

It is difficult, frankly, to do that, although I think it is a very good idea. I would like to know what the masses in other parts of the country think. I certainly know what they think in my part of the world. But there is one thing very similar that I think should be considered.

I note that just yesterday, the American Solutions for Winning the Future announced that over half a million Americans have signed a petition online urging Congress to immediately start exploring for oil domestically to lower gasoline prices. Now, here is the way the petition reads:

We, therefore, the undersigned citizens of the United States, petition the U.S. Congress to act immediately to lower gasoline prices (and diesel and other fuel prices) by authorizing the exploration of proven energy reserves to reduce our dependence on foreign energy sources from unstable countries.

According to American Solutions' resource data, 81 percent of the American people support the United States using more of its own domestic energy resources to combat the rising cost of energy. I cannot say that I am surprised by that statistic, but I think it further underscores how Senator DOMENICI's bill is a commonsense plan for lowering gas prices for Americans, and doing it now.

Another commonsense solution Republicans have offered, which I have supported, was proposed by Senator MCCAIN. This would provide an immediate Federal gas tax holiday. What does this mean to our American consumers? Well, here we are going into the summer when travel certainly increases. If this bill passed, as soon as tomorrow, if it got to the President's desk and he signed it, each and every American could be paying 18.4 cents per gallon less for gasoline and 24.4 cents per gallon less for diesel fuel.

The Democrats promised leading up to the November 2006 elections that if you send the majority of Democrats to Congress, we are going to address this issue of gasoline prices, we are going to get prices under control. Well, at the time Senator REID became majority leader, at the time Congresswoman PELOSI became the Speaker of the House, the price of a gallon of gasoline in this country was \$2.33. Today, average prices have increased by \$1.71 cents per gallon over that last year and a half.

We all know summertime is the time when families take an annual vacation. Americans generally drive more during this time of the year. Giving a temporary gas tax holiday until Labor Day is a pure short-term policy and will benefit Americans only in the short term, but I think it is another way we can provide immediate relief to American families.

This is an issue that ought not to be partisan in nature. It is an issue all Americans are feeling every single day. It is an issue we as policymakers should address. It is an issue that cries out for strong leadership in Wash-

ington today. We need to see that leadership come forth out of this body. We need to see the American people given some relief and given a long-term solution to this issue of gas prices; otherwise, the next generation is going to be looking at much higher energy costs than what we are looking at today.

With that, Mr. President, I yield back.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. BROWNBACK. Mr. President, how much time is remaining on the Republican side?

The PRESIDING OFFICER. Five minutes.

Mr. BROWNBACK. Mr. President, I appreciate my colleagues' comments, from both Missouri and Georgia, and I agree on the energy issues. I have been traveling across all of Kansas, going to all 105 counties. I have been in nearly 70 so far, and the dominant issue by far is the price of energy. People want to get these prices down.

The key to supply and demand is to get more supply as fast as we can. Work on demand as far as being conservation-minded but not to increase taxes. Increasing taxes—things such as a windfall profits tax—does not get you another drop of fuel. It only raises the price. I do not know of anything we have increased taxes on where you end up getting it for less price. It just does not work that way.

So I support my colleagues' statements on that, and I hope the American people are looking at that issue and seeing that here is a way of increasing production but not raising taxes. What the Republicans have put forward is an increase-energy-production bill, and what the Democrats have put forward is an increase-energy-tax bill. I hope people can decide which of these will likely get them lower prices. It is production, it is not increasing taxes.

#### AIR FORCE TANKER CONTRACT

Mr. BROWNBACK. Mr. President, I also wish to inform and talk briefly to my colleagues about a major GAO study that is going to be out next week. It is about the bidding for the tankers for the U.S. Air Force.

The GAO will announce the results of its review of the Air Force tanker contract next week. The GAO does not have authority to sustain or overturn the Air Force contract by itself. The GAO only reviews if and when the Air Force followed its own rules. Congress has the final say on this issue because only Congress can consider all of the relevant issues. Still, it is a major report that is going to be coming out on this issue.

I have been very disappointed in the Air Force granting this tanker award to primarily a foreign builder, primarily to Airbus and EADS, which will build the biggest part of this tanker plane. I am disappointed for three major reasons:

One is that I think the merits themselves of the contracting process were not followed by the Air Force.

Second is the heavy subsidization by European governments of Airbus's plane. The base plane has had heavy subsidies of which the U.S. Government, by another arm—the U.S. Trade Representative's Office—is suing the European governments and Airbus and EADS, its parent corporation, for this. We are likely to see that case report out soon.

Third, I think all the contractors should be subjected to the same rules, including things such as the Foreign Corrupt Practices Act, which U.S. companies are subject to, and I believe all foreign competitors and bidders should be as well.

First, regarding the GAO, we need to look inside the process the Air Force used to award the contract. At the base of this, what is very puzzling to me is why the Air Force put so much stock in getting a bigger Airbus plane in this bidding process when they had been happy and desirous of the size of the plane Boeing had put forward. If they wanted a bigger plane, they should have put that forward in the bidding process.

Plus, I put this forward: At a time when airlines are looking at the cost of running their airplanes and fuel costs, why is it that the Air Force would look at a bigger plane instead of a smaller plane that is more fuel efficient? That is what all the airlines are looking at. Why would we not look at the same thing? Plus, in looking at the bigger plane, I do not believe a realistic assessment of the military construction needs at the bases throughout the United States and the landing needs throughout the world has been looked at because you are going to have to increase landing space, you are going to have to increase hangar space for the larger airplane Airbus is putting forward. That is in the GAO report.

On the foreign trade subsidies, the Air Force says it cannot consider foreign subsidies when it looks at the cost of contract proposals. As a result, the GAO will not review that issue either. But the United States is currently suing the European Union for subsidizing the same company to which the Air Force has awarded this new tanker contract. We expect that ruling on this WTO case very soon. We anticipate getting somewhere—if we win this case—a \$4.5 billion judgment against Airbus and EADS for this same frame they are now being rewarded by the Air Force for with a \$35 billion contract. So they subsidized the civilian aircraft, militarized it, and put it into the military building field. We sued them on this for an illegal international subsidy. We are giving them a contract here for \$35 billion on the same subsidized plane. Only Congress can decide this issue, but I submit this is not the way we want to encourage other governments around the world to operate.

Then a final issue is on foreign corrupt practices. The Air Force considers

each bidder's ability to execute a major contract, but it cannot evaluate the business practices used by each company, and neither can the GAO. But all U.S.-based companies are subject to the Foreign Corrupt Practices Act. I submit we must require that same sort of performance. If a company is going to bid on a major U.S. military contract, they should be subjected to the same rules. I think this would be something that EADS, the parent corporation of Airbus, would be willing to be subjected to. We should require that they and other foreign companies compete for Defense contracts and hold themselves to the same standards we require of U.S. companies under this Foreign Corrupt Practices Act. Again, the Air Force has not considered this piece in their overall analysis.

The bottom line is I think this is a highly flawed contract on the basis of the military not following its own design requests of its smaller plane; second, the United States awarding a contract on a subsidized plane that was illegally subsidized; and third, that these companies are operating under different rules. A foreign company operated under a more favorable set of rules. I think the Congress should look at all of these issues and say this is not the way we want to go on these tankers. We want to build them in the United States. We want these jobs in the United States. We want the workers to be in the United States. We want the military industrial complex to be U.S. based and not foreign based.

As a gentleman said to me some time ago: There are two things we shouldn't be dependent upon another country's government for, and that is for your defense and for your food. Here we are being subject to a foreign government's building of a major piece of our military complex. The tankers are something that extend the ability for us to be able to fly missions. They are critical to our air campaigns. We are going to be dependent upon primarily a foreign producer to be able to build these planes. I think that has untold problems—potential problems—for us down the road and it would be something it seems to me this Congress should take a very aggressive look at and say no, we don't want to go that route. The GAO report will come out next week. It is going to be a key issue in this overall decisionmaking process.

Mr. President, I thank you and my colleagues for the time.

I yield the floor and note the absence of a quorum.

The PRESIDING OFFICER (Mr. SALAZAR). The clerk will call the roll. The bill clerk proceeded to call the roll.

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

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

## CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is now closed.

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

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the motion to proceed to S. 3044, which the clerk will report.

The legislative clerk read as follows:

Motion to proceed to S. 3044, a bill to provide energy price relief and hold oil companies and other entities accountable for their actions with regard to high energy prices, and for other purposes.

The PRESIDING OFFICER. The Senator from Maryland is recognized.

Mr. CARDIN. Mr. President, I take this time on behalf of Marylanders who are worried. They are worried because of the high cost of energy. They are worried about the cost of filling the tanks in their cars with gasoline. They want us to do something about it. They are looking to us. They recall just 7 years ago, when President Bush took office, and the price of gasoline at the pump was less than \$1.50 a gallon. Today, it is over \$4 a gallon. It is having a direct impact on people in my State and around the Nation being able to afford to operate their automobiles.

I can tell you businesses in Maryland—and I am sure my colleagues have similar stories around the Nation—particularly small businesses that rely upon their car or truck for transportation, don't have the ability to afford the increased cost of energy. They are on the brink of going out of business because of the rising energy cost. They want us to do something about it.

I am particularly disappointed and frustrated that the Republicans decided twice this week to deny us an opportunity to do what we should be doing—legislating on this very important issue.

The Consumer-First Energy Act of 2008 would have made a major difference in the cost of energy in the United States. I am proud to be a cosponsor of that legislation. Yet the Republicans used a procedural roadblock—a filibuster—to prevent us from taking up that legislation, debating it, acting on amendments, and doing what we should be doing. The Republicans said the status quo is acceptable. Well, the status quo is not acceptable.

What would this legislation do? First, it would say taxpayers don't need to subsidize the oil companies. The oil companies are making record profits. In 2002, their profits were \$29 billion. Last year, that grew to \$124 billion. They don't need public subsidies. Taxpayers should not be subsidizing them. By the way, they are not investing their profits back into this country. They are not looking at ways to make this Nation more energy secure, nor are they investing in renewable en-

ergy sources. The President said, on April 14, 2005, that if oil reaches \$55 a barrel, there is no need for the Government to subsidize further efforts on behalf of the oil industry. The price now is \$140 a barrel. So the subsidies were provided. That \$17 billion should be re-invested in America, rather than subsidizing oil companies for even greater profits. Let's use that for making this Nation energy secure, and let's use it for renewable energy sources.

That is exactly what this legislation would do.

There has been a lot of talk about a windfall profits tax. I happen to believe the oil industry is entitled to a profit—just not an obscene profit, taking advantage of the world circumstances in oil. With the windfall profit provision of this legislation, it would tell the oil companies to invest a little bit of that money here in America, in renewable energy sources. That is what it does. It is a clear message about the security of America.

This legislation would take on the speculators. A large part of the cost is not that we are using more oil because, actually, we are using less oil today because of the high cost. We have speculators, who are people buying oil futures and driving up the cost of oil, and we are paying more at the pump. This legislation says those types of speculators should be regulated. There should be margin requirements that make sense, and they should not speculate without sound investment principles. That is what this legislation does.

This legislation expresses our concerns that the OPEC countries that are sending oil into America and depend upon U.S. consumers should be subject to our antitrust laws. This legislation would help in the short term, help bring down the cost of gasoline in the short term, but it would also provide us some long-term strategies for energy security.

What did the Republican leadership do? They said, no, let's not talk about it. The status quo is acceptable.

Well, it is not acceptable. Then, on H.R. 6049, the Republican leadership again exercised the filibuster procedural roadblock, and we could not take up that legislation, which would provide \$18 billion for tax incentives for renewable energy sources so we can energize the American marketplace to develop our wind, solar and geothermal and we can develop the answers to our energy problems in America by energizing innovative individuals and companies in using our market forces to solve the problems here in America.

The legislation also provided for more energy-efficient buildings, which makes sense, and extended the expiring tax provisions, including research and development, which would also help us in dealing with the problems of our country, and extending the alternative minimum tax relief, which is so important. The Republicans said, no, with procedural roadblocks.