

Clinton vetoed it, today a million barrels a day would be flowing into the stream of production and would help with this supply problem we have today.

There may be other safe ways. A year or so ago, we made a deal. The deal was that we would drill safely in areas well away from the Florida coast in the Gulf of Mexico—8 million acres for new drilling that are also available and will produce oil and gas.

These are helpful steps, but they are not enough. We have to conserve. We have to find ways to encourage Americans to conserve at the pump, to save by carpooling, to save by finding a way of buying more energy-efficient vehicles.

We as a government should be helping American consumers through our tax system to find a way they can purchase vehicles that are more energy efficient. We know that a hybrid vehicle will get 35 to 38 miles to the gallon. We know that a standard vehicle of similar size would be lucky if it gets 17 or 18 miles to the gallon.

At the end of the day, it is a combination of strategies. The bottom line is, we have to have a multifaceted strategy. We have to work together, not suggesting that there is one party that has a secret plan that, in fact, doesn't exist. We have to find a commonsense way to work together, Democrats and Republicans, to increase production modestly and safely, to encourage conservation and new technologies, and to continue to boldly move forward toward a Manhattan-type project that is going to put all of the resources and energies of this country toward energy independence and energy security so we can discontinue this horrendous practice of wealth transfer that is taking place today between our country—the billions and billions of dollars we are transferring to some of the worst enemies of our country, people such as Hugo Chavez and Ahmadinejad.

The day is coming when we have to find a way to pull together toward a common goal of having a sensible, balanced energy policy, increase production safely, conserve more, and new technology. All working together, we can do this. America can meet this challenge.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Ohio is recognized.

Mr. BROWN. Madam President, I can't quite believe what I just heard. Because Democrats in 2006 said we need a different energy policy than the White House, a President and Vice President who both come out of the oil industry, both top energy executives, where much of the funding for the President's party comes from the oil industry, and in 2006, the Democrats said the Congress betrayed the American people because they let the oil industry write the energy bill, now my friend from Florida is saying it is the Democrats' fault that gas prices are through the roof.

One of the best friends of the President was the CEO of Enron, a major funder to the President, close friend of the President who had a personal nickname, and Enron had gamed the system through speculating and speculating. It cost consumers, especially on the west coast, hundreds of millions, even billions of dollars as people raked off profits from their speculating. We are seeing the same kinds of things. I don't know if they are the President's friends doing it anymore, but I know there are people who have gamed the system. That is the reason, with no major international incident in the last 2 years, no major outage of a refinery or fire of a refinery or pipeline disruption, that prices have spiked so much.

It is clear that a Justice Department working for the President of the United States, that is not beholden to the oil industry, might actually take some action on price fixing and recommend an excess profits tax—all the kinds of things we could be doing in this body and that the executive could do. But in this body, we have seen filibusters.

Every time we try to do something on oil prices, every time we try to do something on long-term alternative energy, the Republicans filibuster. They have filibustered more than 60 times. It is approaching 70. I am not sure of the number; it is hard to keep up. They have filibustered more times already in this congressional session than they did in any 2-year session in history by a lot, and they are continuing to do it.

We would love to sit down with my friend on the other side of the aisle and work on real energy legislation and wean this body and wean the White House from their addiction to oil company campaign dollars, and help wean the American people from our addiction to foreign oil. We would love to work on that.

I introduced legislation yesterday that will help to jump-start the green energy industry in this country. It is clear we need to do a lot of that. But the American public is tired of finger pointing. It is time this Congress did more on energy, and that the Republicans, instead of filibustering—there are 51 Democrats in this body; we need 60 votes to do anything because of the filibuster—instead of the Republicans holding together and blocking things, instead of filibustering, let us work together on energy issues and not have the oil companies dictate to this body, as they did for year after year after year.

When I was in the House of Representatives, the oil companies dictated to the House of Representatives leadership, and everybody in those days in the majority party—which was the Republicans then—went along with their leaders on writing an energy bill that had \$18 billion of subsidies and giveaways and tax breaks to the oil industry. Yet they are the most profitable industry in America year after year after year.

Something gives there. It is time for something very different. I want to work together. The finger pointing should end. Let's sit down and do this right, but don't block us to do things that will help stabilize gas prices now and help to bring them down over the short and medium term and long term to come up with a real energy policy so we are not relying on—as my friend Senator MARTINEZ said—not relying on Venezuela and Saudi Arabia and countries that are not so friendly to us.

SMALL BUSINESS EMPOWERMENT ACT

Mr. BROWN. Madam President, earlier this week, I spoke on the Senate floor about Cover the Uninsured Week and a bill I was introducing that would increase access to health coverage for small businesses and self-employed individuals—a group we all too often forget about around here. Today I am formally introducing the Small Business Empowerment Act. I wish to discuss this bill in a bit more depth.

First, why is it necessary?

It is necessary because 82 percent—82 percent—of the uninsured work for a living. They have jobs. The overwhelming majority work in small companies—companies with 2 people, 5 people, 20 people—or they are self-employed.

In Ohio, my State—whether you are in Steubenville or Lima, whether you are in Kent or Chillicothe—99 percent of firms with more than 50 workers sponsor health insurance. So if you are at a relatively midsized or larger company, you have 50 or more workers, 99 percent of those firms offer some kind of fairly decent insurance for their employees. That is for companies above 50 employees.

For companies under 50 employees, only 44 percent of those firms do. Many of them are self-employed. Many of them only have 5 or 10 or 15 employees. Small employers who do offer coverage—and most of them absolutely try to—I have talked to small businesspeople from Springfield to Zanesville, from Bellaire to Delphos, and I hear repeatedly from small businesses they want to insure their employees, but it is getting harder and harder and harder. According to the well-respected RAND Corporation—a nonpartisan group that dispassionately analyzes these kinds of things—small businesses saw the economic burden of health insurance rise by 30 percent between 2000 and 2005. And it is getting worse.

The situation is even worse for the self-employed, who must contend with staggeringly high premiums for individual coverage—they don't get any group-rate break—if they can find an insurer even willing to cover them.

In these small pools, if you have 3 employees or 8 employees or you are self-employed, and there is anybody in this small pool of 1 or 20 who has some major preexisting condition, you probably cannot get insurance at all.

In the meantime, health insurers have been living large, their profits increasing by more than a third over the last 5 years—not much different from the oil industry, where the public recoils from staggeringly high gas prices, and the oil industry is making record high profits. The public—particularly small business—is recoiling from higher health insurance premiums and higher copays and deductibles. Yet health insurance companies are doing better and better.

Middle-class families are shouldering the burden of skyrocketing gas prices and ballooning food prices, even as the equity in their homes erodes and the cost of putting their children through college explodes.

It would be ideal if they could afford to pay a king's ransom for health insurance. They cannot. And they should not have to.

With those realities staring us in the face, inaction from this body is the same as indifference.

My legislation attacks the issue of health coverage access from several different directions.

To ensure widespread access, the bill would establish a national insurance pool modeled after the successful Federal Employees Health Benefits program. The FEHB, Federal Employees Health Benefits program, which enables enrollees to choose from a variety of health plans, with rates and benefits negotiated by the Federal Office of Personnel Management, has served Members of Congress and hundreds of thousands of Federal employees well for many years now.

So understand, there are hundreds and hundreds and hundreds of thousands of Federal employees—whether they work in the Celebrezze Building in Cleveland, whether they work in the Office of Management and Budget in Washington, whether they work in Bethesda for the National Institutes of Health, whether they work at Wright-Patterson Air Force Base; any of these Federal jobs—Federal employees are in a huge pool that negotiates price. So it obviously works in a way that keeps rates in check.

Under my bill, an independent contractor would manage a program that looks like FEHB, with a few modifications to accommodate the market segment it would serve. A few of those modifications are designed to hold down costs.

The bill would establish a reinsurance program to pay claims that fall between \$5,000 and \$75,000. That is where small business gets hit the hardest. When 1 or 2 or 3 employees, in a company of 50 or 40 or 30 or 100, get hit with a huge bill of hundreds of thousands of dollars, it affects the entire pool, and it affects everyone's premium and, in many cases, it makes insurance for the small business employer simply out of reach.

This bill establishes a reinsurance program to pay claims that fall between \$5,000 and \$75,000. This approach

minimizes premium spikes and it makes coverage affordable for companies regardless of the age and the health of their employees.

The bill establishes what is called a loss-ratio standard for insurers. This means that insurers would be required to spend most of their premium income on claims, and hold down their administrative costs. We know what happens with small employers: the administrative costs the insurance companies take are typically huge and have a major impact on the per-employee cost of health insurance.

The bill would identify and apply strategies to ensure that providers employ "best practices" in health care, which means they are providing the right care at the right time in the right amount.

Finally, the bill would target price gouging by drug manufacturers and manufacturers of other medical products, including medical devices.

Price gouging occurs in U.S. health care when a company exploits American consumers by charging them dramatically higher prices than consumers in other wealthy nations.

Why are we paying so much more for prescription drugs in this country than the Canadians pay, when the Canadians often are buying drugs manufactured in the United States? It is the same drug, same brand name, same packaging, same dosage. Yet they are paying in Canada sometimes half as much.

In fact, for years, I used to take—when I was in the House of Representatives—busloads of constituents to Canada, about 2, 2½ hours away from Lorain, OH, where I lived, to buy prescription drugs at a pharmacy in Ontario. The same drug, same dosage—everything was the same, except for the price.

Other modifications in the bill are designed to ensure that health coverage is nondiscriminatory. Think about it this way: If your next-door neighbor develops a mental illness such as clinical depression, and you develop a medical illness such as heart disease, why should your next-door neighbor be denied health benefits that you get because that is a mental illness versus a physical illness? We both have paid premiums. Your next-door neighbor and you have both paid premiums to cover your health care costs. You both need health care. Why is one condition—the condition of heart disease—more worthy of coverage than the condition of clinical depression?

My bill charges a group representing providers, businesses, consumers, economists, and health policy experts with rethinking health care coverage to eliminate arbitrary differences in the coverage of equally disruptive, disabling, or dangerous health conditions.

The bottom line is this: We have an opportunity to expand access to health coverage in a way that achieves fundamental goals.

One, we reach populations who cannot find a home in the current insur-

ance system because they are small businesses, typically, or self employed.

We stand up for American consumers who are paying absolutely ridiculous prices in many cases for essential health care.

We demand spending discipline on the part of insurers. They have chosen to play a pivotal role in the health of our Nation. They can live with reasonable limits on their administrative costs, as their profits go up and their executive salaries are in the stratosphere.

We can clean up duplication and random variation in the delivery of health care services.

We can end arbitrary coverage rules that turn health protection into a health care crapshoot.

For the sake of small employers, for the sake of their employees, for the sake of self-employed entrepreneurs—whom we need so desperately in this country to compete globally—and for the sake of every American who did not request, did not sign up for a particular health problem, and should not be penalized for having it, I hope Members on both sides of the aisle will support my legislation.

Madam President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mrs. BOXER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. BROWN). Without objection, it is so ordered.

“MISSION ACCOMPLISHED” ANNIVERSARY

Mrs. BOXER. Mr. President, 5 years ago today, President Bush stood on the deck of the USS *Abraham Lincoln* in front of a banner that said “Mission Accomplished” and he told the Nation that major combat operations ended in Iraq. Those were his words. Now, listening to the radio reports today, I hear that the President's Press Secretary, Dana Perino, said we all—all of America—misunderstood. He didn't really mean the mission in Iraq was accomplished; he was just talking about the fact that the particular aircraft carrier on which he landed, that they had done their mission and that was accomplished.

I don't even know how to react to that. It is beneath the dignity of a White House Press Secretary to reach in that fashion. I will tell you why. I read the speech the President made in its entirety, and I don't see one thing that talks about a mission accomplished by the USS *Abraham Lincoln*, the carrier—not one word, not one thing.

I thought to myself: What would that be like? I thought: Maybe it is as if the Presiding Officer or I were giving a speech on health care, and behind us