

prices. I know, talking with my family, home this weekend—folks were looking at me, saying: What in the world is going on? What can be done?

We have put together legislation multiple times to address it, short term and long term, as it relates to gas prices which are so outrageously high. But over and over again we are blocked. Why? Because the oil companies do not like it. That is what this is about. Unfortunately, the oil companies do not want to see us move in the direction of being able to tackle issues of whether there is, in fact, price gouging; whether there are in fact issues around speculation; whether we are going to have competition with alternatives to oil. They do not want us to do that. They do not want us to tackle the issue of the tax subsidies they receive.

What we see instead of action, as we could have had today, we see this past week oil prices at \$140 a barrel, almost twice the price from last year. It is almost twice the price from last year, and OPEC says it could be \$200 this year. Think about that when you are trying to get to work, trying to maybe take the kids to camp for that week or maybe trying to go to the grocery store or go looking for work or maybe take mom or dad or the kids to the doctor. We are talking about a huge burden that is building up and up.

Unfortunately, while gas prices now go over \$4 a gallon, we are seeing an effort to, one more time, block common-sense efforts to do something about it for the families of America. Unfortunately, on the other side of the aisle, there has been a desire to make sure that we continue big oil tax breaks rather than addressing what our families need. Last year the big oil companies pocketed \$124 billion in profits. It is fine to make a profit. We want companies to do well, to make a profit. But we also want to make sure when that is happening they are reinvesting in the economy, reinvesting in creating more supply. We want them to be reinvesting in new energy. Unfortunately, that is not happening.

We also want to have tax policy that makes sense in terms of where we want to invest in new technologies. The oil companies are doing pretty well, I suggest, right now. I do not think my tax money or your tax money or the tax money of any of the folks here or any of the folks around the country needs to be used to incentivize big oil, which is exactly what is happening right now.

They are doing pretty well. We have been trying and we have been blocked through Republican filibusters, to take away subsidies, taxpayer subsidies for oil companies and move them over to subsidize new, growing industries, green options, alternative energy—wind, solar, advanced battery technologies, consumer tax credits to buy the next generation of vehicles, the next generation of appliances. Those are the kinds of tax credits that encourage people to focus on energy effi-

ciency and conservation in their homes, those things that will move us in the right direction. That is what we have been trying to do. And we have been blocked.

The bill that was stopped also creates a permanent tax on windfall profits for the major oil companies. If they are not going to invest in America and invest in our future and buy the next airplane or put it into more big bonuses, then we need to have a windfall profits tax that will redirect those dollars back so we can take them and invest in the future.

I see our distinguished leader on the floor and I am going to suspend for a moment, if I might. I know he has some important business he needs to do.

I yield to our leader and ask that I later be recognized to continue my comments.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. REID. Mr. President, I appreciate very much my friend from Michigan allowing me to do a little business here on the floor of the Senate. She is such a tremendous Senator. I had the good fortune to be able to be in Michigan this weekend with her and Senator LEVIN. What a team they are. The people of Michigan realize that. It was a wonderful experience, being there with these two Senators.

The State of Michigan has lots of problems. No one articulates it better than Senator STABENOW, talking about what is happening to our country with the loss of manufacturing jobs. Of course, sadly, Michigan is a poster State for what is happening in the loss of manufacturing jobs. This is something we must stop, stop the hemorrhaging of these manufacturing jobs.

I had the good fortune yesterday of meeting with the National Association of Manufacturers. They recognize, although they have been a Republican organization in years past, that they are going to have to start working with us. That doesn't mean they will not keep working with the Republicans—of course they will—but we have to start working together and realize the bad shape of our manufacturing sector.

MOTION TO PROCEED WITHDRAWN—S. 3044

Mr. REID. Mr. President, I withdraw the motion to proceed to S. 3044.

The PRESIDING OFFICER. The motion is withdrawn.

UNANIMOUS-CONSENT REQUEST— S. 3101

Mr. REID. I ask unanimous consent that S. 3101 be modified with the changes at the desk.

The PRESIDING OFFICER. Is there objection?

Mr. THUNE. Mr. President, on behalf of the Republican leadership, I object.

The PRESIDING OFFICER. Objection is heard.

MEDICARE IMPROVEMENTS FOR PATIENTS AND PROVIDERS ACT OF 2008—MOTION TO PROCEED

Mr. REID. Mr. President, I ask unanimous consent the Senate proceed to S. 3101, the Medicare Improvements for Patients and Providers Act. This is an act of 2008. I ask we proceed to this on Wednesday, June 11, following the period of morning business.

The PRESIDING OFFICER. Is there objection?

Mr. THUNE. Mr. President, on behalf of the Republican leadership, I object.

The PRESIDING OFFICER. Objection is heard.

CLOTURE MOTION

Mr. REID. Mr. President, I now move to proceed to S. 3101.

I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The assistant legislative 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 the motion to proceed to Calendar No. 772, S. 3101, the Medicare Improvements for Patients and Providers Act of 2008.

Harry Reid, Max Baucus, Jon Tester, Barbara Boxer, Benjamin L. Cardin, Bernard Sanders, John F. Kerry, Patty Murray, Maria Cantwell, Blanche L. Lincoln, Ken Salazar, Charles E. Schumer, Ron Wyden, Patrick J. Leahy, Jeff Bingaman, Debbie Stabenow, John D. Rockefeller IV, Jack Reed.

Mr. REID. Mr. President, I ask unanimous consent that the mandatory quorum be waived.

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

Mr. REID. Mr. President, I now withdraw the motion.

The PRESIDING OFFICER. The motion is withdrawn.

CONSUMER-FIRST ENERGY ACT OF 2008—MOTION TO PROCEED—Continued

Mr. REID. I move to proceed to S. 3044.

The PRESIDING OFFICER. The motion is pending.

The Senator from Michigan is recognized.

Ms. STABENOW. Mr. President, before our leader leaves the floor, I thank him for his patience and tenacity to continue, despite objection after objection, as we try to govern on behalf of the people of this country—whether it be addressing issues of global warming, whether it be gas prices, whether it be what just happened, which is to bring forward a Medicare bill that will stop a large cut to physicians all around the country and affect our ability to have access to health care. It is a bill that includes the ability to focus on rural health care and telehealth and e-prescribing and a number of things that will increase access to health care.

To emphasize what just happened one more time: There was an objection to moving ahead on something that is important to the American people: to expand, under Medicare, health care for communities and our seniors. This goes back to my original point now: 75 Republican filibusters and counting. It is going to continue and continue, unfortunately, because there is not the willingness to work together to get things done.

Let me mention two other issues. I mentioned what is happening in terms of blocking our Consumer-First Energy Act, which focuses on a number of ways to go after price gouging. The bill would stop manipulation by greedy oil traders and give the Attorney General the power to stand up to OPEC nations that are price fixing—a number of different ways for us to immediately address what is happening to gas prices on behalf of the American people. That was blocked.

The second thing that was blocked was the Renewable Energy and Job Creation Act of 2008. This is about jobs. This is about jobs in my great State of Michigan, in New Jersey, all across this country, based on the new green economy—production tax credits to build those wind turbines and solar panels and new vehicles and, again, the consumer tax credits and investing in the ability for businesses that use the R&D tax credit to have that continue, to be able to invest in other economic development tax credits. That is what was blocked—jobs focused on alternative energy.

So we went after the oil companies. No. We want to put forward a proposal that will invest in new jobs. No. That is what we are hearing every day. And every day that is happening, more and more people in my great State are finding themselves without a job, trying to keep the lights on, keep food on the table, trying to be able to put gas in their automobile. And they are looking and saying: What is going on here? Each month, tens of thousands of people across the country, not just in Michigan—I mean, we were hit the hardest first, but this is across the country—are losing their jobs. Hundreds of those are losing unemployment insurance benefits they paid into.

There seems to be a notion that somehow, if someone is required to go on unemployment insurance benefits, they will not look for work. Well, that is about 40 percent of what the average wage is for an individual. You can barely keep things together. In many cases, you cannot keep things together. I would suggest that the unemployment insurance benefit is not a disincentive for folks to work. And obviously people in my State work hard. They work. They work very hard. Too many are working two jobs, three jobs, four jobs, trying to piece it together.

But we have never had an economic situation like we have today under a Republican or Democratic President where there has not been a willingness

in a difficult economic situation to extend unemployment benefits. Yet President Bush has threatened to veto an extension of unemployment insurance which we have already passed here in the Senate.

As I indicated before, the numbers are high—324,000 good-paying American jobs have been lost since January of this year. We also know there are 8.5 million unemployed workers in America competing for 3.7 million jobs. That is why the bill that was blocked earlier that invests in new taxation and new technologies, production tax credits to build new plants, to create new processes, is so important, because right now we have more than twice as many people looking for work as there are jobs available. We as a Democratic majority understand that. We understand that so much of what is happening right now for families goes to the basic foundation of this economy, which is the ability to have a good-paying job and to be able to pay those costs that come at families day after day after day.

In May, the number of Americans who have been out of work for at least 27 weeks—right now, unemployment goes to 26 weeks—rose to 1.6 million workers; 1.6 million middle-class workers as of May who saw their benefits exhausted and in most or many cases were not able to find a job. What happened? What happens to those families? In the past year, 2.75 million people who are unemployed have exhausted their benefits.

American families are running out of time. They want us to take action. There needs to be a sense of urgency about what is going on for families in this country. It is not that we do not have the ability to act; there is not the will to act, not the will to join with us in a bipartisan effort to act. We as Democrats come to the floor every day, our leader comes to the floor every day, multiple times a day, making motions to proceed to solve problems through legislation that is critical for our families. Time after time, all we hear is: I object. I object. I object.

People in Michigan know what the pain of inaction is like and the effort to try to hold it together when help is not there. Over the last year, more than 150,000 people have exhausted their unemployment benefits, over 10,000 people a month now looking for work but do not have the support anymore to at least be able to keep things going a little bit.

But you know it is not just Michigan anymore. Unfortunately, other States are now catching up. We heard as of last Friday that the national unemployment rate is now 5.5 percent. When we first started talking about this, it was 4.9. Now it is up to 5.5, and the experts tell us they expect it will reach 6.5 percent by January. Alaska, California, Rhode Island, Mississippi, Nevada, Missouri, Oregon, South Carolina, Kentucky, and Ohio all have unemployment rates at or above 5.5 percent.

We need to act, not only because it is the right thing to do, the moral thing to do for our families, but we know that for every \$1 that is spent on unemployment benefits in the economy, the dollars turn over and the economy is stimulated by \$1.64. So there is an opportunity to not only do the right thing for Americans, which ought to be enough, but it is also an opportunity to stimulate the economy and one of the top ways we are told it can be stimulated. In other words, for every \$1 we invest to help struggling American families, we get a 64-percent return on our investment. I would take that. That is a deal worth making.

So I close by once again calling on the President to join with us at this critical time in American history where families are being hit in so many different ways and to say yes to extending unemployment benefits for those who are out of work but looking very hard to find a job and are counting on us to do the right thing.

I would love it if we did not have to stand up and change this Velcro anymore. I would love it if we could just frame this right here—75 Republican filibusters—and stop. But that is not what is happening. We can do better than that. Certainly, the people in Michigan expect us to do better than that. I am going to do everything in my power—I know the Chair will as well—to be able to make good on what people are asking of us.

The PRESIDING OFFICER. The Senator from South Dakota.

Mr. THUNE. Mr. President, like a lot of Members of the Senate, I also heard from my constituents last weekend about high energy prices. I do not know how any Member of Congress can go back into their congressional district and their State and not be inundated by people who are very concerned about the impact high fuel prices are having on their pocketbooks and on our economy.

In fact, in my State of South Dakota, the studies bear this out. I think it has a disproportionate impact because it is a rural area. In rural areas, we are very energy dependent. We drive long distances. We are very agriculturally dependent in terms of our economy. Tourism is a big thing in our economy in rural areas. We also, in most cases, have lower incomes relative to the incomes of people in other parts of the country. In fact, there are some studies out that suggest that 15 percent, 16 percent on average of a person's income in a rural area is spent just paying the energy bill. Now, that is something that ought to concern everybody across this country because even though it might disproportionately impact rural areas today, it is clearly going to impact all Americans and continue to impact our economic activities in this country as time goes on if we do not get our arms around these escalating and daily increasing energy costs.

I had someone in my office today who said that he has a small refinery. He

said if the cap-and-trade bill we debated last week had been enacted or passed, immediately they would have seen a 38-cent increase in the price per gallon of gasoline.

There is a proposal to build a powerplant in my State of South Dakota, a coal-fired powerplant. I was visiting with some folks last week in my State who informed me that if, in fact, that cap-and-trade proposal had passed, it would have tripled the cost to construct that powerplant, something that is necessary to provide base load energy for the energy demands and requirements we have in the upper Midwest.

So here we are talking about high energy prices, high fuel prices, and the only solutions our colleagues are putting on the floor are solutions that would actually increase fuel costs. The cap-and-trade proposal last week, by any estimate—and there were 11 studies that were done of the five cap-and-trade proposals put before or introduced in the Senate, one which was put before the Senate last week. All 11 studies concluded that if enacted, that proposal would increase fuel costs, it would increase electricity costs, and it would lead to negative gross domestic product growth. The question was not if, it was how much would it increase costs. By as much as a dollar a gallon for gasoline. There were a number of studies conducted that suggested that it would cost the economy up to \$6 trillion in GDP, negative GDP, as a result of that cap-and-trade proposal.

So here we are on the floor of the Senate. Everyone, I assume, is hearing the same thing I am hearing, when they go back to their respective States, from their constituents: We have high energy prices; we need some action; we need you to do something about that. And everything that has been put before the Senate last week and this week by the Democratic leadership does one thing: increases energy costs.

We had a vote today on an "energy bill." What did it do? It imposed new taxes on energy. That was tried. That was tried back in the 1980s, the windfall profits tax. It led to reduced energy production in this country. The other thing that was talked about today was, well, let's sue OPEC, let's sue OPEC; that will somehow drive down the cost of energy.

There is not anything in any of those proposals that does anything to address the problem because you cannot address this problem, you cannot fix the energy crisis in this country unless you address the issue of supply. There is not anything in any of those bills that have been put forward, that have been put forward by the other side, that addresses the fundamental issue of supply. I believe the American people understand that. They understand full well that you do not raise taxes to get more of something; if you raise taxes, you are going to get less of something. They realize that we cannot just sort of unilaterally decide to sue an oil car-

tel and expect that is going to lead to additional energy supply in this country.

There is one thing and one thing only that we can do to lower gasoline prices for people in this country; that is, increase homegrown domestic energy supplies so that we do not have to rely upon other nations around the world for our energy.

I wish to share a couple of statistics that I think are important in this debate. One is that 60 percent of our oil comes from outside the United States. That means that on any given day we are getting 60 percent of our energy to fuel our automobiles and to keep our economy going from countries around the world, many of which are run by petro-dictators who have nothing but hostile and ill intentions toward the United States. Sixty percent of our oil supply is coming from outside the United States.

We use 140 billion gallons of gasoline every year in this country. I point that out because I want to use that to get to another point; that is, we are generating about 8 billion gallons of renewable energy or ethanol on an annual basis. At the end of this year, we will be generating 1 billion gallons in my State of South Dakota alone. But the studies that have been done have suggested that that 8 billion gallons of ethanol, out of the 140 billion gallons of fuel we use in this country, of gasoline we use in this country, has reduced energy prices by about 15 percent—price per barrel of oil, price per gallon of gasoline reduced by about 15 percent by the contribution that 8 billion gallons of ethanol is making to our overall fuel supply.

In today's gasoline prices, 15 percent would be about 50 cents, 60 cents on the gallon. So we have lower fuel prices today than we would otherwise have as a result of adding to our supply of energy, homegrown energy, through the hard work and production of our farmers across the country who raise the corn that is converted into ethanol.

I suggest perhaps the way to address this problem, if, in fact, 8 billion gallons of ethanol has helped reduce gasoline prices by 50 cents a gallon, maybe what we ought to be doing is looking at ways we can grow additional energy supply. We don't need less biofuels, we need more. We are going to be moving now from corn-based ethanol into cellulosic ethanol that can be made from other forms of biomass. We hope that technology will be progressing quickly enough that it will enable us to meet the targets we have of 36 billion gallons called for in the renewable fuels standard. That is what we are doing in the area of biofuels.

I say that because if we look at what we have in terms of domestic resources, whether that is biofuels or oil, if we could get some of that oil into the pipeline, we could do a lot to impact prices people are paying for a gallon of gasoline. Back in 1995, President Clinton vetoed a bill passed by Congress

that would have allowed for exploration on the North Slope of Alaska. We have somewhere between 6 and 16 billion barrels of oil on the North Slope underneath the ground. With modern technology and in an environmentally friendly way, directional and horizontal drilling, with a minimal imprint on the surface, we can get access to somewhere between 6 and 16 barrels of oil. What does that translate into? That translates into 1 million barrels a day coming into this country—1 million barrels a day. And you figure a barrel translates into 42 gallons, and of that about half can be refined into gasoline, a million barrels a day would translate into about 7 billion gallons of gasoline a year or roughly equivalent to what we are generating in ethanol. And the 8 billion gallons in ethanol is reducing the price of gas by about 50 cents a gallon. So if you do the math, more energy, more supply at the margin is going to lead to lower cost. That is the fundamental economic rule of supply and demand that most people understand.

Any of my constituents in South Dakota, if I went home and told them that the Democratic leadership has put a bill on the floor that is going to allow us to file lawsuits against OPEC or that is going to impose new taxes on oil exploration, a windfall profits tax, they would say: What does that do to affect the law of supply and demand? Get more supply in the marketplace so that we can do something about reducing the price per gallon of gasoline?

This problem gets addressed when America gets serious about domestic energy supplies. We have tried again and again to get a vote on exploration on the North Slope. We have tried again and again to get a vote on deep sea exploration for energy—all of which has been blocked in the Senate.

We have even tried to get legislation moved that would expedite the permitting process for new refineries because we have a shortage of refining capacity. These are all things that we could be doing that would help address the supply problem.

I suggest when we get to what we are focusing on that we can do, there are pieces of legislation on which there is broad agreement. We passed a bill a couple weeks ago that Senators ENSIGN and CANTWELL offered of tax extenders that would help promote more investment in renewable energy. It passed out of the Senate by a vote of 88 to 8, broad bipartisan support. Why are we not focusing on those things we can do rather than spending our time having the Democrats throw out solutions that impose new taxes, new regulations, new bailouts to trial lawyers, which was included in this bill, an earmark for the Senator from New York at \$1.2 billion, all of which we know are not going to pass?

We aren't going to get the votes to get that sort of thing through. But there are things we can be doing, such as extending the production tax credit

for wind, which was included in the Energy bill to which I just referred. Those are the things we ought to be looking at. What can we do to add to the supply of electricity, to add to the supply of fuels so that we don't have to get 60 percent of our energy from outside the United States, so we are actually doing something that will in a positive way impact the price our constituents pay for a gallon of gasoline?

This impact is going to be felt all across the economy. Look at the statistics on airlines. We are using actually less fuel on airlines today, if we look at this green line, than we were going back even to 2000 and 2001. But look at the fuel costs of the airlines. They are exploding. We have airlines facing bankruptcy, making service cutbacks, not serving smaller communities, laying off employees because of high fuel costs. There is no end in sight.

It is \$4 today. What is to stop it from going to \$5? If Ahmadinejad and Chavez decide they want to get \$200 for a barrel of oil, what is to stop them, if we have no leverage? We need to be taking steps in the United States that will increase our domestic supply of energy so we don't have to rely upon those other countries for our energy supply. We have those resources here. We have oil. We have biofuels. We need new refineries. We can build new nuclear plants. All are being blocked.

Let's focus on what we can do to affect the fundamental rule of supply and demand that will lead to lower energy costs, that will increase the amount of energy we have relative to demand. That is how we can impact in a positive way the price our constituents are paying for a gallon of gasoline. Until we get serious about that, all this other stuff done for optics because it is an election year and to gain some political upper hand to go back to a constituency saying, we did this or we are going to beat up the oil companies, raise taxes, regulations and lawsuits and litigation, those sorts of things don't solve the fundamental problem. We don't have enough domestic supply. Until we address that fundamental problem, we will continue to be held over a barrel and be at the mercy of these foreign countries telling us what the price per barrel of oil and price per gallon of gasoline is going to be.

I hope we can focus on that. We have some great solutions. My State is a good example of what we have done with renewables. The Senator from Iowa has a lot of great examples in his State of what we are doing with renewable energy and wind. We have the resources to get this done. It is high time we did it.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Mr. President, I congratulate the Senator from South Dakota. He is expressing a very simple law that everybody learns in economics 101: If you increase supply, it reduces

price; if you restrict supply, price goes up. What we want to do is increase the supply of energy.

For myself, I want to explain earlier today my vote to invoke cloture on the motion to proceed to S. 3044, the so-called Consumer-First Energy Act or, another title, the antiprice-gouging bill. I want to explain it because people might think that I am in support of everything in the legislation. I will explain why I wasn't, but why I thought we ought to move forward.

The legislation includes provisions that I have long supported, including the no oil producing and exporting cartels legislation. I am an original cosponsor of the NOPEC bill. This bill would authorize the Department of Justice and the Federal Trade Commission to bring lawsuits against oil cartel members for antitrust violation because it is a fact of American law, if oil companies were doing the price fixing that OPEC countries do, these executives would be in jail. Yet we are faced with the same anticompetitive environment from other countries.

As our gas prices continue to rise, it is time to say enough is enough to OPEC anticompetitive activities. It is past time to let OPEC know that we are committed to stopping illegal pricing, the same illegal pricing that would put CEOs of major oil companies in jail.

This legislation also includes provisions aimed at reducing speculation in oil markets. I support that. I can't say for certain whether the provisions included in the bill will have the desired effect. I can say, however, that something needs to be done to address what seems to be out-of-control speculation in crude oil markets, and speculation of crude oil tends to show up on the business pages of the newspaper as a major cause of the increase in oil and, in turn, gasoline.

I am pleased that recently the Commodity Futures Trading Commission has taken steps in recent days and weeks to increase their access to data and information that will hopefully allow them the proper oversight and transparency of energy markets. Take a little bit of speculation, take a little bit of unknown out of the market, more transparency ought to help our markets work better.

In conjunction with what the Commodity Futures Trading Commission is up to and my wanting to build on what they are doing, I asked Acting Chairman Lukken and Commissioner Chilton very pointed questions during a recent confirmation hearing in the Agriculture Committee on the CFTC's oversight responsibilities. In addition, I sent a letter to the CFTC today seeking more information about the CFTC's action to rein in speculation by investment banks and traders on foreign exchanges.

I voted today as I did in a manner uncustomary of Republicans to proceed to the bill because I think we need to have a debate on the critical issue of

energy prices. However, that doesn't mean I support everything in S. 3044. The bill, for instance, included a windfall profits tax on oil companies. I saw firsthand a couple decades ago the result of a windfall profits tax the last time it was enacted. It didn't do anything to produce more energy. Simple economics: You tax something, you get less of it. Why would those on the other side believe if you tax energy production, you would get more energy produced? Of course, it is counterintuitive. Yet this bill doesn't include a single provision to increase the production or supply of traditional energy resources. Why aren't we considering policies to develop the resources that God gave us at home? We have a huge supply of oil and gas in Alaska. We could be opening areas of the Outer Continental Shelf to exploration. We could be looking at Federal lands onshore for energy production. These are things we could do this very day that would increase supply and drive down prices. Yet they have been blocked time after time by people on the other side.

If you think this is a partisan shot by a senior Republican, let me suggest to you that I can show you rollcall after rollcall after rollcall, not just recently but over a long period, of opposition from the other side to increasing the supply of fossil fuels and the use of fossil fuels we know. My constituents need to know why they are paying \$4 at the gas pump. Yet we in Washington have done little to increase our own supplies.

Speaking from the grassroots of the State of Iowa, I want to remind my colleagues of what I said last week on the floor of the Senate. Of at least 14 out of the 17 town meetings I have had, the question came up very simply: Why aren't we producing more oil? Why aren't we going where the oil exists, with \$4 gas? I can give a simple answer, and I tell the people ahead of time in my town meetings. I try not to make partisan comments, but occasionally I think I can when it is intellectually honest to do it. I suggest to them that there is opposition in the other party to more exploration, where we know there is oil. We just don't have the votes to get the job done.

That could be considered a partisan shot, but I think I can back it up with rollcalls. It is a justification to my constituents when I am asked why we don't drill more where we know there is oil. Most of my constituents expect you to do this in an environmentally sound way as well. That doesn't, to me or my constituents, appear to be incompatible because the United States is dependent upon oil cartels and foreign countries such as Iran and Venezuela, very unstable, yet we have done nothing to help ourselves. That is the way my constituents see it, as evidenced by 14 out of 17 town meetings I held during the week of Memorial Day. In the other three town meetings, it just did not happen to come up.

I believe oil is trading today at around \$135 a barrel. Yet there is an overwhelming aversion to environmentally sound resources developed at home. We ought to be developing our domestic resources. There is no rational reason not to, and at \$4-a-gallon gas, consumers ought to be outraged they are not exploring for more domestic resources, and Congress making decisions to do that, and to do it so quickly that it is telling people why it is not being done. At the grassroots of America, we ought to be having the same march on the Capitol as when people are outraged about other things, which we do not seem to be having this time.

Maybe we will have this outraged expressed. It is a little bit of a quandary to me why, at the grassroots of America, when gas goes from \$3.50 to \$4, or from \$3 to \$4, it does not seem we are having as much outrage as we had when gasoline was going from \$1.50 to \$1.75 about 4 years ago. Maybe it is because people have lost confidence in Congress. I do not know. I can understand why you can lose confidence in Congress when you have \$4 gasoline and we know where there is 13 billion barrels of oil in this part of the country and 7 billion barrels of oil in other areas of the country and we are importing 10 to 15 million barrels of oil a day and paying out to some foreign country money that if we drilled in the United States we would keep in the United States.

The bill I am explaining to you takes billions of dollars of permanent tax provisions and dumps them into a special piggy bank designed to let appropriators dole out special interests checks for their favorite spending projects. I know the rhetoric you have heard today is to make big oil pay to lower the price of gasoline. But I can promise you, there is absolutely nothing in this bill that accomplishes that charge. This bill, flawed as it is, would have to be amended. Any permanent tax provisions on the backs of the energy industry should immediately go back into tax benefits that expand conservation and clean energy tax provisions currently in the Internal Revenue Code.

We cannot put the cart before the horse. It is irresponsible to change taxes for future undisclosed spending. It is even more irresponsible to do this before we make certain the current tax benefits available for wind, solar, alternative fuels, and much needed conservation in buildings and homes.

It was wrong for the Democratic leadership to dump permanent tax provisions into a slush fund for future appropriations. But those types of wrongs cannot be fixed if we never proceed to the bill, hence why this Senator voted as I did today, contrary to what a lot of the members of my party did.

HOUSE EXTENDERS BILL

I turn now to the tax extenders bill. I voted today on the second rollcall along with 43 other Senators against invoking cloture on the motion to pro-

ceed to H.R. 6049, the House extenders bill.

Earlier today, the Democrat leadership released a description of a substitute extenders bill that included many provisions that were not extenders.

As you know, I joined Senator MCCONNELL in filing an extenders bill last Friday that is not offset by increases in taxes elsewhere because it is our policy that if you extend existing tax policy, you should not have to raise taxes on somebody else for an extension of tax policies that in some instances have been in place for 20 years.

Here are some of the reasons, then, why I opposed the Democratic leadership bill and support the Republican leadership bill.

The Senate Democratic leadership bill contains numerous provisions that do not either extend or make permanent expiring tax provisions. On the other hand, the Republican bill really is an extenders bill, with all the provisions in the Senate bill extending or making permanent expiring tax provisions.

Included in the Senate Democratic leadership bill is a proposal to give \$1.2 billion in tax credits to New York City, even though New York City does not pay Federal tax. This proposal is widely reported to fund the building of a train from Manhattan to John F. Kennedy Airport, through the use of New York Liberty Zone tax credits.

According to the Joint Committee on Taxation, the Congress has never—and I want to emphasize “never”—before provided a limited tax benefit such as this to a governmental unit.

In addition, the bill provides a new \$1.6 billion tax benefit just for trial lawyers. Now, think about that. We are trying to extend tax policy to bring economic development and create jobs, and it has something in it for trial lawyers. It allows trial lawyers to deduct their upfront expenses in contingency fee cases, even though they expect to recover them when they win or settle the case. And these trial lawyers do expect to win or settle their case; otherwise, they would not take the case on a contingency fee basis.

So why should trial lawyers get a deduction for something they expect to get back? We do not give lenders a current deduction when they make a loan. Some would argue that this is a large chunk of pork that the Democratic leadership bill is trying to feed to trial lawyers.

The Democratic leadership bill, for the first time in history, makes tax benefits directly conditioned on the Davis-Bacon Act. That is the prevailing wage requirement. It is added to a new provision called the New Clean Renewable Energy Bonds.

The Senate Democratic leadership bill only extends provisions that expire at the end of 2007 until the end of 2008, setting up another extenders fire drill early next year. In contrast, our bill on the Republican side generally extends

provisions that expired at the end of 2007 until the end of 2009.

The Democratic leadership bill contains permanent tax provisions to offset temporary extensions of current law. Anonymous Democratic lobbyists are misstating the Republican position on offsetting expiring tax relief provisions. The lobbyists have been quoted in the Roll Call newspaper and other publications stating that part of the Republican theology is opposition to offsets.

Republicans will support offsets if they make sense on the policy merits. If the revenue-raising proposals make policy sense and offset the revenue loss for new tax policy—I want to emphasize “new tax policy” as opposed to extending existing tax policy—then it will likely garner majority support among Senate Republicans.

However, one of the revenue raisers in the Democratic leadership bill is a proposal to delay the effective date of the worldwide interest allocation rules. This provision was enacted in the American Jobs Creation Act of 2004, with a delayed effective date for revenue purposes.

The decision to reform the interest allocation rules was bipartisan back then in 2004. The reform came out of the Finance Committee working group set up by Chairman BAUCUS in 2002 and passed the full Senate by a vote of 92 to 5. So after a vote of 92 to 5—bipartisan—why would they try to undo a very important provision in it? The current rules actually penalize domestic manufacturers who compete in global markets by making it more likely they will be double taxed on their foreign income.

The Senate Democratic leadership bill would delay the effective date even further—can you believe it—by 9 years, giving it an effective date of 2018. This provision raises almost \$29 billion over 10 years.

The President of the United States, aware of how important this provision is that is going to take effect in 2009—that was actually passed in 2004 to make our manufacturing competitive with international competition—issued a statement of administration policy noting that “the Administration strongly opposes the provision in the bill that would subject U.S. companies to continued double taxation by delaying the effect of new rules for allocating worldwide interest for foreign tax credit purposes.”

Let's look at the Senate Republican alternative. I hope people listening know that a minority in the Senate has a responsibility to have alternatives, not just jab at the majority position. So we have this responsible alternative. It contains alternative minimum tax relief and extensions of individual and business tax provisions, but with no offsets, following the philosophy we have that if you have had tax policy in place for decades that tends to sunset from time to time—it has been on the books—you should not

have to raise taxes on new people to extend it for a few more years. So there are no offsets for the continuation of existing tax policy.

It also includes the Ensign-Cantwell energy tax incentives, an unoffset provision which was approved by the Senate by a vote of 88 to 8. This means an overwhelming majority of this body were willing to pass energy extenders without requiring offsets.

So why, if we have a vote of 88 to 8 to extend energy tax credits for a few years, and we do not have to offset it—how does the other side get the idea that if you had other tax policies that maybe have been on the books for decades and sunset, you have to have offsets for that? I do not understand the inconsistency.

The bottom line is, we need a package that can garner 60 votes in the Senate and get a signature by the President of the United States. So Senate Republicans will seek to proceed to the Senate Republican leadership bill which contains a package of proposals that have bipartisan agreement.

Mr. President, I yield the floor, and since I do not see other Members ready to speak, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. BROWN. Mr. President, this morning we had two more opportunities to address rising gas prices and do something immediately as the price of gas per gallon goes over \$4 in Steubenville and almost \$4 in Dayton and even higher in some places in my State and in the Presiding Officer's State of New Jersey. We had two more opportunities to address rising gas prices immediately and longer term.

We need to start immediately to invest in renewable energy rather than the other choice of continuing to line the pockets of big oil. We could have helped to begin to create tens of thousands of good-paying, green-collar jobs right here at home. Once again, the Bush administration opposed our efforts and Republican Senators joined the Bush administration and refused to put middle-class families first.

The Consumer-First Energy Act is a good first step in providing immediate relief to drivers in Ohio and across the land who are faced with soaring gasoline and diesel prices.

The other night I had a conference call with 20 truckers. Think about what this has done to them. Many of them have had to sell their trucks. They are simply not able to afford the \$4.50 and up per gallon price of diesel. Oil prices are setting record highs, it seems, every week, and yesterday closed at over \$136 a barrel.

This legislation will help in the short term and allow us to get through and

offer some assistance to motorists to get through the summer driving season. The policies that created this gas price crisis didn't happen overnight. Before we attack the long-term problems, Ohioans need help now to get through the summer to keep trucks running, to keep the economy moving, to keep food prices in check as the cost of energy ripples through the whole economy and causes prices to go up generally.

Cities throughout Ohio are struggling to pay gas bills for the police cars, for EMS, for fire department vehicles, school buses, garbage trucks, and mass transit services.

We need to roll back the massive tax breaks for oil companies which would generate more than \$17 billion to be used for green energy, for renewable energy, and for energy efficiency. We will impose a 25-percent windfall profits tax on companies that fail to invest in increased capacity and renewable energy sources. We will ensure purchases for the Strategic Petroleum Reserve do not resume, especially when we are paying \$120, \$130, \$140, \$150 a barrel to put oil in the reserve. We will provide protection for consumers from price gouging. We call on the Justice Department again to be active and take on the oil companies as they seem to price gouge. We will work to stop market speculation, prevent traders of U.S. crude oil from routing transmissions through offshore markets to evade speculative limits.

Ohioans play by the rules. Americans play by the rules. So should the oil industry. So should the speculator. So should Wall Street.

There is so much we need to do. I call on my friends on that side of the aisle to join with majority Democrats: no more filibusters and let's get to work. Let's do the right thing short term to help American motorists deal with these outrageously high prices, long term to, in fact, after 30 years become energy independent and create the kinds of green jobs a good energy policy can create.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

MORNING BUSINESS

Mr. BROWN. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

NATIONAL HUNGER AWARENESS DAY

Mr. DURBIN. Mr. President, I rise today in honor of National Hunger

Awareness Day. On this day, we focus on the more than 35 million people in the United States without enough to eat and reassert our commitment to assist those in need.

Millions of families live each day not knowing if they will have enough to eat. Rather than thinking about what the next meal will be, these parents worry if there will be a next meal. Rather than concentrate on homework, these children are trying not to think about their hunger pangs. In a nation as economically wealthy and agriculturally abundant as ours, this is inexcusable. If children—or adults—are hungry in America, that is a problem for all of us.

This administration has seen the number of people living in poverty rise from 31.6 million in 2000 to 36.5 million in 2006. The number of people living in households facing food insecurity rose from 31 million in 1999 to 35.5 million in 2006. In Illinois, over 158,000 households experienced hunger in 2005. If we include households that have had to struggle to put food on the table or have had to skip meals to make sure the food would last through the week, it adds up to 500,000 households in Illinois living with food insecurity. These are working families who just aren't able to make ends meet.

At a time when millions of middle class Americans are struggling to keep up with higher gas prices, grocery bills, and health care costs, more and more families are looking to Federal programs for assistance. According to the U.S. Department of Agriculture, applications for food stamps are on the rise at the same time recipients are making more frequent use of food pantries to fill gaps in their grocery needs. Over 26 million people nationwide are dependent on the Federal Food Stamp Program. In April, 594,590 families in Illinois received food stamps, an increase of 5.84 percent from last year and the highest level ever in Illinois, equating to 1.3 million people. And since December, participation in the Women, Infants and Children, or WIC, food assistance program has increased 4 percent to a total of 296,000. But for the millions of people who don't have assistance, everything is different.

We know hunger is a reality in our communities. We see long lines at our food pantries. We have heard from seniors forced to choose between groceries and medication. And children are in our schools who have not had a decent meal since the previous day's school lunch. We see families showing up a day earlier than normal at the food pantry because the monthly pay is not stretching as far it once did. Parents are giving up their own meal to make sure their child has something to eat at night.

In the Nation that prides itself as the land of plenty, we cannot hide the fact that we need to do a better job at making sure everybody has at least enough to eat. The passage of this year's farm bill is a strong first step toward better