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## Senate

The Senate met at 10 a.m. and was called to order by the Honorable ROBERT P. CASEY, Jr., a Senator from the Commonwealth of Pennsylvania.

### PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal God, Lord in all seasons and for all reasons, help us to live lives that give You glory. Give us strength to do our duty, to stand for right and to give thanks at the remembrance of Your holiness. Help us to seek to serve rather than to be served and to treat others as we desire them to treat us.

Give wisdom and discernment to our Senators. Help them to find ways to lift people from vicious cycles of poverty, discovering the correct balance between personal responsibility and governmental intervention. And Lord, we pray today for our troops in harm's way and we pray this prayer in Your strong Name.

Amen.

### PLEDGE OF ALLEGIANCE

The Honorable ROBERT P. CASEY, Jr., led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate.

The bill clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, April 29, 2008.

To the Senate:

Under the provisions of rule 1, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable ROBERT P. CASEY, Jr., a Senator from the Commonwealth of Pennsylvania, to perform the duties of the Chair.

ROBERT C. BYRD,  
*President pro tempore.*

Mr. CASEY of Pennsylvania thereupon assumed the chair as Acting President pro tempore.

### RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

### SCHEDULE

Mr. REID. Mr. President, following my remarks and those of Senator MCCONNELL, if he decides to make some remarks today, we will proceed to a period of morning business, with Senators allowed to speak for up to 10 minutes each.

### ORDER OF PROCEDURE

I ask unanimous consent the morning business hour be extended to 12:30 today, with the time to be equally divided.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. REID. Mr. President, if I could say to the Chair through my distinguished friend, I asked consent that we be in morning business until 12:30 to complete our conversations with our caucuses because of the bill that is coming up.

Mr. President, I ask you approve that consent request.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. REID. Following morning business, the Senate will resume consideration of the motion to proceed to H.R. 2881, the Federal Aviation Administration Reauthorization.

As a reminder, at 11 a.m. tomorrow, there will be a joint meeting of the Congress in the Hall of the House of Representatives with the Prime Minister of Ireland, Bertie Ahern.

### FAA REAUTHORIZATION

Mr. REID. Mr. President, the bill we hope to start legislating on after the caucuses today is an important piece of legislation, FAA reauthorization.

Last Thursday, I met in my office with representatives of various unions that deal with the airline industry—flight attendants, mechanics, and air traffic controllers. They had some opinions as to what was going on. An hour or two later, I met with the chief executive officers of the major airlines in our country today. They were terribly concerned about what goes on. The fuel costs for these airlines is now approaching 50 percent of their overall cost. I may be a few cents wrong in my illustration, but they said: We can't compete. We pay \$1.20 for a gallon of aviation fuel. In Europe they pay 70 cents. You cannot compete because the dollar has become so low in value around the world.

This is an extremely important bill. If there were ever a time we had to work in a bipartisan basis in order to approve legislation necessary to give the airline industry a chance to survive, then we must do it on this piece of legislation.

I will work with my Republican counterpart to see if we can see a way of each side offering amendments. I do not want to have to fill the so-called legislative tree. We have to be very careful. This is a tax bill. So I will have a conversation with my colleague this morning before our caucus to see if we can come up with a way to proceed on this legislation. It is very important legislation.

We have so many other things to do. We have the farm bill that is completed, basically, I understand. We are going to have to go to that soon because it expires the end of this week. We have the Consumer Products Safety Conference. That should be completed hopefully by the end of next week. We have the budget, our budget that we have to complete. Fortunately, on

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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that, we have a statutory time to work toward its conclusion.

Whether we want it, there is going to have to be a discussion about fuel prices, what is going on. That is the No. 1 issue facing America today. It is more important now than the housing market, which is so in a state of distress.

So we have much to do in the next few weeks, not the least of which—the House is going to pass, next week, the supplemental appropriations bill dealing with the funding of the wars in Iraq and Afghanistan. It is no easy venture to complete that because, as you know, there are certain things the President wants to have on that bill that he has told us, in addition to the funding for the wars.

We have had a lot of opportunity in recent months to point fingers at each other. Hopefully, the next 4 weeks, until the Memorial Day recess, we can start pointing fingers to a way to complete some of this legislation because it is extremely important we do that. For example, we had to file cloture on this bill. I told my leadership team I met with this morning, we cannot blame that one on the Republicans because the fact is the substitute coming from the Finance Committee and the Commerce Committee had not been completed until 10 o'clock last night. So realistically we couldn't expect Republicans to start legislating on that before they had the piece of legislation themselves. But they have had it now since last night. I hope, after we have had our caucuses, we can proceed toward completing this legislation in some reasonable manner.

#### MEASURE PLACED ON THE CALENDAR—H.R. 5715

Mr. REID. Finally, it is my understanding that H.R. 5715 is at the desk and is due for a second reading.

The ACTING PRESIDENT pro tempore. The clerk will read the bill by title for the second time.

The bill clerk read as follows:

A bill (H.R. 5715) to ensure continued availability of access to the Federal student loan program for students and families.

Mr. REID. Mr. President, I object to any further proceedings at this time.

The ACTING PRESIDENT pro tempore. Objection is heard. The bill will be placed on the calendar.

#### RECOGNITION OF THE REPUBLICAN LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

#### GAS PRICES

Mr. MCCONNELL. Mr. President, as we all know, the Senate voted unanimously last night to proceed to the FAA bill, despite the fact, as the majority leader indicated, at the time we voted, we had not yet received the Senate substitute. We did have a chance to

receive it overnight and will now review it before proceeding. We can talk again after the respective policy lunches, at midday today, about that. It is my expectation when we do get on the bill that we, indeed, allow amendments. The majority leader has indicated that is his intention. Many on our side would like to offer amendments and there will be debate on this bill.

I would also like to point out that while the FAA is an important agency, the No. 1 issue for Americans right now, and their greater concern, is the price of gas at the pump. The price of gasoline has jumped by more than \$1.25 a gallon since the beginning of the current Congress. The cost of oil has nearly tripled to \$120 a barrel now. According to the AAA, the average price of a gallon of gas in Kentucky is \$3.58, the highest ever. I was happy to read the majority has tasked their chairman to come up with ideas to work on this issue, but I fear the answer that comes back will be the same two-word prescription that has been offered in the past—higher taxes.

But higher taxes will only raise the price at the pump, not lower it. So while we move forward on the FAA bill, the Senate should not forget what Americans are most concerned about, the dramatic increase in pain at the pump over the last year. We should be able to stipulate at the outset that raising taxes as a way of addressing the problem is not even worth serious consideration.

I yield the floor.

#### RESERVATION OF LEADER TIME

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

#### MORNING BUSINESS

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

The assistant majority leader is recognized.

Mr. DURBIN. Mr. President, I ask unanimous consent to speak in morning business.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### GAS PRICES

Mr. DURBIN. Mr. President, it is interesting, the issues that touch the lives of people to the point where they bring them up to a Senator or Congressman. There is an issue now which, whether you live in Pennsylvania or Il-

linois, you are going to hear about—whether you are going to shop in a grocery store in Springfield, as I did over the weekend, or back home in church—and it is gas prices. It is understandable because this is an economic issue which hits you right between the eyes every time you drive down the street and hits you right in the pocketbook when you go to pay for gasoline. You know what is happening with the price of that commodity. You also know when something is obviously very wrong.

In my State, the average consumer is paying a record \$3.71 a gallon for gasoline. There are many States paying more. Diesel fuels are even worse. The Illinois average now is \$4.30 a gallon, but in some parts of America, diesel fuel costs as much as \$5 a gallon.

Think about the trucker. Many of them have to live on a very slight margin, filling up the tank of that truck they are taking down the highway and putting out over \$900, sometimes \$1,000, to do it. For many of them, it means work extra hours, extra days, an extra week, to try to make enough to get by.

Fuel costs are approximately 2½ times what they were when President Bush took office in 2001. What a legacy this President will leave, when you take a look at energy in America today. We elect Presidents to look to the future to plan and guide America. In this situation, this administration, which was born in the oil patch, with both President Bush and Vice President CHENEY having their early roots in the business of oil companies—this administration has stood by on the sidelines and watched the cost of energy rise to record levels in America, creating hardship not just for families and individuals but small businesses as well as trucking firms—not to mention airlines, which I will mention in more detail in a moment.

When you take a look at the opportunity for economic growth in America, it is tied tightly to the cost of energy. This President has failed, in 7 years, to have an energy policy that had any vision. It was predictable that demand would increase for petroleum and crude oil in countries such as China and India; that limited resources around the world would be taxed as these economies grew, as their demand for oil grew, and as we had to compete for that oil with those other countries such as China and India. The law of supply and demand suggests that competition is going to raise the price of crude, and it has risen dramatically.

Many people say: Well, I suppose, because it has now reached \$120 a barrel—as it did last week—that explains the gasoline prices I am paying, the diesel prices, and jet fuel prices. In fact, it does not. It is an oversimplification to say that is the reason. Because between the crude oil and the product you buy is a refinery, an oil company that takes the crude and converts it into the product we purchase. The difference in cost between the original