

Yesterday, I came to the floor to speak on that issue. The senior Senator from Nevada, Mr. REID, came later to say I was unnecessarily, righteously indignant about the Energy bill. You are darn right I am righteous and sometimes indignant when the American consumer is paying \$2 per gallon at the pump—and some more than that—and they should not have to be. But they are, and the reason is because the Senate has not acted. No, passing the Energy bill tomorrow is not going to bring the price of gas down at the pump. But if you are in a hole and it is getting deeper and you are still digging, you ought to stop digging. But we have not stopped digging. We have not put policy in place that would begin to fill in the hole that will get us into production and that won't be a major risk to this economy in pulling this growth down because the American consumer is going to have to re-juxtapose some of their budgets. If they are paying \$400 or \$500 a year more for gas at the pump, let alone the cost of electricity and home heating fuel, they are going to be spending less in the market, and that is just the consumer.

I get righteously indignant when the farmer in Idaho—or in Nevada for that matter—goes to the bank and gives his budget or her budget for the year, and they have not factored in a 30- or 40-percent cost of energy because diesel fuel went through the roof. The bill—if we pass it tomorrow—won't make a difference. The bill will encourage production of domestic oil. It will encourage the development of more natural gas. It will encourage and incentivize the building of necessary infrastructure, such as the Alaskan natural gas pipeline. It will encourage the use of renewable fuels such as ethanol. It will encourage more renewable energy. It will strengthen the future of the nuclear energy option. It will promote clean coal technology. It will promote hydrogen as a new technology for surface transportation. It will promote energy efficiency. It will increase the R&D on a variety of technologies. It will establish mandatory reliable rules for our electricity grid. It will promote investment and expansion of electricity.

No, it is going to take a while for this country to get back into production. But we have not placed the tools in the tool box to allow us to get back into production. So we have become increasingly reliant on foreign sources for our energy. On March 22 of this year, you were paying \$1.74 at the pump. On April 4, you were paying \$1.78. In May, you paid \$1.84, and now you are paying \$1.94—in some instances nearly \$2, and in other States more than \$2.

Some are suggesting that we ought to quit filling the Strategic Petroleum Reserve, that we ought to cut that off. That would not make a difference in the price of oil at this moment because we have lost the capacity to produce. We have to reinvest if we are going to gain that capacity.

Yes, the Saudis are being a bit duplicitous. They said here is our baseline and what we want, and we only need to make \$28 on our barrel to fund our country's needs. They are making well over \$30 today. Finally, just yesterday, the Saudi oil minister said the OPEC producers ought to increase the official output ceiling. Well, that statement alone knocked the price of crude oil off \$1 and, slowly but surely, that will be felt back at the pumps again. What that echoes is that we are not seeing the price of energy improve in our country or determining the future of energy. The Saudi oil minister, by his statement alone, is making that decision and fixing the price, or impacting the price at the pump.

Why do we need a national energy policy? Here is another reason. From 1981 to 2003, we lost a huge chunk of our oil refining capacity. In 1981, we had 324 refineries. Today we have 149 refineries, and they are operating at between 92 percent to 94 percent capacity. The Clean Air Act, the cost of retrofitting, the regulations, and the ability to finance simply took us out of the market and brought down those refineries.

My time is up. The reality is this Senate ought to vote on a national energy bill, and it ought to vote now so we quit digging the hole deeper. Put the tools in the tool box and get this country back into production. And you are darn right I am righteous about it because I don't think our consumers ought to have to pay the bill.

#### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

#### JUMPSTART OUR BUSINESS STRENGTH (JOBS) ACT

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S. 1637, which the clerk will report.

The journal clerk read as follows:

A bill (S. 1657) to amend the Internal Revenue Code of 1986 to comply with the World Trade Organization findings on the FSC/ETI benefit in a manner that preserves jobs and production activities in the United States, to reform and simplify the international taxation rules of the United States, and for other purposes.

Pending:

Cantwell/Voinovich Amendment No. 3114, to extend the Temporary Extended Unemployment Compensation Act of 2002.

The PRESIDING OFFICER. Under the previous order, the time until 12 p.m. shall be equally divided between the two leaders or their designees.

The Senator from Nevada is recognized.

Mr. REID. Mr. President, I assume each side would approximately have 25 minutes.

The PRESIDING OFFICER. Yes, 26.

Mr. REID. Mr. President, we will allocate that time with 10 minutes to the

manager of the bill. There will be 5 minutes for Senator CANTWELL, 5 minutes for Senator VOINOVICH, and 5 minutes to Senator SARBANES.

The PRESIDING OFFICER. The Senator from Nevada, Mr. ENSIGN, is recognized.

Mr. ENSIGN. Mr. President, I rise to briefly talk about the underlying bill and the vote we are going to have on cloture, but mostly to discuss the Cantwell amendment related to the temporary extension of unemployment benefits.

Mr. President, we had a vote on a similar amendment earlier this year, but the amendment before us today was redrafted to reflect changes in high unemployment states. First I want to talk about whether we should extend unemployment benefits—a temporary extension of the Federal program—based on the current unemployment situation. Then I want to talk about some of the details of Senator CANTWELL's amendment and the changes that are in her amendment.

The employment picture in this country is looking up by all measures. In the past, employment was looking up according to the household survey, which is the survey that measures employment, including those who are self-employed, people who contract with the Government, and those on payrolls.

But, there are two surveys of employment. The payroll survey does not include people who are self-employed. It does not include small contractors who contract with the Government, and there are a lot of those people today. So the household survey is a more accurate survey of overall employment in this country.

In the past, the household survey and the payroll survey have paralleled each other. There really has not been a difference, so people mainly paid attention to one survey, the payroll survey.

In the past couple of years, we had a recession that was followed by a recovery. It has been called a jobless recovery. But, recessions always have a peak of jobless claims during periods of higher unemployment after recessions.

This is a chart of the last several recessions, and we can see the gray areas are the recessions. These dark lines are a measure of the unemployment rate. We can see after the recessions, either right at the end of the recessions or just after the recessions, we can see the peak in unemployment. This indicates there is always a lag in people being hired after recessions have ended. As the economy starts growing, people are still a bit unsettled in their businesses—Should we rehire people?—and so that peak of unemployment lags after recessions.

We have passed that peak. We had the recession. The recession occurred at the end of the year 2000 and going into the year 2001. We had this recession followed by a slow recovery. And then we had September 11 hit, which just decimated the economy in many areas, especially the tourist economy,

as in my home State of Nevada. It was almost a double dip of a recession. The first dip starting at the end of 2000 and the second dip after September 11, 2001. So we did some things in the Senate to try to overcome that situation. Working with the President, we passed two different tax bills. Those tax bills have had a positive effect on the economy. The economy is recovering. It is still in a growth phase, and it is now moving into the hiring phase of the recovery. As you can tell from recent job numbers people are starting to say: You know what, we really do feel good about what is going on. And they are hiring additional employees.

One of the criticisms has been in the decline of manufacturing jobs. In the past these jobs were declining, and we were losing manufacturing jobs in the United States.

This chart shows manufacturing activity. We can see it down in 1991, it is coming up in 2000, and then, going into 2001, it takes a nosedive. Then in 2001, it came back up a little bit and took another nosedive. We can see in the year 2003 manufacturing jobs have increased by a very nice rate. So the manufacturing activity in the United States is coming back. That is a good sign, and we all welcome that.

The Cantwell amendment would extend temporary unemployment benefits through November, but this is not just a clean extension. The amendment also changes the "high unemployment" definition to make more States qualify for additional unemployment benefits. In other words, if her original amendment that we voted on a couple of months ago was enacted today, the only State that would qualify as a high unemployment State would be Alaska.

She redrafted her amendment to where it eliminates what is called a look-back provision, and that look-back provision is what helps determine whether States are high unemployment States. It compares their current unemployment rate to the rates in the previous 2 years.

The amazing thing about that look-back provision is that states with relatively low unemployment could qualify as a high unemployment state under this amendment. According to preliminary analyses of the Cantwell amendment the State of Idaho qualified as a high unemployment state with about a 4.5-percent unemployment rate. That is very low. My State is 4.4 percent, and it is hard to find employees. When the unemployment rate gets that low, it is hard to find employees. Under the Cantwell amendment, the State of Idaho could potentially qualify as a high unemployment State.

Last Friday, the statistics were revealed for last month, the month of April. The unemployment rate dropped to 5.6 percent, and 288,000 jobs, according to the payroll survey, were created. In March, 335,000 jobs were created. Just since the beginning of 2004, almost 900,000 jobs, according to the payroll survey—the one the other side has been

talking about—almost 900,000 jobs have been added to the payrolls in the United States. It is the eighth consecutive month of job gains, according to the payroll survey. In that 8-month period, we have had 1.1 million jobs created.

The other thing we have to look at are jobless claims, in other words how many people actually applying for unemployment compensation. The initial jobless claims declined by 25,000 last week, and that was the lowest level since before the 2000 Presidential election.

Also, something that has been talked about on this floor is the number of long-term unemployed, people who have been on the unemployment rolls for a long time or have exhausted their benefits. That number dropped by 200,000. Not only are the unemployment numbers improving, but so is productivity.

I talked before about payroll versus household. I want to emphasize that because the payroll survey is now showing jobs being created.

By the way, this chart shows the 1.1 million jobs by month, and this is the payroll survey. Comparing the payroll with the household survey, in the past we can see how these two surveys parallel each other. But in the years 2000, 2001 and beyond—this is the period we were in the last couple of years—these actually diverge because there were more jobs added to the household survey than the payroll survey. The payroll survey is now starting to catch up.

Why would this occur? Why would the household survey, which measures self-employed people, be different than the payroll survey? The difference comes about because our economy is changing. During times of recession—and this is not unusual for people who cannot find jobs—they start their own companies. They become entrepreneurs, and sometimes it ends up being the best thing that ever happened to them because they start their own company and end up being more successful than they could ever have been working for somebody else. Senator BENNETT referred to his successes in starting businesses earlier today on the Senate floor.

In the last few years, more people than ever have started their own companies. As a matter of fact, 430,000 people now make their full-time living on e-Bay. That is just within the last couple of years. Those people are not measured in the payroll survey; they are only measured in the household survey.

The other side says those who are self-employed do not have jobs. As a matter of fact, the other side says there have been 3 million jobs lost since President Bush took office. That number is according to the payroll survey. The household survey shows 2 million jobs have been added because a lot of those people are now self-employed.

Before my tenure in the U.S. Senate, I was a veterinarian. I was self-em-

ployed. My job did not count, according to the other side of the aisle. They say that the household survey does not count. If you are self-employed, you know you are working; you think you have a job; you think that should count. It is an insult to those self-employed people not to count them in a survey of jobs. If we are really talking about jobs, we should have the most accurate reflection of jobs.

Even giving the other side of the aisle just the payroll survey, the payroll survey is improving. It is improving dramatically. Almost 900,000 jobs since the beginning of the year have been added to the payrolls of the United States, which begs the question: why should we extend the temporary extension of unemployment benefits program again?

When the Democrats controlled the White House, the House and the Senate, after the early 1990s recession, the unemployment rate was at 6.6 percent. At that time they said unemployment was low enough to end the program. We have not heard the other side address that issue. I have made this argument on the Senate floor many times this year, and we have not heard the other side address that. They controlled all three of those bodies and yet they saw the fact that 6.6 percent was low enough to end the program.

Fast-forward to today, the Republicans control the White House, the Senate, and the House, and now the Democrats say that, even though the unemployment rate is almost a full percentage point lower than when the Democrats ended the program, now the unemployment is too high and we need to keep the temporary unemployment program going today.

I think that is disingenuous. It is saying while we were in control, 6.6 percent was low enough to end the program, but now the Republicans are in control, 5.6 percent is too high and we ought to keep the program going. They put out the statement from Alan Greenspan, who said we should keep the program going. Well, Alan Greenspan has also said that the biggest threat to our economic long-term growth is the deficit. The amendment that was offered by Senator CANTWELL costs almost a billion dollars a month. It is a 9-month extension, and it is an \$9.5 billion price tag. That adds \$9.5 billion to the deficit. We have already spent \$32 billion on this program the last couple of years, which added \$32 billion to the deficit. It comes right out of deficit spending.

I believe it is time to end the program. The States have money we gave them. We gave them \$8 billion to address the problem of high unemployment in their States. Many States, including the State of Washington, have not used this money. Out of the \$144 million the State of Washington received out of the \$8 billion, they have only used about \$1 million. So if the State of Washington cared about their unemployed, one would think they

would use that money, but they have chosen not to use it. So I think we have fulfilled our obligation during the recession and post-recession when unemployment was high, but it is time to start worrying about the deficit. For those who talk about being deficit hawks, it is time to vote against this program.

Now I do not know whether this was done purposely or not, but in drafting this bill, the author of the amendment drafted it in such a way that it is retroactive to the first of the year. So that means if one is working today, but they were unemployed at the beginning of the year and would have qualified for TEUC at the beginning of the year, they actually would get a check from the Federal Government. I do not think that is the purpose of this program. The purpose of this program was to help those who really could not get a job.

The other reason I do not believe this program should be extended is, during times of economic growth, if one is having trouble getting a job it may mean that they have to move. Well, we are in times of economic growth, but the more comfortable we make it for people on unemployment insurance—in other words, when they are getting these unemployment benefits—the more comfortable we make it to stay on unemployment, the less incentive there is to go out and do what it takes to get a job. It is called personal responsibility.

I believe we are during that time of economic growth—I think all of the statistics show that—and it is time that we end this program and we vote down the Cantwell amendment. The Cantwell amendment violates the budget. We know that. That is why there is a budget point of order that is going to be raised against the Cantwell amendment. The vote we will have will be to waive the Budget Act so that we will deficit spend.

If we want to make sure those jobs are out there for the people who are unemployed today, we have to have a strong economy. Alan Greenspan says the biggest threat to our economy is the size of the deficit. Let us do something about the size of the deficit by voting down this \$8 billion program.

I yield the floor and reserve the remainder of our time.

**THE PRESIDING OFFICER.** The Senator from Montana.

**MR. BAUCUS.** Mr. President, I ask to be recognized for the time I have under the unanimous consent agreement.

**THE PRESIDING OFFICER.** The Senator has 10 minutes.

**MR. BAUCUS.** The ancient Theban poet Pindar wrote: "The test of any man lies in action."

That was a very provocative, very prescient, and very wise statement. The test of any man, or woman, lies in action.

Today that test will be for the Senate. Today we will test whether the Senate can act to create and keep good manufacturing jobs in America. Today we will test whether the Senate can act to end European tariffs that hobble

American businesses, and today we will test whether the Senate can act to extend vital benefits to the nearly 1.5 million jobless Americans who have exhausted their unemployment benefits.

The coming cloture vote is the defining test for the JOBS bill. If the Senate cannot vote today to complete action on this bill, then the majority leader will move on to other business. Yes, in a perfect world every Senator would have the opportunity to offer and debate every amendment. In a perfect world, every amendment would get a vote. In a perfect world, every Senator would get home for family dinner at 6. But by the standards of the modern Senate, I believe the Senate has given this bill fair consideration.

Over the course of 5 separate weeks, we have considered 28 amendments and adopted 17 of them. I think that is a respectable record. The coming cloture vote is now the test of whether we can pass the JOBS bill. The coming cloture vote is also a test of whether Senators on this side of the aisle can take yes for an answer. We on this side demanded a vote on Senator HARKIN's overtime amendment, and the Senate did consider that amendment. The Senate adopted that amendment. We demanded a vote on Senator DODD's offshoring amendment, and the Senate did consider that amendment and the Senate adopted that amendment as well. We demanded a vote on Senator WYDEN's trade adjustment assistance amendment, and the Senate did consider that amendment but regrettably did not adopt it. However, Senators WYDEN, COLEMAN, and I intend to bring that effort back to the Senate on another day. And we demanded a vote on Senator CANTWELL's unemployment insurance amendment. Under the unanimous consent agreement governing this bill, in order to get a vote on the unemployment insurance amendment the Senate needs to invoke cloture.

If we invoke cloture, the Senate will consider that amendment, and I hope the Senate will also adopt it.

I believe that invoking cloture to get a vote on the Cantwell amendment is now a fair deal for Democrats, and I think we should take it. We should say, yes, for an answer. We should vote to invoke cloture so that we may vote on unemployment benefits.

After the cloture vote, the vote to waive the budget for Senator CANTWELL's amendment will be a test for the entire Senate. Our vote on the Cantwell amendment is a test as to whether we can respond to the record number of jobless workers who have exhausted their benefits. America's free and open market economy has yielded unparalleled growth and vitality. Part of the genius of our economy is that we allow the private sector the freedom to adjust rapidly to changing circumstances. It helps our country grow. That freedom and vitality comes also with disruption and pain for workers who lose their jobs in hard economic times like those we have had in the last 4 years.

When, nearly 70 years ago, Congress created the unemployment insurance

program, our society struck a deal. American workers agreed to participate in open and volatile markets, and the Government agreed to cushion the blow when markets turned rough. Unemployment insurance is the result of a vital social compact.

In past recessions, Congress has acted to extend those benefits, and the evidence is that in this recession more workers are remaining unemployed much longer than in previous recessions.

The share of the unemployed who have been unemployed for more than 6 months has hit its highest level in more than 20 years. Federal Chairman Alan Greenspan said recently "an exceptionally high number" of unemployed are losing their unemployment benefits, and he supported resuming temporary Federal benefits, saying:

I think it's a good idea largely because of the size of the degree of exhaustions.

Thus, the coming vote on the Cantwell amendment will test whether the Senate can respond to this human need, keep our social compact, and extend these needed unemployment benefits. Finally, this coming cloture vote will be a test of whether the Senate can work.

This bill began as a venture of Democrats and Republicans working together in the Finance Committee. Its major provision, the heart of the provision—tax cuts for American manufacturing—is really a Democratic priority. Democrats sought all along to create and keep good manufacturing jobs here in America. This bill advanced in the Finance Committee as a cooperative venture. The chairman of the Finance Committee and I, working together, included many of the provisions of the bill in response to the request of Senators on this side of the aisle—on both sides of the aisle, but especially on this side of the aisle. This bill reflects an open, democratic process.

Once we came to the Senate floor, we tried to ensure the Senate consider the maximum number of amendments. Now the Senate has considered 28 amendments and adopted 17 amendments. Even after the Senate invokes cloture, the Senate may still consider germane amendments and there are going to be several of them, and I believe the Senate will be able to take them up and deal with them postcloture.

The time for talk is coming to a close. Soon will be a time for action. The coming vote will be a test of whether the Senate can act. Let us act to advance this bill to create good manufacturing jobs here in America. Let us act to extend unemployment benefits to jobless workers who need them. Let us act to show we can at least work together in the spirit of that great poet Pindar, again, who said, "The test of any man lies in action."

I yield the floor and reserve the remainder of my time.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. SARBANES. Mr. President, what is the parliamentary situation right now?

The PRESIDING OFFICER. The Senator has 5 minutes.

Mr. SARBANES. Mr. President, I rise in very strong support of the pending amendment offered by my very able colleague from Washington, Senator CANTWELL, and by my able colleague from Ohio, Senator VOINOVICH. I commend both of them for their work on this issue. I particularly want to underscore the determination and the perseverance Senator CANTWELL of Washington has shown in pressing this issue forward.

This amendment, simply put, seeks to reinstate the Temporary Extended Unemployment Insurance Benefits Program which lapsed at the end of 2003. Long-term unemployment, the very problem this program of temporarily extending unemployment insurance benefits is intended to deal with, is at near record levels. There are 1.8 million long-term unemployed workers in America today. That is, they have been unemployed for more than 26 weeks, the period that is traditionally covered by unemployment insurance benefits.

Some of my colleagues have argued we do not need to pass this amendment because jobs are beginning to pick up. They assert we have an unemployment rate lag, after the end of a recession.

We have not even recovered the jobs we have lost, as we now move out of this recession. This administration is the first administration since the Hoover administration not to produce a net gain of jobs in the course of its tenure. Long-term unemployed workers today constitute 22 percent of all unemployed workers. That level is near a 20-year high. It has been above 20 percent for the last 19 months—in other words, of the unemployed, this large a portion have been long-term unemployed. That is the longest such stretch since the Department of Labor began keeping such statistics in 1948.

It has been 37 months since the recession began. The economy has 1.6 million fewer jobs today than it did 37 months ago. In no other recession since the Great Depression has the economy failed to recreate all the jobs it lost after 37 months. We are still down 1.6 million fewer jobs than when the recession began 37 months ago. In every other recession other than the Great Depression, the economy had recreated all the jobs that had been lost within 31 months. I stress this to make the point that the job market has not strengthened adequately in order to take care of these people. Job growth is far too slow.

It is not as though the level of benefits that is being sought is historically excessive. In previous recessions we have passed extensions beyond what is contained in this amendment. When we

had a recession from July of 1990 to March of 1991, we extended unemployment benefits until April of 1994. At the program's peak, benefits were available for 26 to 33 extra weeks. It was in the previous Bush administration that this took place.

It is not as though providing these benefits is not supported by prominent economists. Federal Reserve Chairman Greenspan testified before the Joint Economic Committee on April 21, only a few weeks ago, that re-instating the extended unemployment insurance program is "a good idea. I think it is a good idea, largely because of the size of the degree of exhaustions."

We built up this unemployment insurance trust fund to fund these benefits. The money is in there, paid for, for this very purpose. I urge my colleagues to support this amendment from my able colleagues from Washington and Ohio.

I thank the Chair and yield the floor.

The PRESIDING OFFICER. Who yields time? If no one yields time, it will be charged equally to both sides.

The Senator from Montana.

Mr. BAUCUS. I ask the Senator from Oklahoma if he wishes to speak. There are several speakers on this side. As I understand it, on the other side of the aisle, the time is divided between 10 and 15. If the Senator from Oklahoma has 15 minutes, now will be an appropriate time for him to speak.

Mr. NICKLES. We have 10.

Mr. BAUCUS. You have 9 minutes left. Now would be an appropriate time. We have a lot of speakers here—not a lot, three more.

Mr. NICKLES. Mr. President, I am happy to speak, but I don't believe the Senator from Washington has made her speech. Usually I would respond to her.

Mr. BAUCUS. Maybe you can set a precedent here.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. NICKLES. I rise in opposition to the amendment of my friend Senator CANTWELL for a lot of reasons. This is not a simple extension, as Senator ENSIGN earlier said. This is an expansion. Yet despite the fact we have good economic news, despite the fact we had a report last month, 288,000 new jobs, before that, 300,000—700,000 jobs in the last 2 months—we want to not only extend temporary Federal unemployment compensation, we want an expansion.

Change the definition. I started looking at the amendment. I thought it was not very well drafted. It does a number of things. It is retroactive back to January. It expands benefits, and then it goes retroactive.

Let us say somebody is unemployed in January and February, but they get a good job in March. They would qualify for 8 weeks or maybe 10 weeks of benefits. Are we going to write them a check even though they have had a job for the last month or so? We have never done that.

What would that be if you were in the State of Massachusetts? It would be as

much as \$760 a week. For 10 weeks, that is \$7,600—a lump sum, even though you may have a job that is paying over \$80,000 a year.

That doesn't make sense. But it would be legal. It would actually happen, and it would cost Federal taxpayers probably in excess of \$1 billion if that happened. That makes no sense whatsoever. But that is in the amendment.

The amendment also, as Senator ENSIGN explained, basically says for the high unemployment States we are going to change things so more States will qualify for high unemployment benefits. In other words, we are going to expand this program. Why? Because most of the States don't qualify for it because States that do qualify for the high unemployment Federal benefit have to have increasing unemployment. And, frankly, we don't have that. We have decreasing unemployment, including the State of Washington, in which I believe the unemployment rate is 6.1 percent. You have declining unemployment in almost every State. The trend is down. The trend is for more employment. We should be grateful for that.

Some people evidently want this program to be a permanent Federal program. But it is a Federal temporary program that has expired.

I am looking at the statistics we have used in the past. We discontinued this program for a couple of years when we had it in the early 1990s. We discontinued that program when the unemployment rate was 6.6 percent. Now the rate is down to 5.6 percent. We were well below the rates when we discontinued this program in 1994.

When we had a Federal temporary program in the early 1980s, we discontinued the program when the rate was 7.4 percent. In the mid-1970s—1975–1977—we discontinued the program when it was 6.8 percent. Now the rate is 5.6 percent, and we are saying let's discontinue it. Some people say let's continue it for everybody. It makes no sense let's not only extend it, but let's expand it. That is in this amendment.

Finally, this amendment is not paid for. I am amused by the number of people who say, Yes, we want deficit reduction. We want pay-go, and 51 Senators voted for pay-go. Senator FEINGOLD had an amendment to the Budget Resolution. I didn't support it. This is going to make it tough on taxes and people do not pay enough attention to it on spending. I hear all these people: No, we want pay-go.

We had an amendment last week on trade adjustment assistance. Of the 51 Members who supported the pay-go amendment to the Budget Resolution on the floor, only 3 voted to sustain the pay-go point of order I made on the floor—only 3—and 48 Members reversed themselves. In other words, they said we don't want pay-go when it comes to creating or expanding a new program like trade adjustment assistance.

Senator GRASSLEY had a bill last week, the Family Opportunity Act. It

passed. A pay-go point of order could have been applied to this. A pay-go point of order will be applied, and I am going to make that pay-go point of order on this amendment.

I have tried to get cost estimates on this amendment. OMB estimates Senator CANTWELL's amendment costs \$9.5 billion, and CBO estimates \$9 billion. I don't have a letter from them because it is hard to compute how much this retroactive provision is going to cost. But I think it is fair to say it is a \$9 billion program that is not paid for.

At the appropriate point, I will be making a budget pay-go point of order that this amendment, if it became law, would increase the deficit over the next 10 years by \$9 billion. I urge my colleagues to vote against it.

The economic news is good news. There are almost 1 million new jobs this year. I think there are almost 900,000 new jobs in 2004 alone. There has been some positive, good news on the employment front. The unemployment rate is down.

When I was in the manufacturing business, if the unemployment rate was around 5 percent, it was almost full employment. I could hardly find people to work. Now the unemployment rate is 5.6 percent. It is going down. That is good news.

We don't need to reach back and extend the program that has already been going, I believe, for about 36 months at a cost of \$32 billion. I think it would be a mistake.

At the appropriate point, I will be making a budget point of order and urge my colleagues to vote to sustain that point of order.

I reserve the remainder of our time.

The PRESIDING OFFICER. Who yields time?

The Senator from Washington.

Ms. CANTWELL. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator has 5 minutes.

Ms. CANTWELL. Thank you, Mr. President.

Let me start off by correcting a few things my colleagues have said on the floor. This is a debate about 1.5 million people who have lost their jobs and have not been able to find work and have been without benefits.

To be clear, the unemployment program at the Federal level does not exist today. It was terminated as of the 31st of December. This isn't a continuation of a program that has been in place for the last several months. It has not been in place.

As it relates to the Clinton administration and the economic numbers, say we cut the program off in better economic times and worse economic times, the whole point of this debate is the fact the economy and job creation has not taken place at the level that would have employed the number of people who have lost their jobs starting with over 2.6 million people. While we have had some job growth, we have not totally recovered. While the Clinton

administration cut off the program at a time of higher unemployment, they actually had net job growth. That is why they terminated the program. We are not in that same situation.

In fact, it is no wonder Alan Greenspan basically, before a House committee, came to the same conclusion and said if you have a large number of exhaustees it makes sense to go ahead and use the program to take care of those exhaustees.

So here is one of our chief economists saying, Yes, the Clinton administration did something different, and they did it differently because they had job creation and net job growth going on. We do not have net job growth going on.

My colleague mentioned Alan Greenspan and the deficit and what we need to do to take care of the deficit moving forward. Alan Greenspan, who is also very concerned about the deficit, said exactly this. The number of exhaustees alone will tell you it is time for us to go ahead and take this program and take care of those 1.5 million exhaustees because of their large number.

Let us talk about where we are going to spend money. I think that is the reason we are in this debate. Some of my colleagues said it is about the deficit. Let us take this bill, for example. Let's take the underlying bill and talk about what we are spending money on. The Congressional Budget Office estimates the cost of my amendment at \$5.8 billion. If the Senator from Oklahoma can get a larger number—

Mr. NICKLES. Mr. President, will the Senator yield?

Ms. CANTWELL. I only have 5 minutes. I will be happy to yield after I finish speaking, if I have time.

Mr. NICKLES. I don't think the Senator is correct.

The PRESIDING OFFICER. The Senator from Washington.

Ms. CANTWELL. The issue is this underlying bill has a lot of tax credits and programs to help corporate America. Many of them I support. But I think it is important for my colleagues to realize what is in this bill.

As opposed to the cost of taking care of the unemployment in America, there is \$9 billion in here for the oil and gas industry; \$2.2 billion for the clean coal industry; \$2.8 billion for synthetic fuel. Actually, this particular program is under investigation by two different agencies. There are \$2 billion for green bonds, which I say and Taxpayers for Common Sense say could still inadvertently go to a Hooters Restaurant. These two programs alone would pay for the unemployment benefit program.

We basically went ahead and authorized these in this legislation. I don't know where we found the money for those programs. Yet, we are taking money out of the unemployment insurance trust fund, a fund that is supposed to be paid into by employees, and somehow saying, out of the \$13 billion

that is there, we do not have enough money for working families who have lost their jobs through no fault of their own, but, yes, we have money—\$2.8 billion—for synthetic fuels, even though we are investigating whether the money should be spent there, and we have \$2 billion for green bonds that could end up going to a Hooters Restaurant. Where are the priorities of my colleagues? Where are the priorities in passing this kind of legislation when we know that American men and women need our help and support?

Like my colleagues, I know this economy will get better. I have actually helped create jobs in the private sector. It will recover. But that is not the debate. The debate is, we have terminated a program in December and we now have data and information that shows the economy has not picked up to the degree in the last several months to take care of that huge number of unemployed who have exhausted their benefits. While everyone is talking about whether the economy is better, executive salaries are up, corporate profits are up, but total jobs lost is the issue. We are in a better economic situation, but we are leaving the American worker behind.

I ask unanimous consent for an additional 30 seconds.

Mr. BAUCUS. I yield 1 of my minutes to the Senator from Washington.

Ms. CANTWELL. Mr. President, take last month's number. Say we had an average of 300,000 jobs created each month for the next 6 months. At the end of this program in October we would still be at a deficit. Even with 300,000 jobs created, we would still have over 112,000 people who had not gotten a job.

So the question is, What are we going to do for a stimulus in the meantime as we are going through this job creation exercise in America? Are we going to say these are the only programs we support, programs for the oil and gas industry, for synthetic fuels, for green bonds, for bourbon distributors, for horse racing, for archery manufacturers? Those are the things we will support and we will not support the American workers?

I ask my colleagues to think about our priorities and support the Cantwell-Voinovich amendment.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. NICKLES. I clarify something for my colleague's amendment on cost. Her proposal in February was estimated by CBO to be \$5.4 billion, but that proposal expired in June. This one expires in November. This one is retroactive. The one in February was not. So we have many more months, and we also have the retroactive provision. We have estimates that this proposal will cost \$9 billion. It is not paid for. I will make a budget point of order.

I reserve the remainder of my time.

Mr. REID. How much time do we have remaining?

The PRESIDING OFFICER. There is 5 minutes 45 seconds.

Mr. REID. Senator VOINOVICH is not here, so if the Senator from Washington wants to use the time, she may.

Ms. CANTWELL. I am happy to respond to the issues raised.

One point is important to make. I am happy to modify my amendment if this would help clarify. This is not retroactive for someone who has gotten a job. If you got a job in March and you would have qualified for January and February unemployment, you do not get unemployment benefits. This only takes care of individuals who have lost their job and have not found a job.

I am happy to modify the amendment. That is not the intent of the amendment. The intent is only to take care of people who are still unemployed.

Mr. NICKLES. The intention of the Senator from Washington may be that it is not retroactive, but your amendment is retroactive. With the amendment before the Senate, an individual could be out of work in January and February, get a job in March, and receive payments. Read the amendment. It is there. It is retroactive. It may not have been the Senator's intention, but it is the fact.

The amendment is unnecessary even if it is prospective, but it is not. As written, it is retroactive. This is the middle of May. By the time this would get through conference, it would be in June, July, or later. Yet this amendment says, let's go back to January. So if someone gets a job in between then, they would be entitled to receive payments. It is grossly irresponsible and all the more reason our colleagues should not support the amendment.

Ms. CANTWELL. As I said, that is not the intent of the legislation. To make the Senator from Oklahoma comfortable, I am happy to consider whatever language he wants to clarify that point. This is not about someone who has gotten a job in the last 7 months; it is about the fact that we terminated this program in December and the fact that there are 1.5 million Americans who are without benefits. They are, basically, defaulting on mortgages, going into bankruptcy, not being able to take care of their own health insurance or the health care insurance of their family.

It is about giving them access to a fund that was created for these very economic times and giving them support during these economic times. It is stimulus that, as I said, is just as worthy as the other programs—I would say more worthy than a lot of the programs in the underlying bill.

I am happy to correct this perception by the Senator from Oklahoma and clarify it in any way so we can get this particular issue off the table.

The PRESIDING OFFICER. The Senator from Montana.

Mr. BAUCUS. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. There is 3 minutes 40 seconds remaining.

Mr. BAUCUS. I will not use all that time.

I compliment Senator CANTWELL. She has been dogged in her effort to bring up this amendment. I remember it was not too long ago when we were working, the chairman of the committee, Senator GRASSLEY, and others in the leadership, to try to sequence amendments, to figure out how we would process this bill.

The Senator from Washington said she wanted to offer her amendment and we told her, absolutely she could. We were trying to work out some other amendments and asked if she could delay in pressing her amendment even though she had the right to offer it, and she said she would. She has been very good in, first, pushing to get her amendment passed and, second, working with Senators to try to figure out the very best circumstances under which her amendment could be brought up and passed.

It has been somewhat difficult because Senators on this side of the aisle have been standing up for her rights. This Senator, certainly, and the minority leader, Senator DASCHLE, are standing up very strongly for her rights. Senator KENNEDY from Massachusetts also assisted her and worked with her to help get this amendment up.

There have been some Senators on the other side of the aisle who did not want to vote at all on Senator CANTWELL's amendment, but she has persevered. She has done a great job representing people who are out of work and unemployed, especially for her State of Washington. That is why we are here today. Were it not for the perseverance of the Senator from Washington, it is problematic whether we would be at this point. We will have a vote first on cloture and then a vote on her amendment. I thank the Senator for that.

I reserve the remainder of my time.

Mr. REID. Is all time used on the side of the majority?

The PRESIDING OFFICER. The majority has 48 seconds.

Mr. REID. If the majority yields back their time, we will yield back ours.

Mr. GREGG. I yield back.

Mr. REID. We yield back.

#### CLOTURE MOTION

The PRESIDING OFFICER. Under the previous order, the Chair lays before the Senate the pending cloture motion, which the clerk will report.

The bill clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on Calendar No. 381, S. 1637, a bill to amend the Internal Revenue Code of 1986 to comply with the World Trade Organization rulings on the FSC/ETI benefit in a manner that preserves jobs and production activities in the United States, to reform and simplify the international taxation rules of the United States, and for other purposes.

Bill Frist, Charles E. Grassley, Jon Kyl, Jim Bunning, Lindsey Graham, Mike Enzi, Trent Lott, Mitch McConnell, Craig Thomas, Orrin G. Hatch, Gordon

Smith, Rick Santorum, Robert F. Bennett, John Ensign, Olympia J. Snowe, Kay Bailey Hutchison, Don Nickles.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on S. 1637, the Jumpstart Our Business Strength (JOBS) Act, shall be brought to a close? The yeas and nays are mandatory under the rule. The clerk will call the roll.

The legislative clerk called the roll.

Mr. REID. I announce that the Senator from Indiana (Mr. BAYH) and the Senator from Massachusetts (Mr. KERRY) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 90, nays 8, as follows:

[Rollcall Vote No. 87 Leg.]

#### YEAS—90

Akaka	DeWine	Lott
Alexander	Dodd	Lugar
Allard	Dole	McConnell
Allen	Domenici	Mikulski
Baucus	Dorgan	Miller
Bennett	Durbin	Murkowski
Biden	Edwards	Murray
Bingaman	Ensign	Nelson (FL)
Bond	Enzi	Nelson (NE)
Boxer	Feinstein	Nickles
Breaux	Fitzgerald	Pryor
Brownback	Frist	Reed
Bunning	Graham (SC)	Reid
Burns	Grassley	Roberts
Byrd	Hagel	Rockefeller
Campbell	Harkin	Santorum
Cantwell	Hatch	Sarbanes
Carper	Hutchison	Schumer
Chafee	Inhofe	Sessions
Chambliss	Inouye	Shelby
Clinton	Jeffords	Smith
Cochran	Johnson	Snowe
Coleman	Kennedy	Specter
Collins	Kohl	Stabenow
Conrad	Kyl	Stevens
Cornyn	Landrieu	Talent
Craig	Leahy	Thomas
Crapo	Levin	Voinovich
Daschle	Lieberman	Warner
Dayton	Lincoln	Wyden

#### NAYS—8

Corzine	Gregg	McCain
Feingold	Hollings	Sununu
Graham (FL)	Lautenberg	

#### NOT VOTING—2

Bayh	Kerry
------	-------

The PRESIDING OFFICER. On this vote, the yeas are 90, the nays are 8. Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

Mr. REID. Mr. President, I move to reconsider the vote.

Mr. LEAHY. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

#### AMENDMENT NO. 3114

Mr. REID. I ask unanimous consent that prior to the next vote there be 2 minutes equally divided between proponents and opponents of the Cantwell amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. I ask for the yeas and nays on the amendment.

The PRESIDING OFFICER. Is there a sufficient second?



There appears to be a sufficient second.

The yeas and nays were ordered.

Mrs. CLINTON. Mr. President, I rise today in strong support of the Cantwell-Voinovich amendment because it is the right thing to do for America's workers and the right thing to do for our economy. Although I am pleased that we are finally voting on this critical amendment, it saddens me that we are still talking about this issue. As many in this Chamber may remember, I worked with my colleagues, Senator FITZGERALD and Senator NICKLES, to craft an unemployment insurance extension as the first legislation passed by the 108th Congress. That was back in January of 2003. Now, I find myself feeling like it's Groundhog Day.

A year and 5 months have gone by and times are still tough for the 8.2 million Americans who are out of work. Little over a month ago, on March 30, tens of thousands of Americans lost their unemployment benefits because the Government's temporary extension of unemployment insurance expired. Every week, 85,000 workers have been running out of benefits and 1.5 million have lost their benefits since January. Since President Bush took office, our country has lost over 2 million jobs.

I represent a State with one of the highest unemployment rates in the country. In March, New York State's unemployment rate was 6.5 percent. In New York City alone, unemployment has hovered around 8 percent since September 11, 2001. And, according to the Department of Labor, if New York City were a State, it would have the highest unemployment rate in the entire country. Almost 130,000 New Yorkers exhausted their unemployment insurance benefits between December of last year and today, none of whom qualified for Federal benefits.

Action to help New Yorkers—and all Americans—who are out of work is long overdue. That is why I am proud to cosponsor the Cantwell-Voinovich amendment. This amendment is virtually identical to a bill that I introduced with Senator GORDON SMITH in November of last year. The Cantwell-Voinovich legislation will do what my bill with Senator SMITH would have done: it will reinstate the Federal unemployment insurance program and probably every unemployed worker with an additional 13 weeks of benefits.

Ignoring the unemployed will not make them go away. In fact, today, despite Congress's inaction on this issue, long-term unemployment is at the highest level in recorded history. More than 2 million Americans have been out of work for 6 months or more, a higher percentage than ever before. According to the Children's Defense Fund, this represents an increase of 245 percent in the past 2 years alone. And if the past is any indication of the future, many of these jobs will never return. In past recessions, 50 percent of job loss is temporary, the other half is perma-

nent. Economists estimate that today nearly 80 percent of job loss is permanent.

Permanent job loss isn't just a theoretical term. It is a father with a mortgage, a mother with car payments, and a young person with a college loan. We must never lose sight of that simple fact. While everyone wants to collect a paycheck, unemployment checks provide certainty in an economy that is anything but certain.

For months, administration officials have claimed that their tax package will grow the economy and create jobs. But the only thing it is certain to grow is our Nation's mounting debt. The last time their economic policies were enacted, Americans lost 2 million jobs. We cannot wait to see how this debate plays out while 10 million unemployed Americans struggle. They paid into this system—some for decades—and now, when they need those benefits the most, we should provide them.

It is long past time that we take care of unemployed workers in this country. We simply cannot keep repeating the past and let down American workers in these vulnerable and uncertain times. After all, Groundhog Day was officially February 2. And like more than 600,000 unemployed New Yorkers, I am ready to put it behind me.

The PRESIDING OFFICER. The Senator from Washington.

Ms. CANTWELL. Mr. President, this next amendment is the Cantwell-Voinovich amendment which will say when it comes to our economy and producing jobs, the priority of the Senate ought to be taking care of those individuals who lost their jobs and lost their benefits.

This amendment is crystal clear. It only applies to people who have lost their benefits and are unemployed as of the enactment of this legislation, which means it only covers people who have lost their jobs and are unemployed. It is about whether we are going to say 1.5 million Americans are more a priority than simply passing this legislation with all the tax credits, all the incentives for various corporations in America, but leaving American workers out in the cold.

Thirteen billion dollars of the unemployment insurance trust fund should be enough security to give back to workers who have paid into this account and through no fault of their own are unemployed. So while this institution today is going to make decisions—

The PRESIDING OFFICER. The Senator's time has expired.

Ms. CANTWELL. I ask unanimous consent for an additional 30 seconds.

The PRESIDING OFFICER. Is there objection?

Mr. NICKLES. I ask unanimous consent that both sides have 1 additional minute.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. CANTWELL. So the question is whether we are going to continue to

make a priority these kinds of tax credits in this legislation and leave the American workers out in the cold. I urge my colleagues, let us do both. Let us help those who have been left behind and continue to try to create a more positive economy.

I urge people to support the Cantwell-Voinovich amendment.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. ENSIGN. How much time is remaining?

The PRESIDING OFFICER. There is 2 minutes.

Mr. ENSIGN. Mr. President, I will take 1 minute and then the Senator from Oklahoma will take 1 minute.

Mr. President, a couple of quick facts. First, when the Democrats were in control in the early 1990s, following the recession, we had this same program. They were in control of the White House, the House and the Senate. The unemployment rate was at 6.6 percent and they voted to stop the program, again, when the unemployment rate was at 6.6 percent. Today the unemployment rate is one point lower at 5.6 percent and, yet, now they want to extend the program. This, at the cost of \$9 billion. If one is a deficit hawk and they are worried about the deficit, they should vote against the Cantwell amendment.

This amendment is also retroactive. In other words, if a person has a job now, qualified for TEUC after it expired, then this would apply to them. They would get a check from the Government for the time after January they were unemployed.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. NICKLES. Mr. President, I urge my colleagues to vote for this budget point of order that I am going to raise because this amendment is retroactive. This amendment costs 67 percent more than the last time. It costs \$9 billion and it is not paid for. I am going to make a pay-go point of order. We did this last week and most of the people who say they support pay-go voted to waive pay-go. We are going to give them another opportunity to sustain pay-go and make sure this amendment does not pass because it would increase the deficit by \$9 billion.

The pending amendment offered by the Senator from Washington, Ms. CANTWELL, increases mandatory spending and if adopted would cause an increase in the deficit in excess of levels permitted in the most recently adopted budget resolution. Therefore, I raise a point of order against the amendment pursuant to section 505 of the H. Con. Res. 95, the concurrent resolution on the budget for fiscal year 2004.

The PRESIDING OFFICER. The Senator from Washington.

Ms. CANTWELL. Mr. President, I move to waive the relevant section of the Budget Act and ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the motion.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. REID. I announce that the Senator from Massachusetts (Mr. KERRY) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 59, nays 40, as follows:

[Rollcall Vote No. 88 Leg.]

#### YEAS—59

Akaka	Dole	McCain
Baucus	Dorgan	Mikulski
Bayh	Durbin	Murkowski
Biden	Edwards	Murray
Bingaman	Feingold	Nelson (FL)
Bond	Feinstein	Nelson (NE)
Boxer	Graham (FL)	Pryor
Breaux	Harkin	Reed
Byrd	Hollings	Reid
Cantwell	Inouye	Rockefeller
Carper	Jeffords	Sarbanes
Chafee	Johnson	Schumer
Clinton	Kennedy	Smith
Collins	Kohl	Snowe
Conrad	Landrieu	Specter
Corzine	Lautenberg	Stabenow
Daschle	Leahy	Talent
Dayton	Levin	Voinovich
DeWine	Lieberman	Wyden
Dodd	Lincoln	

#### NAYS—40

Alexander	Domenici	Lugar
Allard	Ensign	McConnell
Allen	Enzi	Miller
Bennett	Fitzgerald	Nickles
Brownback	Frist	Roberts
Bunning	Graham (SC)	Santorum
Burns	Grassley	Sessions
Campbell	Gregg	Shelby
Chambliss	Hagel	Stevens
Cochran	Hatch	Sununu
Coleman	Hutchison	Thomas
Cornyn	Inhofe	Warner
Craig	Kyl	
Crapo	Lott	

#### NOT VOTING—1

Kerry

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

On this vote, the yeas are 59, the nays are 40. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected. The point of order is sustained, and the amendment falls.

Mr. REID. I move to reconsider the vote.

Mr. President, I ask unanimous consent that the following two amendments be in order subject to the following time limit beginning at 2:15; that the time be equally divided and controlled in the usual form: Senator MCCAIN for 60 minutes, and Senator HOLLINGS for 80 minutes. This has been cleared by both managers. I also ask unanimous consent that no other amendments be in order prior to the vote.

I don't have the number of the amendments, but they have been filed.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

#### RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until the hour of 2:15 p.m.

Thereupon, the Senate, at 12:59 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. VOINOVICH).

#### JUMPSTART OUR BUSINESS STRENGTH (JOBS) ACT—Continued

The PRESIDING OFFICER. The Senator from Arizona.

AMENDMENT NO. 3129

Mr. MCCAIN. I have an amendment at the desk, and I ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Arizona [Mr. MCCAIN], for himself, Mr. GREGG, Mr. SUNUNU, and Mr. GRAHAM of Florida, proposes an amendment numbered 3129.

The amendment is as follows:

(Purpose: To strike provisions relating to energy tax incentives)

Strike title VIII.

Mr. MCCAIN. Mr. President, the amendment is rather straightforward. It strikes the energy tax provisions in this bill which are estimated to cost nearly \$18 billion. I read from an April 19 article from the Washington Post:

Congress's task seemed simple enough: Repeal an illegal \$5 billion-a-year export subsidy and replace it with some modest tax breaks to ease the pain on United States exporters.

This article is entitled "Special-Interest Add-Ons Weigh Down Tax-Cut Bill."

But out of that imperative has emerged one of the most complex, special-interest-riddled corporate tax bills in years, lawmakers, Senate aides and lobbyists say. The 930-page epic is packed with \$170 billion in tax cuts aimed at cruise-ship operators, NASCAR track owners, bow-and-arrow makers, and Oldsmobile dealers, to name a few. There is even a \$94 million break for a single hotel in Sioux City, Iowa. Even one of the tax lobbyists involved in drafting it conceded the bill "has risen to a new level of sleaze."

I agree with that lobbyist. This has risen to a new level of sleaze.

The lobbyist goes on to say:

"I said a few months ago, any lobbyist worth his salt has something in this bill," said the lobbyist, who would only speak on condition of anonymity. "Now you see what I'm talking about."

The Wall Street Journal, Wednesday, May 5, in an article entitled "Export Tax Follies:"

But instead of solving the problem, congressmen are engaging in one of their epic tax-bidding wars . . . including a \$482 million sop to the insurance company, \$189 million in "transitional assistance" for Oldsmobile dealers, and an \$8 million tax break for makers of children's bow and arrows.

Not only that . . . \$15 billion in energy tax breaks were thrown in as an added sweetener. The Senate couldn't pass the energy bill as a stand alone measure, so he's looking

for any shipwrecks that will sail this year. The measure includes an overhaul of tax treatment for ethanol and subsidies for "clean" fuels. . . .

Mr. President, there is an abundance of media coverage of this legislation. It reaches, as the lobbyist said, in my view, a new level of sleaze.

We have to consider what we are doing. We had a \$170 billion tax break, which really is \$170 billion that will not go into the U.S. Treasury. So Alan Greenspan, last week, says the greatest threat to our Nation's economy is the deficit, and that a free lunch you don't have to pay for hasn't been invented yet. Yet here we are with \$170 billion worth of tax breaks, tacking on to it \$18 billion in tax breaks on an energy bill that this body could not pass.

It is remarkable, with a half trillion deficit, and we are enacting new tax credits, for—guess who—the oil and gas industry in America which, the last time I checked, is doing pretty well.

The majority of my colleagues on this side of the aisle just voted against an extension of the unemployment benefits for Americans who remain unemployed and haven't profited by this re-emerging and strengthening economy. My God, we won't give them an extension of their unemployment benefits. But if the ethanol people of Archer Daniels Midland need it, by God, we will give it to them. Mr. President, \$170 billion in tax credits but no extension of unemployment benefits for people who have been out of work, it is a remarkable commentary.

Out of all the provisions that have been added to this bill since it was first brought to the floor of the Senate on March 3, I find the energy tax title the most egregious. That is why I am offering this amendment to strike it. What do these provisions have to do with the underlying bill? Nothing. What do they have to do with ensuring that tariffs that have been placed on our Nation's manufacturers since March 1 are lifted? The answer is nothing.

I understand how sweet this is—how sweet this is—for these lobbyists who are doing so well here in Washington. But if the Senate is to consider an energy tax incentive bill or an energy authorizing bill, we should be following regular order, bringing legislation to the Senate floor, and debating it in its own right. Instead, a 319-page energy tax title was incorporated without a vote.

The proponents of this bill contend it is "revenue neutral" and that all the tax cuts in the bill are paid for with offsets. How many times have we played that game? How many times have we used the same old offsets on the same old bills, and somehow, with all these offsets, we now have a half-trillion-dollar deficit? It is hard to imagine. For example, 66 provisions of offsets are identical to provisions that were included in the highway bill. So we are using the same offsets for the highway bill, the same offsets for the energy bill. And as some more pork