline, but it is headed in the right direction. They could fall somewhat more.''
>
> Lichtblau said that while very recently there had been speculation about $40-a-gallon oil, ''now there's speculation that it will drop to below $30. The assumption has changed directionally.''

So those who would argue against Vice President GORE and President Clinton's position on the Strategic Petroleum Reserve, saying it won't help consumers and families and it won't help businesses, frankly, have been proven wrong by this morning's headline in the business section of the Washington Post. This is not a campaign publication, this is a report on the realities of the market. Of course, we can't stop with that effort. We have to continue to look for ways to reduce the cost of energy so that families and businesses can continue to profit in our strong economy.

But I think the suggestion of the Senator from Alaska embodied in this bill that we begin drilling for oil in the Arctic National Wildlife Refuge in his State is the wrong thing to do.

I recently ran into the CEO of a major oil company in Chicago. I asked him about this. How important is ANWR to the future of petroleum supplies in the United States? He said: From our company's point of view, it is a nonissue. There are plenty of sources of oil in the United States that are not environmentally dangerous situations. He believes—and I agree with it—that you do not have to turn to a wildlife refuge to start drilling oil in the arctic, nor do you have to drill offshore and run the risk of spills that will contaminate beaches for hundreds of miles. There are sources, he said, within the U.S. that are not environmentally sensitive that should be explored long before we are pushed to the limit of finding sources in these environmentally sensitive areas.

But the Senator from Alaska and many of our colleagues are quick to want to drill in these areas first. Their motive I can't say, but I will tell you that I don't believe it is necessary from an energy viewpoint. There are plenty of places for us to turn. But drilling for new oil energy sources is not the sole answer, nor should it be. We should be exploring alternative fuel situations.

They come to the floor regularly on the other side of the aisle and mock the suggestion of Vice President GORE in his book ''Earth In The Balance'' that we look beyond the fossil-fueled engine that we use today in our automobiles, trucks, and buses and start looking to other sources of fuel that do not create environmental problems. They think that is a pipedream; that it will never occur. Yet they ignore the reality that two Japanese car companies now have a car on the road that uses a combination of the gas-fired engine with electricity; with fossil-fueled engines, and those that do not rely only on fossil fuels to prove you can get high mileage without contaminating the atmosphere.

I am embarrassed to say again that the vehicles we are testing first come from other countries. But they are proving it might work. We should explore it. It seems an anathema to my friends on the other side of the aisle to consider other energy sources.

But if we can find, for example, a hydrogen-based fuel which does not contaminate the atmosphere and gives us the prospect of providing the energy needs of this country, why wouldn't we explore that? Why shouldn't we push for that research?

That is the point made by Vice President GORE. It is a forward visionary thing that, frankly, many people in the boardrooms of oil companies might not like to consider. But I think we owe it to our kids and future generations to take a look at that.

To go drilling in wildlife refuges and off the shores of our Nation with the possibility of contaminating beaches is hardly an alternative to sound research. I think we should look at that research and consider it as a real possibility.

H–1B VISA LEGISLATION

Mr. DURBIN. Mr. President, the reason for my rising today is to address the issue that is pending before us, which is the H–1B visa bill. This is a bill which addresses the issue of immigration.

Immigration has been important to the United States. But for the African Americans, many of whom were forced to come to the U.S. against their will in slavery, most of us, and our parents and grandparents before us, can trace our ancestry to immigrants who came to this country. I am one of those people.

In 1911, my grandmother got on a boat in Germany and came across the ocean from Lithuania landing in Baltimore, MD, and taking a train to East St. Louis, IL. She came to the United

States with three of her children. Not one of them spoke English. I am amazed when I think about that—that she would get on that boat and come over here not knowing what she was headed to, not being able to speak the language, unaware of the culture, and taking that leap of faith as millions have throughout the course of American history.

What brought her here? A chance for a better life—economic opportunity, a better job for her husband, and for her family, but also the freedoms that this country had to offer. She brought with her a little prayer book that meant so much to her and her Catholic church in Lithuania. It was printed in Lithuanian. It was banned by Russian officials who controlled her country. This woman who could barely read brought this prayer book, considered contraband, because it meant so much to her. She knew once she crossed the shores and came into America that freedom of religion would guarantee that she could practice her religion as she believed.

She came, as millions did, in the course of our history—providing the workers and the skills and the potential for the growth of this economy and this Nation.

As we look back on our history, we find that many of these newcomers to America were not greeted with open arms. Signs were out: ''Irish Need Not Apply.'' People were giving speeches about ''mongrelizing the races in America.'' All sorts of hateful rhetoric was printed and spoken throughout our history. In fact, you can still find it today in many despicable Internet sites. That has created a political controversy around the issue of immigration, which still lingers.

It wasn't that long ago that a Republican Governor of California led a kind of crusade against Hispanic immigration to his State. I am sure it had some popularity with some people. But, in the long run, the Republican Party has even rejected that approach to immigration.

The H–1B visa issue is one that really is a challenge to all of us because what we are saying is that we want to expand the opportunity for people with skills to come to the United States and find jobs on a temporary basis. We are being importuned by industry leaders and people in Silicon Valley who say: You know, we just can't find enough skilled workers in the United States to fill jobs.

We ask permission from Congress, through the laws, to increase the number of H–1B visas that can be granted each year to those coming to our shores to work and to be part of these growing industrial and economic opportunities.

Historically, we have capped those who could be granted H–1B visas—115,000 in fiscal year 1999 and fiscal year 2000, and 107,500 in fiscal year 2001. The bill we are debating today would increase the number of people who could be brought in under these visas to 195,000 per year.

I think it is a good idea to do this. I say that with some reluctance because I am sorry to report that we don't have the skilled employees we need in the United States. Surely we are at a point of record employment with 22 million jobs created over the last 8 years. But we also understand that some of the jobs that need to be filled can't be filled because the workers are not there with the skills. We find not worker shortages in this country but skill shortages in this country.

I think there are two things we ought to consider as part of this debate. First, what are we going to do about the skill shortage in America? Are we going to give up on American workers and say, well, since you cannot come up with the skills to work in the computer and technology industry we will just keep bringing in people from overseas? I certainly hope not.

I think it is our responsibility to do just the opposite—to say to ourselves and to others involved in education and training that there are things we can do to increase and improve our labor pool.

The second issue I want to address in the few moments that I have before us, is the whole question of immigration and fairness.

Many of us on the Democratic side believe that if we are going to address the issue of immigration that we should address it with amendments that deal with problems which we can identify.

I came to the floor earlier and suggested to my colleagues that in my Chicago office, two-thirds of our casework of people calling and asking for help have immigration problems. I spend most of my time dealing with the Immigration and Naturalization Service. Sometimes they come through like champions. Many times they do not. People are frustrated by the delays in their administrative decisions; frustrated by some of the laws they are enforcing; and frustrated by some of the treatment that they receive by INS employees.

What we hope to do in the course of this bill is not only address the need of the high-tech industry for additional H–1B visas and jobs, but also the need for fairness when it comes to immigration in our country.

In the midst of our lively and sometimes fractious debates in the Senate, I hope we can all at least take a moment to step back and reflect on our very good fortune. We are truly living in remarkable times. The economy has been expanding at a record pace over the last 8 or 10 years. A few years ago we were embroiled in a debate on the Senate floor about the deficits and the growing debt in this country. We now find that the national topic for debate is the surplus and what we can do with it. What a dramatic turnaround has occurred in such a short period of time. It has occurred because more Americans are going to work and more people are making more money. As they are more generous in their contributions to charities and as they are paying more in taxes at the State and Federal level, we are finding surpluses that are emerging in this country. That, of course, is the topic of discussion.

Unemployment is at a historic low. So are poverty rates. Our crime rates are coming down. Household incomes have reached new heights. Our massive Federal debt—an albatross around the neck of the entire Nation—has all but vanished, replaced by surpluses that have inspired more than a bit of economic giddiness.

We have a need in this country for many high-skilled technology workers. We are all witnesses to this incredible technological revolution, the Internet revolution that is unfolding at a pace almost too rapid for the imagination to absorb. Indeed, in many respects it has been a revolution in modern information technology that has revolutionized the fields of business, medicine, biology, entertainment, and helped to spur our robust economy.

When I visit the classrooms across Illinois, particularly the grade school classrooms, I ask the kids in the classroom if they can imagine living in a world without computers. They shake their heads in disbelief. I remember those days, and I bet a lot of people can, too. It was not that long ago. Technology has transformed our lives. These two phenomena, a vibrant economy and an amazing technology, have combined to create an unprecedented level of need in American industry for skilled technology workers, for men and women to design the systems, write the software, create the innovations, and fix the bugs for all the marvelous technology that sits on our desktops or rides in our shirt pockets.

The Information Technology Association of America reports the industry will need an additional 1.6 million workers to fill information technology positions this year. A little more than half of these jobs will go unfilled due to a shortfall of qualified workers. Mr. President, 1.6 million workers are needed; with only 800,000 people we cannot fill the jobs.

Another trend marks our modern age, the trend towards economic globalization. The other day, we passed the legislation for permanent normal trade relations with China. It is not surprising that our industries are looking for highly skilled workers in the United States. When they can't find them here, they start looking in other countries.

Why should workers in another country want to uproot themselves, leave their homes and families, and make the long journey here? The same reason that my grandparents did, and their parents might have before them. They made the journey because for thousands, America is the fairest, freest, greatest country there is. It is a land like no other, a land of real opportunity, a land where hard work and

good values pay off, a land where innovation, creativity, and hard work are cherished and rewarded, a land where anyone, whether a long-time resident whose family goes back to the Revolutionary War, or a brand-new immigrant clutching a visa that grants them a right to work, can achieve this American dream.

We have before the Senate this bill to open the door for that dream to greater numbers of high-tech workers, workers the information technology industry needs to stay vital and healthy. It is a good idea to open that door wider. I support it. It is the right thing to do. We can do it in the right manner. We can meet the demanding needs of the technology situation and create a win-win situation for all American workers, no matter what their craft or what their skills, while avoiding the pitfalls that a carelessly crafted high-tech visa program would create.

To do it the right way, we have to consider the following: First, we must make available to industry an ample number of high-tech worker visas through a program that is streamlined and responsive enough to work in ''Internet time.''

At the same time, we must set appropriate criteria for granting these high-tech visas. There is a temptation to hire foreign workers for no other reason than to replace perfectly qualified American workers. Perhaps it is because foreign workers are deemed more likely to be compliant in the workplace for fear of losing their visa privileges or because they are willing to work for lower wages, or because they are less expectant of good work benefits.

Whatever the perception, we must be on guard against any misuse of the visa program. There must be a true need, a type of specialty that is so much in demand that there is a true shortage of qualified workers.

We must also bear in mind that we have not just one, but two principal goals that must be held in balance. The first goal is to fulfill a short-term need by granting high-tech visas. The second, and ultimately more important goal, is to meet our long-term need for a highly skilled workforce by making sure there are ample educational opportunities for students and workers here at home. A proposal to address this need will receive strong support if it embraces the goal of training our domestic workforce for the future demands of the technology industry and provides the mechanisms and revenue to reach that goal.

It is interesting that in every political poll that I have read, at virtually every level, when asking families across America the No. 1 issue that they are concerned with, inevitably it is education. I have thought about that and it has a lot to do with families with kids in school, but it also has a lot to do with the belief that most of us have in America—that education was our ticket to opportunity and success. We want future generations to have that same opportunity.

I see my friend, Senator WELLSTONE from Minnesota. He has taught for many years and is an expert in the field of education. I will not try to steal his thunder on this issue. But I will state that as I read about the history of education in America, there are several things we should learn, not the least of which is the fact that at the turn of the last century, between the 19th and 20th century, there was a phenomena taking place in America that really distinguished us from the rest of the world.

This is what it was: Between 1890 and 1918, we built on average in the United States of America one new high school every single day. This wasn't a Federal mandate. It was a decision, community by community, and State by State, that we were going to expand something that no other country had even thought of expanding—education beyond the eighth grade. We started with the premise that high schools would be open to everyone: Immigrants and those who have been in this country for many years. It is true that high schools for many years were segregated in part of America until the mid-1950s and 1960s, but the fact is we were doing something no other country was considering.

We were democratizing and popularizing education. We were saying to kids: Don't stop at eighth grade; continue in school. My wife and I marvel at the fact that none of our parents—we may be a little unusual in this regard, or at least distinctive —went beyond the eighth grade. That was not uncommon. If you could find a good job out of the eighth grade on a farm or in town, many students didn't go on.

Around 1900, when 3 percent of the 17-year-olds graduated from high school, we started seeing the numbers growing over the years. Today 80 or 90 percent of eligible high school students do graduate.

What did this mean for America? It meant that we were expanding education for the masses, for all of our citizenry, at a time when many other countries would not. They kept their education elite, only for those wealthiest enough or in the right classes; we democratized it. We said: We believe in public education; we believe it should be available for all Americans. What did it mean? It meant that in a short period of time we developed the most skilled workforce in the world.

We went from the Tin Lizzies of Henry Ford to Silicon Valley. We went from Kitty Hawk to Cape Canaveral. In the meantime, in the 1940s, when Europe was at war fighting Hitler and fascism, it was the United States and its workforce that generated the products that fought the war not only for our allies but ultimately for ourselves, successfully.

That is what made the 20th century the American century. We were there with the people. We invested in America. Education meant something to everybody. People went beyond high school to college and to professional degrees. With that workforce and the GI bill after World War II, America became a symbol for what can happen when a country devotes itself to education.

Now we come into the 21st century and some people are resting on their laurels saying: We proved how we can do it. There is no need to look to new solutions. I think they are wrong. I think they are very wrong. Frankly, we face new challenges as great as any faced by those coming into the early days of the 20th century. We may not be facing a war, thank God, but we are facing a global economy where real competition is a matter of course in today's business.

We understand as we debate this H–1B visa bill, if we are not developing the workers with the skills to fill the jobs, then we are remiss in our obligation to this country. Yes, we can pass an H–1B visa as a stopgap measure to keep the economy rolling forward, but if we don't also address the underlying need to come to the rescue of the skill shortage, I don't think we are meeting our obligation in the Senate.

(Mr. GORTON assumed the chair.)

Mr. WELLSTONE. Will the Senator yield for a question?

Mr. DURBIN. I am happy to yield to my colleague from Minnesota.

H–1B VISAS

Mr. WELLSTONE. I wanted to ask the Senator—I know Illinois is an agricultural State, as is mine. Many of our rural citizens, for example, desperately want what I think most people in the country want, which is to be able to earn a decent living and be able to support their families. At the same time we have our information technology companies telling us—I hear this all the time; I am sure the Senator from Illinois hears this—listen, we need skilled workers; we don't have enough skilled workers; and we pay good wages with good fringe benefits. Is the Senator aware we have people in rural America who are saying: Give us the opportunity to develop these skills? Give us the opportunity to be trained. Give us the opportunity to telework. With this new technology, we can actually stay in our rural communities. We don't have to leave.

Is the Senator aware there are so many men and women, for example, in rural America—just to talk about rural America—who are ready to really do this work, take advantage of and be a part of this new economy, but they don't have the opportunity to develop the skills and to have the training? Is that what the Senator is speaking to?

Mr. DURBIN. The Senator is right. I am sure he finds the same thing that I do in rural Illinois when he goes through Minnesota. There are towns