

fact, recess is a critical time for citizen legislators like ourselves. Recess is an opportunity for many of us to go home and live for a little while under the laws that we have passed. We talk with our neighbors. We visit local restaurants, grocery stores, and spend a lot of time with constituents all across our states. We hear what the people think about our work. I must say that while I was in Idaho over the Easter recess, the feedback I got on spending by this Congress was not good.

We have before us another emergency supplemental funding bill. The chairman of the Senate Budget Committee has called these emergency funding bills "shadow budgets." I agree with his view. We are simply funding outside of the regular budget process the known costs of our war on terror. That has to end. In the case of hurricane relief, I understand the need to provide emergency funding as quickly as possible, and I know we cannot always budget exactly for an emergency. However, I am increasingly frustrated with this Congress's refusal to make any adjustments to other spending priorities to account for the need to rebuild the gulf coast. We are now into our fourth emergency supplemental in less than a year for the rebuilding efforts along the gulf coast. It is time that we start paying for some of this spending.

Before I left for the recess, I voted in favor of the emergency supplemental appropriations bill that was before the Appropriations Committee. I cast a "yes" vote with some hesitation, in light of the concerns I have just mentioned. The bill I voted for would have provided \$96 billion in emergency spending, mainly for our efforts in the war on terror in Afghanistan and Iraq and the continued reconstruction of the badly damaged gulf coast region.

The President submitted a request to Congress for \$92.2 billion. Yet I was voting to add \$4 billion to the amount requested by the President. But I voted yes because I recognize that not all wisdom is found at the other end of Pennsylvania Avenue. Congress has a responsibility to scrutinize and improve upon the administration's request. And we certainly have the right and the responsibility to add or subtract from that request based on needs that we identify. I believe the bill I voted for in committee did just that.

Chairman COCHRAN and Senator BYRD held hearings on the administration's request. They identified shortcomings and they changed the bill to address those needs. So I supported \$96 billion as the level of funding needed to address urgent needs across this country related to our war on terror and our disaster recovery efforts.

Unfortunately, a series of amendments adopted by voice vote by the committee after I left have pushed the cost of the legislation now before us to over \$106 billion. That is \$14 billion above what the administration requested and \$10 billion above what Chairman COCHRAN and ranking member BYRD recommended to all of us.

Every Member of this institution has to draw the line and decide how much is too much. In my mind, and in the minds of many Idahoans, this level of funding is simply too high.

In fact, last week I joined with 34 of my Senate colleagues in sending a letter to President Bush saying we will vote to support his veto if the price tag of this bill does not come down. Enough is enough, and I am proud to stand with my colleagues and say so.

The people of Idaho are honest, hard-working Americans who will continue to staunchly support our military and compassionately lend a helping hand to our fellow citizens on the gulf coast. That message has been loud and clear to me over this and other congressional recesses. However, when Congress tries to take advantage of their patriotism and generosity, the people of Idaho deserve to know that their Senator will stand up and say no. I believe that this bill is irresponsible, and that is why I am standing up and saying no.

I want to be clear so that all of my colleagues and my constituents understand my position and why I am voicing my frustration with this bill. My frustration is not about supporting our military. I support our military and I am committed to providing them with the tools they need. My frustration is not about supporting recovery efforts in the gulf coast. I am committed to helping the people in that region rebuild and move on with their lives. My frustration is with the Senate spending billions upon billions of dollars in such an irresponsible manner. The people of Idaho have charged me with being a good steward of their taxpayer dollars, and they expect me to work hard and make sure those dollars are being spent wisely. This bill does not do that. We can meet the needs of our military, the gulf coast, and other national priorities in a fiscally responsible manner. We have to be willing to make tough decisions and tighten our belts. Together, we can get spending under control and regain the confidence of the American taxpayers.

Mr. President, I also wish to talk a little bit about the budget as it relates to where we are on the supplemental, along with this important issue of energy because, when I was home over the recess, as most of us were, the public was talking about a lot of issues. They were talking about energy, although it hadn't spiked the way it is spiking now. But they were also talking about deficits and responsible spending on the part of Government and making sure we do it right. And it is tremendously important that we do.

The supplemental is too big at this moment. The President has sent us a message, as he should have—and I support that message—that we have emergencies, and we ought to address emergencies. But we ought not put on emergency budgets those kinds of expenditures that could well be utilized and brought into the appropriate budget. I have said to our chairman—and I re-

spect his work, and I am on the Appropriations Committee—that we have to bring this supplemental down a bit and get our deficits under control. We have a war, we have Katrina, we have a national disaster beyond anything we have ever faced.

Americans understand belt-tightening. They also understand sharing. This is about belt-tightening; it is about sharing. It is not about funding every idea that comes along, as worthy as it might be, against making sure that we get Louisiana and we get Mississippi responsibly financed in a redeveloping, restructuring mode—not excessively—and that we make sure our men and women in Iraq are appropriately funded. Those are the critical issues.

My time is limited, but I have said to our chairman and I say it again: It is important we understand that the \$92 billion to \$96 billion range is where we have to get this supplemental, and I am going to work hard with the chairman to do it, to do it appropriately, to be selective in that which we fund but to be responsible in that which we send to the President in our work with the House to assure that we have the emergencies funded.

Supplemental emergency funding ought not be a shadow budget. Here we are now in our fourth emergency supplemental within a budget cycle. I don't think our budget system works very well if we can't do better than that and argue that everything is an emergency and, therefore, somehow it doesn't fit under the caps. That is not the way our public and our taxpayers who finance this big government of ours want us to operate. Somehow we have to get that under control.

The PRESIDENT pro tempore. The Senator from Michigan is recognized.

#### ENERGY

Ms. STABENOW. Mr. President, today as I stand here, back in Michigan the gas prices have risen to \$3.10 a gallon. At \$3.10 a gallon, that is the highest price at the pump that folks are paying than ever before as they get up to go to work, take the kids to school, as our farmers are preparing the fields, and as our business people are on the road. Folks are feeling the squeeze—one more squeeze.

We already have in Michigan a situation where we are seeing job loss or wages being reduced, health care costs going up, pensions that may not be there for people; things that are squeezing people on all sides—the higher cost of college. Part of that is due to actions taken in the Congress and at the White House. To add insult to injury, we are seeing now over \$3 a gallon for gasoline, and I know in other States we have seen as much as \$4 for folks who are just trying to make it, just trying to get to work, just trying to take care of their families.

When they look at this picture, they see several things. They see the highest

possible profits ever recorded in the history of the country by our oil companies, particularly ExxonMobile, which recorded the highest profits ever. They see incredible salaries. They see the former CEO of ExxonMobile making about \$110,000 a day, when most Michiganders don't make \$110,000 a year. And now we were told about a \$400 million retirement package, and we hear when you count everything, it could be \$700 million. Unbelievable. People have had enough. People have had enough of a set of policies that are squeezing them on all sides.

Then, today, we read that the conference committee is dealing with a series of tax cuts and tax proposals and have decided to delay repealing accounting procedures known as "last and first out" that were included in the bill that we passed, including loopholes that we closed for oil companies that would equal about \$4.3 billion in tax breaks that we said didn't make sense and we need to close them. Instead, those tax breaks are going to keep rolling on. I know there are going to be hearings in the Finance Committee. But the reality is that when the priorities are set, when the values are reflected about what will be done, the oil companies' tax breaks continue. High prices continue. These outrageous CEO salaries continue. The people in Michigan have said: Enough is enough.

On top of that, we see foreign tax credit loopholes that may be continued so that we as taxpayers will subsidize the oil companies doing business in other countries. We see royalty relief that Senator WYDEN spoke about last week which comes to the tune of anywhere from \$20 billion to \$80 billion in tax breaks to the oil companies that they said they didn't even need anymore. Yet this royalty relief and the tax breaks continue. We see the Energy bill that was passed last August and had a lot of positive things in it, that I supported, but in that were \$2.6 billion in tax subsidies by American taxpayers for the oil companies, and that continues.

In total, we are looking at somewhere between \$28 billion and \$88 billion in taxpayer dollars being used to subsidize an industry with the highest profits and arguably the highest salaries, or certainly some of the highest salaries in the world. At the same time, folks are trying to make it every day.

I believe, and my colleagues on the Democratic side of the aisle believe, that we need to shut down those tax breaks to oil companies and put money directly back into the pockets of taxpayers. We also believe and, in fact, I was proud to lead an effort that resulted in a required investigation by the Federal Trade Commission. I was proud to author that in the Energy bill last August and they are finally doing it and they will have an investigation done and recommendations by May 21. They are doing a law enforcement investigation.

I call on the President and all of our colleagues to do everything possible to support the FTC to get the right conclusion. We know price gouging is going on. It is not rocket science. People see what is going on. We don't need to call for an investigation. We already have one going on. Let's make sure they have the tools and the resources and the support to do what is right for the American consumer.

Americans are subsidizing one of the wealthiest industries in the country and in the world, with the highest CEO salaries, at the same time they are trying to figure out how to get 2 or 3 gallons in the tank of their car so they can get to work. This is the wrong set of values. These are the wrong priorities for our country.

I say, along with many others, enough is enough. We know we have long-term issues to address, and we have worked together in the Energy bill on new support and tax incentives for renewable fuels. We are seeing in Michigan the outgrowth of that: five new ethanol plants by the end of the year, biodiesel plants, and we are seeing wonderful efforts going on with our American auto companies. I am very proud of what General Motors is doing with E-85 ethanol and Ford moving ahead with their hybrids and Daimler Chrysler with biodiesel B-20 and all of the efforts that are moving forward to get us off of foreign oil dependence. And I am hopeful that all of those policies together will result not only in more jobs in my State, because I believe Michigan will be the leader in this area, but more support for our farmers, better policies for our environment, and the opportunity to give big oil the competition they ought to be having, which is by using home-grown fuels.

I believe our goal ought to be to make sure the people of this country have the opportunity to buy their fuel from Middle America instead of the Middle East. I am committed to that, as many of my colleagues are, and I believe we need to get about the business of getting that done. In the process, we ought to close some tax loopholes with the oil companies. We ought to go back on this tax bill and get it right and worry more about putting money back in the pockets of the folks who are paying the bill at the gas pump. Folks have said enough is enough, and I agree with them.

Mr. President, I yield the floor.

Mr. DURBIN. Mr. President, how much time is remaining on the Democratic side in morning business?

The PRESIDENT pro tempore. There is 7 minutes remaining.

Mr. DURBIN. Mr. President, I thank my colleague from the State of Michigan because she has been a leader when it comes to the issue of helping consumers across America. Many people say it is morning in America, but not if you stop at a gas station. It feels like it is the dead of night, and it is getting pretty cold and windy outside.

What the Senator from Michigan has said is that instead of this meaningless \$100 which has been suggested on the other side of the aisle and which has become something of a joke, she suggested a significant amount: \$500. Clearly, that is not going to make up for all of the added expenses of gasoline for people across America, but Senator STABENOW has been a leader in suggesting that the oil companies should give up their subsidies and tax breaks, which they continue to beg for with record profits, and instead we should take that money and give it back to the consumers. It is a rebate that would go not to the Treasury that would be lost in the sauce but would go back directly to families and consumers across America. I thank the Senator from Michigan for her leadership.

A little later this morning, many of us are going to have a gathering with farm groups across America. It is often overlooked. I know the Senator from Michigan has mentioned it about her State, but our farmers are facing a tremendous hardship because of the increased cost of energy, not just diesel fuel but also the gasoline they need for the work of the farm, and added costs, as well, for items like fertilizers and pesticides. We estimate that over the last 5 years, Illinois farmers on an average are going to pay an additional \$24,000 because of these additional energy costs, the natural gas component of fertilizers, as well as the fuel to use in their tractors and in their vehicles. That \$24,000 right off the bottom line for farmers can be the breaking point for some, and many may not survive. That is why this debate is important and why it is timely and why we should not waste any time addressing it.

I am afraid we have reached the point where we have to acknowledge the obvious. The shortest attention span in America is right here in this Chamber because Senators have an attention span that lasts as long as the headlines last and as long as the phones are ringing and the e-mails are coming in. When that diminishes, we tend to move to the next issue, whatever that might be, even if we have not addressed or resolved the issue before us.

I think my friends and colleagues in the Senate will look at the energy issue and dismiss it at their peril. What we find is, as we ask Americans across the board what causes you the greatest concern—this is a poll which came out just a few days ago from NBC and the Wall Street Journal—how about leaking classified information by the Bush administration? Eighteen percent of Americans say it causes them concern. How about Iraq? Twenty-three percent. How about the issue of immigration? Twenty-six percent. How about Iran building a nuclear weapon? Thirty-three percent. How about gas prices reaching \$3 a gallon? Forty-five percent of Americans say that causes them concern.

We ignore this political and economic reality at our peril. It is not

enough for us to give speeches on the floor and do nothing, and this week we will do nothing when it comes to the energy issue. There are things we must do. First, we have to acknowledge that what we have done has not worked. It has failed. The energy plan that was endorsed by the Republican majority and signed by the President last August has failed. It has failed and obviously so.

During the heating season this last winter, we saw dramatic runups in the cost of home heating, whether it was fuel oil in the Northeast or natural gas in the Midwest. Then, of course, came the sticker shock at the gas pump every single day, now up to \$3-plus a gallon in my part of the world, in the Midwest and Illinois, and \$4 a gallon or more in California or other places. To think that we passed an energy bill 8 months ago and patted ourselves on the back about what a great job we did, now look at the reality. The reality is it failed. It failed.

We need a new direction. We need a significant change in direction. The energy policy of the Bush administration has failed America. The cost of energy is too high. We are importing too much. We are being pushed around by these little tinhorn dictators who happen to have oil reserves and now want to dictate foreign policy to the world. Why would the United States ever tolerate this situation?

What we need to do is to be very forceful. First, let's start at home. Let's acknowledge the fact that, even though there are clearly elements that gave rise to the increase in the cost of energy, there is profiteering taking place, and it is obvious. The big five had over \$110 billion in profits last year, \$1,000 for every household in America in oil company profits; \$1,000. When this administration talked about cutting your taxes, there has been another invasion of home budgets, and it isn't the tax man, it is the oil man. It is the oil man who is taking money out of every family's budget, almost \$100 a month for additional energy costs, so they can have recordbreaking profits, so their shareholders can applaud, and so Mr. Lee Raymond, the former CEO of ExxonMobil, as a parting gift for his wonderful work at ExxonMobil, can get \$400 million. As I said before, he didn't even have to buy a Powerball ticket—\$400 million. Sayonara, farewell, Mr. Raymond, thank you for your great service—\$400 million at the expense of the American economy and American consumers. The oil companies don't get it. They don't understand what they are doing to America.

The other day, George Will, who is on one of the talk shows, chided me for saying that what is happening with energy costs is going to put a chill on the American economy. I will stand by that statement. It is true we have not seen it immediately. We will. You just can't increase the input cost in business or farming as dramatically as these energy runups are doing without

hurting the bottom line, forcing farmers out of business, forcing businesses to lay off employees. Of course, those businesses depending on energy couldn't even dream of expanding at this point because they have to find a way to deal and cope with this reality.

What do we need to do? We need to punish the profiteers. We need to say to these oil companies: This is intolerable.

It is time for the President of the United States to call the oil company executives into the Oval Office, to sit down and in very quiet and reasoned tones tell them enough is enough. You cannot continue to profiteer at the expense of workers and businesses and farmers across America.

The PRESIDING OFFICER (Mr. VITTER). The time of the Senator has expired.

Mr. DURBIN. Mr. President, I yield the floor.

#### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is now closed.

#### MAKING EMERGENCY SUPPLEMENTAL APPROPRIATIONS FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2006

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of H.R. 4939, which the clerk will report.

The legislative clerk read as follows:

A bill (H.R. 4939) making emergency supplemental appropriations for the fiscal year ending September 30, 2006, and for other purposes.

Pending:

McCain/Ensign amendment No. 3616, to strike a provision that provides \$74.5 million to States based on their production of certain types of crops, livestock, and/or dairy products, which was not included in the administration's emergency supplemental request.

McCain/Ensign amendment No. 3617, to strike a provision providing \$6 million to sugarcane growers in Hawaii, which was not included in the administration's emergency supplemental request.

McCain/Ensign amendment No. 3618, to strike \$15 million for a seafood promotion strategy that was not included in the administration's emergency supplemental request.

McCain/Ensign amendment No. 3619, to strike the limitation on the use of funds for the issuance or implementation of certain rulemaking decisions related to the interpretation of "actual control" of airlines.

Warner amendment No. 3620, to repeal the requirement for 12 operational aircraft carriers within the Navy.

Coburn amendment No. 3641 (divisions IV through XIX), of a perfecting nature.

Vitter amendment No. 3627, to designate the areas affected by Hurricane Katrina or Hurricane Rita as HUBZones and to waive the Small Business Competitive Demonstration Program Act of 1988 for the areas affected by Hurricane Katrina or Hurricane Rita.

Vitter/Landrieu modified amendment No. 3626, to increase the limits on community disaster loans.

Vitter modified amendment No. 3628, to base the allocation of hurricane disaster relief and recovery funds to States on need and physical damages.

Wyden amendment No. 3665, to prohibit the use of funds to provide royalty relief for the production of oil and natural gas.

Santorum modified amendment No. 3640, to increase by \$12,500,000 the amount appropriated for the Broadcasting Board of Governors, to increase by \$12,500,000 the amount appropriated for the Department of State for the Democracy Fund, to provide that such funds shall be made available for democracy programs and activities in Iran, and to provide an offset.

Salazar/Baucus amendment No. 3645, to provide funding for critical hazardous fuels and forest health projects to reduce the risk of catastrophic fires and mitigate the effects of widespread insect infestations.

Vitter amendment No. 3668, to provide for the treatment of a certain Corps of Engineers project.

Burr amendment No. 3713, to allocate funds to the Smithsonian Institution for research on avian influenza.

Coburn (for Obama/Coburn) amendment No. 3693, to reduce wasteful spending by limiting to the reasonable industry standard the spending for administrative overhead allowable under Federal contracts and subcontracts.

Coburn (for Obama/Coburn) amendment No. 3694, to improve accountability for competitive contracting in hurricane recovery by requiring the Director of the Office of Management and Budget to approve contracts awarded without competitive procedures.

Coburn (for Obama/Coburn) amendment No. 3695, to improve financial transparency in hurricane recovery by requiring the Director of the Office of Management and Budget to make information about Federal contracts publicly available.

Coburn (for Obama/Coburn) amendment No. 3697, to improve transparency and accountability by establishing a Chief Financial Officer to oversee hurricane relief and recovery efforts.

Menendez amendment No. 3675, to provide additional appropriations for research, development, acquisition, and operations by the Domestic Nuclear Detection Office for the purchase of container inspection equipment for developing countries, for the implementation of the Transportation Worker Identification Credential Program, and for the training of Customs and Border Protection officials on the use of new technologies.

Murray (for Harkin) amendment No. 3714, to increase by \$8,500,000 the amount appropriated for Economic Support Fund assistance, to provide that such funds shall be made available to the United States Institute of Peace for programs in Iraq and Afghanistan, and to provide an offset.

Conrad/Clinton amendment No. 3715, to offset the costs of defense spending in the supplemental appropriation.

Levin amendment No. 3710, to require reports on policy and political developments in Iraq.

Schumer/Reid amendment No. 3723, to appropriate funds to address price gouging and market manipulation and to provide for a report on oil industry mergers.

Schumer amendment No. 3724, to improve maritime container security.

Murray (for Kennedy) amendment No. 3716, to provide funds to promote democracy in Iraq.

Murray (for Kennedy) modified amendment No. 3688, to provide funding to compensate individuals harmed by pandemic influenza vaccine.

Cornyn amendment No. 3722, to provide for immigration injunction reform.