

“the voice of summer in Seattle.” I could not agree more.

Dave also made a brief bit of history by doing the first play by play of a baseball game live on the Internet in September of 1995 when the Mariners and the Yankees played. So baseball came into cyberspace and everybody around the world got to hear some of Dave Niehaus's great phrases such as “swung and belted” and “get the mustard and rye bread, grandma, because it's grand salami time.”

And for the fans, we do consider Dave part of the team. In fact, in 1999 the Mariners chose to honor Dave Niehaus by having him throw out the ceremonial first pitch at the opening of our new stadium, something that is the pride of the Northwest, Safeco Field which was opened in 1999.

Dave was there behind the microphone in the 1995 season, the “refuse to lose season.” It was an exciting time in the Northwest. He called the exciting one-game playoff with the Angels. After the game, many of the fans cheered him as much as they cheered the players.

Dave was also behind the microphone for what is called the “famous double,” the most memorable moment in Seattle Mariners sports history. It was the deciding game of the 1995 playoffs against the Yankees, and in the bottom of the 11th inning, Edgar Martinez hit a double that became Dave's favorite call of his entire career, as Ken Griffey, Jr. scored from first base, winning the series.

Once again, I congratulate Dave Niehaus in winning the 2008 Ford C. Frick Award for excellence in baseball broadcasting and his introduction into Cooperstown. Dave's signature call of “my, oh, my,” now will join the ranks of Harry Caray's “holy cow,” Mel Allen's “going, going, gone” and Vin Scully's “I can't believe it.”

Finally I wish to say, because this is a point of personal privilege for me, that I hope somewhere in 2010, I might be standing in this very same spot with the opportunity to congratulate Edgar Martinez in being enshrined in the Hall of Fame.

Edgar's achievements are many: He is a two-time American League batting champion, a seven-time All-Star, a career .312 hitter, including seven consecutive seasons of hitting above .300 from 1995 to 2001. And of the 164 hitters in the Hall of Fame, Edgar's on-base percentage of .418 would rank him 13th.

I say this because in the Northwest, sometimes we do not get all the attention. Being in a different time zone, people do not see all of the accomplishments. But we are here to congratulate Dave Niehaus and hope for the best, that another Seattle Mariner will be added to the ranks of Cooperstown sometime soon.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

NATIONAL DAY OF THE AMERICAN COWBOY

Mr. ENZI. Mr. President, I want to take this moment to remind everybody that today is National Day of the American Cowboy as designated by Congress. I was hoping to be at Cheyenne Frontier Days to make that announcement today, along with my fellow Senator, Mr. BARRASSO, but our votes make that virtually impossible.

There will be a huge celebration there at Cheyenne Frontier Days, which is the daddy of them all, the first rodeo, the biggest rodeo, but at rodeos all over the country and on ranches all across the country, we will be recognizing the hard work and strong ethics of the American cowboy.

I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware is recognized.

VOTE EXPLANATION

Mr. CARPER. Mr. President, I was hosting a home ownership fair in Wilmington, DE, that kicked off at 6 o'clock this morning. I ran into construction on I-95, ran into construction on New York Avenue, and arrived right at the end and missed the first vote.

On rollcall vote 186, I ask unanimous consent that the RECORD indicate that had I been present, I would have voted “yes.”

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

HOUSING

Mr. CARPER. The Nation has gone through a housing bubble over the last year or two. Housing values have gone up in a way that are unsustainable. We have now seen the collapse of the bubble. As we eventually move our way toward a stabilizing of housing prices, with this housing legislation to make sure that when we do reach the bottom, prices stabilize, and there is enough confidence on the part of people who are renting houses today, people who would like to be homeowners, that they can move in, they will have a mortgage mechanism that still works, they will have a housing finance operation that still works, and we will be able to get this economy moving again.

The legislation we have adopted provides for stabilizing Fannie Mae and Freddie Mac, makes sure we have a strong independent regulator for them, brings the FHA into the 21st century and streamlines it, provides for housing counselors. It does a whole lot of good things.

I commend everyone who has had a hand in working in that, including the Presiding Officer, and say that I am delighted it has passed and the President is going to sign it into law.

The PRESIDING OFFICER. The Senator from Alaska.

Ms. MURKOWSKI. Mr. President, under the previous unanimous consent order, I believe the Republicans have 30 minutes under our control.

I yield to the Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I thank the Senator from Alaska.

I ask unanimous consent, if it has not been asked already, that we conduct the next 30 minutes as in a colloquy.

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

ENERGY

Mr. ALEXANDER. Mr. President, a week ago yesterday the Democratic leader brought to the floor an energy bill. It was limited to speculation. But we welcomed that, we on the Republican side. I think the American people welcomed it, because the most important issue facing our country is \$4 gasoline.

We are sending billions of dollars overseas to people, many of whom are trying to kill us by bankrolling terrorists. We are emptying our pockets to buy gasoline. I have e-mails and letters, as all Senators do—in my case from Tennesseans—from Marines who come home and do not have the money to take a family vacation, and from moms who are losing their jobs because they cannot afford to commute.

So we welcomed the Democratic leader's bringing to the floor a week from yesterday the speculation bill. What we want to do in this 30 minutes is let the American people know what we could have accomplished in this last week if only the Democratic leader would have allowed a full and open debate on gas prices, including proposals to both find more and use less.

You hear a lot of words here on the floor. I couldn't believe what I was hearing a few minutes ago. I thought I must be in the United Nations without translators, because, I mean, what the Democratic leader says he said is not what any of us heard him say.

What we heard him say, when we asked to say: Let us bring up gas prices, let us talk about the real problems, let us talk about speculation, let us talk about supply, let us talk about demand, let us debate, let us vote, we have said: Let's come to some agreement about a number of amendments on each side. Limit them to energy, limit the amount of time, vote on them, see if we can take a serious step toward dealing with \$4 gasoline.

What we have said is we want to find more and use less. Now, why do we say that? Because the whole problem of \$4 gasoline boils down to a couple of things: the expected increased demand for gasoline worldwide, especially in places like China and India where people are becoming richer and driving more cars; and the decreased supply.

The United States can make a significant contribution to both demand and supply. Finding more is the way you deal with supply; using less is the way you deal with demand. So we offered one amendment that 44 senators agreed with that said: Let us do offshore drilling for oil and gas. Now, 85

percent of the area that should be available to offshore drilling is not available because of a congressional law. We said: Let's give States the option to do that.

Secondly, we said: Let's take off the moratorium on oil shale in the western States, and proceed in an environmentally sound way to find more oil. Doing those two things over time, the Department of Interior has said, would increase by one-third United States oil production.

On the other side, we said: Let's use less by making commonplace plug-in electric cars and trucks. We have 240 million cars and trucks in America. We use gasoline to run almost all of them. That comes from oil. If we instead began to use electricity to run those cars and trucks, we could cut in half the amount of oil we import and we could do it without building any new powerplants because we have so much electricity available at night when we are asleep. The powerplants rev down and they have got a lot of unused electricity. So you could literally, with a plug-in electric car, plug it in at night for 60 cents—that is your fill-up—and drive 30 or 40 miles on your electric battery before the gasoline engine kicks in, in your hybrid car.

This is no far-fetched idea. Nissan, General Motors, Ford, Toyota—all will have these cars on the markets. Half of our electric power is unused at night. So we have got the cars coming, we have got the power, all we need is the cord. In the Congress we have substantial agreement across party lines to do that.

We have a variety of other ideas that could help us find more and use less. For example, we would like to make it easier for more nuclear powerplants. But on the other side they say no.

But what we are trying to say is, Mr. Democratic Leader, let us come to the floor and do what we could have been doing for the last 8 days and try to fashion a serious effort at lowering gasoline prices. Start saying yes, we can, instead of no, we cannot.

I see the Senator from Alaska here, who is one of the ranking Senators on the Energy Committee and one of the most knowledgeable on this issue. I would ask her: What do you think we might have accomplished in these last 8 days, and what could we still accomplish?

Ms. MURKOWSKI. I say to my friend, the Senator from Tennessee, in terms of what is out there, the options are enormous. You mentioned a few that are part of our legislation, whether it is the advancement of nuclear or coal to liquids or oil shale or offshore.

One of the issues we in Alaska believe in very strongly, and have great public support, not only in the State but growing across the country, is the recognition, up in an area called ANWR, a section of the North Slope that is very lucrative in terms of reserves, we have an opportunity to provide for this Nation more of a resource it desperately needs.

We need the permission of the Congress to go ahead and allow for that. So we kind of get nailed on the Republican side by our colleagues who say: Well, all you want to do is drill, drill, drill. And ANWR is one example of that.

I remind my colleagues—and perhaps many do not know—I do not know if you actually know as well in terms of what our legislation or what our amendment on opening ANWR would provide in terms of not only the resource, 10.5 billion barrels of oil is the mean estimate, but what we are looking to do then with our amendment is not take those revenues that come to the Federal Treasury, put them in the black hole of the Treasury, but we want to direct those toward the development of renewable resources, for solar power and wind. Eighteen billion dollars could be directed toward the advancements of those areas.

Carbon capture and storage technology, \$30 billion could be directed in that area; \$50 billion for cellulosic biofuels; \$15 billion for smart grid electrical technology. What we are doing is, we are taking a resource that we desperately need, using those revenues to direct them to the next generation of energy technology that will allow for a level of independence for this Nation. We know we can't get from where we are now to where we need to be with renewables only by wishful thinking. It is going to take a strong economy and revenues. Let's help with the revenues from a resource like ANWR. Let's stop sending overseas, to countries that are not our friends today and will likely not be our friends in the future, let's stop sending this incredible transfer of wealth. Let's try to do more here and build in a direction where we have technologies working for us for the future energy needs of this country.

We have not been given the opportunity to advance such an amendment. That is unfortunate for us, unfortunate that we are not having a full-fledged debate, and unfortunate for the people who have been denied this resource for some 30 years.

We opened it. We passed legislation once through the Congress, and it was vetoed 10 years ago by President Clinton. If he had not vetoed that, we would be seeing a million barrels a day coming into this country from the north. We want to be able to provide that.

Mr. ALEXANDER. I thank the Senator. I see the Senator from South Dakota. No one more vigorously advocates for the type alternative energy that the Senator from Alaska was talking about funding research for. The Senator from Alaska talked about the importance of research for advanced biofuels such as cellulosic ethanol. I have heard you talk about that before. It is a very promising area in addition to the ethanol we already produce.

Mr. THUNE. The Senator has correctly identified the problem. We use too much energy, and we don't produce enough. The solution to that problem

is to find more and use less. That is exactly what we want to be discussing in the Senate, how do we increase supply and reduce demand in a way that will help lower fuel prices for Americans who are feeling the brunt of rising gasoline prices and rising oil prices.

As the Senator from Tennessee noted, we have had great success in my State with biofuels. We are going to eclipse the 1 billion gallon mark this year in terms of ethanol production. If you couple that with next generation biofuels, cellulosic ethanol, there is enormous promise and potential for us to lessen our dangerous dependence upon foreign sources of energy by converting to biofuels. But having said that, I am for ANWR. I have voted for ANWR. I have actually been to ANWR with the Senator from Alaska. I am absolutely convinced that we ought to be accessing the incredible reserves we have there that could lessen our dependence on foreign energy.

I am for more domestic supply, whether it is oil and gas, biofuels, nuclear, coal to liquid, oil shale. There are a lot of good options, none of which we are having an opportunity to talk about in the Senate because the Democratic leader has decided that no amendments are going to be allowed.

We are stuck in the Senate on a Saturday. The American people are crying out for a solution to a big problem. Big problems require leadership. We are not providing leadership. We are not doing what the Senate should be doing, and that is working its will for the American people. The people I represent deserve a vote. They deserve a vote on energy issues that are important to South Dakota, as do the people in Alaska, Tennessee, Wyoming, New Mexico, and Utah, constituents of the Senators who are here in the Chamber now and want to see this issue debated. They want to see solutions. The only way we will get to a solution is by allowing an open process where we can debate finding more and using less. I am for all the things I have just mentioned.

In the energy debate we had in the summer of 2005, we actually adopted 57 amendments. We stayed on the bill for 10 days. We had a full-throated debate on energy. In 2007, we debated energy again. We adopted 49 amendments, and we spent 15 days on the floor talking about it. But we had an opportunity to discuss amendments that would do something about the energy crisis. What we have instead now is a Democratic leadership that has drawn a line in the sand and said: We will not vote on any of these things. We will not debate any of these things. You take our way or the highway.

Their way does nothing to add to our energy supply or to reduce dependence upon foreign sources. I appreciate the leadership of the Senator from Tennessee. I, along with him and my colleagues, urge the Democratic leadership to open the process and give us a fair opportunity to debate amendments

and find meaningful solutions to America's serious energy problems.

Mr. DOMENICI. Before the Senator sits down, might I ask a question.

Mr. ALEXANDER. How much time do we have remaining?

The PRESIDING OFFICER. There is 16 minutes.

Mr. ALEXANDER. Would the Chair please let me know when 5 minutes remains.

Mr. DOMENICI. I wanted to ask the Senator from South Dakota about his speech. You just got finished telling the American people what you would like to do on the bill, if that bill were present now and we were debating it, the bill they have been talking about, the speculation bill. You have been saying this is what you would do. A little while ago, the majority leader told the American people: You all could offer amendments on nuclear, on offshore. It seems to me he said that, and you are talking as if that is wrong, that we couldn't offer amendments.

Could you explain why you feel the way you do and why it would appear that what he said is not true when compared with the way you are reacting? You are a good Senator. The way you are reacting, it seems as if what the majority leader said is untrue.

Mr. THUNE. With respect to what the Senator from Nevada said earlier today, indicating that we had an opportunity to offer amendments, that is flatly not the case. He has filled the amendment tree, which in Washington parlance means he has essentially prevented or blocked other Members from offering amendments. We are paralyzed because we can't have the debate we need to on all the amendments and solutions that Members are here to offer, all of which would add to the debate and most of which would actually address the fundamental problem the Senator from Tennessee has identified. We don't produce enough energy in this country, and we use too much. We need to find more and use less.

Mr. ALEXANDER. The Senator from Utah is here. He has served in the Senate for a while. We only have about 10 more minutes, and several colleagues are here who would like to speak. Doesn't the Senator from Utah think it is a great disappointment that we have not been able, instead of just talking about gas prices, to do something about gas prices? Can he help some of us who have been here a little less longer in the Senate understand how that could have happened?

Mr. BENNETT. I say to the Senator from Tennessee, the one thing we should remember about markets is that markets hate uncertainty. Whenever markets are not certain as to what is going to happen, the price of commodities always goes up because people want those commodities. They want to hold them, and they are afraid, in an area of uncertainty, that they might not be able to get them, so they will bid the price up.

Our inability to bring certainty to the energy debate by virtue of the par-

liamentary maneuvers that have occurred contributes to the high price of gasoline. An airline, a truck line, an energy company dealing with gasoline at the pump has to have gasoline, diesel fuel, jet fuel, or they will be unable to function. When they cannot see any end to the present uncertainty of world supply, that is when they bid for long-term contracts. As they bid for the long-term contracts, others who say, we are not sure what is going to happen in the housing market or what is going to happen in the stock market, the one place where we are sure the price is going to go up is oil. They will come in and bid for the futures as well.

We have had a bill on the floor that tries to deal with speculation as if it were a mystery. Speculation is not a mystery. The word "speculator," as Bernard Baruch said, comes from the Latin phrase "speculari," to observe. A speculator is one who observes what is going on and tries to make sense out of it.

If we could say to the world market, we are serious about looking at oil shale, we are serious about looking at the Outer Continental Shelf, we are serious about doing things with respect to American automobile usage of oil, that would bring a degree of certainty to the marketplace. People would say: I don't need to buy that long-term oil contract because now there is a path of certainty that will mean prices will be stable. As prices become stable, they begin to come down. That is what we are trying to do. The parliamentary maneuvers entered into prevent us from bringing that certainty to the market and contribute to the constantly rising price of oil.

Mr. ALEXANDER. I thank the Senator.

The Senator from Wyoming is here. He has been actively involved in a variety of energy issues and a member of the Energy Committee. He has been an active participant in the energy debate in this Chamber. Has the Senator not heard the Republican leader repeatedly say to the Democratic leader: We are ready to talk about supply and demand. We are ready to deal with, say, seven amendments from the Republican side and seven from the Democratic side and to vote on them and to have a time limited debate, and our whole purpose is a serious purpose to try to get a result; so can we not do that? Has he not heard that time and time again. And, if so, why does he suppose we are not doing that?

Mr. BARRASSO. I have heard it time and time again. We are ready to vote and to offer amendments. Clearly, we need to deal with this issue of supply and demand. We need to find more and use less. The people of Wyoming get it. The people of my neighbors to the east in South Dakota know it. The people from Utah understand it completely. The people at home get it.

There is a story in the Wall Street Journal from Thursday, "Want to See Inflation Pressures? Try Wyoming."

People drive great distances in these Western States, but they are also paying not just the price at the pump but also at the grocery store when they have to buy things shipped in because of transportation costs. They say: Hey, you are sending all of this money overseas to foreign countries, people who are not our friends. We need to be energy self-sufficient. We need to do it at home, which is exactly what we are trying to do with these seven amendments. Wyoming is an energy State—oil, natural gas, uranium for nuclear, and coal. The technology now with coal is there for clean coal technology, coal to liquids. That is energy that can be used for our military airplanes.

Mr. ALEXANDER. Is it not true that one of the leading environmental groups has said that if we can find a way to capture carbon from coal plants, that is the best long-term solution to climate change?

Mr. BARRASSO. They have said that because it is the most available, affordable, secure, reliable source of energy we have. We have enough coal to last this country hundreds of years. We have ways to capture the carbon and pump it into the ground of old oil wells and get more oil and leave some of the carbon down below.

Mr. ALEXANDER. I assume that during the last 8 days, instead of just debating or speaking in languages that we don't seem to understand from each side, we could have actually considered an amendment to have aggressive research in carbon capture to accelerate the possibility that we could deal with climate change, clean air, energy independence, and have plenty more electricity for plug-in cars and trucks that everyone seems to favor.

Mr. BARRASSO. And we could do it all with an environmental safety net. The opportunity has been blocked step by step.

Mr. ALEXANDER. Mr. President, how much time remains?

The PRESIDING OFFICER. The Senator has 8 minutes.

Mr. ALEXANDER. I see the Senator from Tennessee, a member of the Energy Committee. He is one of the newer Members of the Senate. He has his feet pretty firmly on the ground. I am sure he is here to try to accomplish something. I wondered if he has any reflection about these last 8 days and our ability to try to deal with the No. 1 issue facing the American people, \$4 gasoline.

Mr. CORKER. The senior Senator from Tennessee provides tremendous leadership and certainly has done that on the issue of energy. He has spent time on the Energy Committee and knows of the great things happening in the State of Tennessee in this regard. What I would say to the Senator from Tennessee, someone who is a great friend, I worked hard to come to this body. You saw the tremendous effort I put in place to come to this body.

This is the biggest issue the American people are dealing with today. I

did a townhall meeting the other night on the phone, which had about 1,200 people, and almost every question people called in about was: Are we going to do anything as it relates to energy? So I know this is a major issue. I know it affects people.

I go into retail stores, for instance, where somebody is working behind the counter, and I know they are not making a very high wage. They tell me: Please, is there something you can do to solve this problem? In my family, we are having to make decisions I thought we would never have to make, and I am concerned about what is going to happen this winter.

So, yes, to get back to the Senator and sharing reflections, it is hard for me to believe we have a body of 100 adults, we have the biggest issue our country is dealing with, and one Senator—one Senator—has decided no one can offer amendments. I think it is a lack of responsibility to the American people. I do feel remiss that you and I both are not able to represent the people of Tennessee to do something they know makes sense; and that is, produce more and use less.

I thank the Senator for this time.

Mr. ALEXANDER. Mr. President, I thank the Senator.

The PRESIDING OFFICER. The Senator from Tennessee has 5 minutes.

Mr. ALEXANDER. Thank you, Mr. President.

Mr. President, Senator DOMENICI from New Mexico has served in the Senate for 36 years. He is the ranking member on the Energy Committee. I ask him, can you help us understand why, with so many Senators willing today—and for the last 8 days—to deal with this issue, we are not dealing with it? And why the Democratic leader seems to be determined to avoid doing any single thing that would produce more American energy?

Mr. DOMENICI. Well, Mr. President, let me say to my good friend from Tennessee, first, what a pleasure it is to serve with him. I am sorry we have not served together the last 2 years on the Energy Committee because the Senator moved—after we got the big Energy bill through, and to his State's benefit—to the Appropriations Committee. I still get to work with the Senator there.

I say to the Senator, let's see if we can put it into focus. American people, I hope you have been watching for about 30 minutes or 40. Because if you go back about 40 minutes or 45 minutes, you will see somebody standing over there. His name is HARRY REID. He is from Nevada. He is the majority leader.

You would have heard him say: Well, I have offered to you that you could have offered an amendment for the offshore. You could have offered an amendment for nuclear. He went on through five or six. You could have offered them, but you didn't.

Isn't it strange that he stands there and tells the American people and the

Senate that, and here, today, there are five Senators talking with you, all who, it seems to me, have good brains, who seem to be interested in their State and our country. What are they saying? They are saying: We wish we could offer an amendment. So that means they could not. Right?

I will tell you, here is how I approach it. I am going to look at the Parliamentarian and say to the Parliamentarian: You might know, Mr. Parliamentarian, because I asked. I will tell you, and I hope you will accept what I say is true. The Parliamentarian has told me the two amendments Majority Leader REID put on the so-called speculation bill—he added them to it to fill the tree—are called amendments Nos. 5098 and 5099.

So, Mr. Parliamentarian, let's assume we are talking about the so-called speculation bill. Let's further assume—because it is true—there are two amendments that have been offered to it, amendments Nos. 5098 and 5099.

With that, I will ask: Is it in order for the Senators from Tennessee—either of them—or the Senator from New Mexico, with that situation, to offer an amendment that would permit the opening of the offshore resources of America? Would that amendment be in order?

The PRESIDING OFFICER. All slots are filled and the amendment would not be in order.

Mr. DOMENICI. Mr. President, I say to the Senator, you asked me, could I help you. I think I have helped you, right there. I think I have helped those who are listening.

Mr. ALEXANDER. Mr. President, I ask the Senator, what about the amendment by Senator DOMENICI to make it easier to build five or six nuclear plants a year, so we could have more clean energy; would that be in order?

Mr. DOMENICI. Mr. President, I say to the Senator, that amendment would not be in order.

Mr. ALEXANDER. Why would it not be in order?

Mr. DOMENICI. Because in the Senate, we run on parliamentary rules. There is a rule that if an amendment has been filled, the tree has been filled, you cannot offer any more.

Now, we have a majority leader who has used that rule more than any other leader in the history of America. That means he has offered two amendments to an amendment so you could not offer any other amendments. That is the way he runs the Senate. He does it not only to us, he does it to everybody because he does not want to have a vote on what you want, which you have so eloquently spoken to, or what the Senator from Alaska wants or what I would like. He does not want any of those. Why? Because maybe he will lose and maybe we will open this big parcel of land to the American people, open it so we can use it.

Somehow or other, Democrats do not want more energy. I do not know why.

It is incredible to me that with the American people clamoring for it, they do not want it. But they have a leader who is acting so no amendments can be offered. He stands and tells the American people any amendment they want can be offered.

Frankly, I tell you, you can put those things up beside each other, and one is true and one is not true. I think I have established the reality that if I wanted to offer any amendments he was talking about, they would be out of order.

I have lived in the Senate for 36 years. I have never had a Senate such as this. This Senate is run by one person. It is worse than the House Rules Committee. The House Rules Committee establishes the rules by which you work. But we do not have that. We have one person. He decides because he is entitled to the floor, he offers two amendments, and that equals a denial of the rights for either Republicans or Democrats to offer an amendment. That is where we are.

Look at the good we could have done. Look at the issues we could have resolved. Look at what we could have told the American people: We have opened your property which contains billions of barrels of oil and God knows how many trillion cubic feet of natural gas. It is going to be open so we can use it. Well, we cannot tell them that. It is kind of strange, but I think it is true.

I am very glad you asked me to explain it. I am glad we have the number. Maybe next week we can ask the majority leader, when he is here, if he would withdraw those two amendments so we could have amendments. I think if he were here, I would ask him that. I would ask him: How about a unanimous consent agreement, Mr. Leader, that we will remove your two amendments. They stand in the way of all our amendments. How about removing them? I would get some mumbo jumbo, and he would say he wants to leave them there.

I thank the Senator.

The PRESIDING OFFICER. The time has expired.

Mr. ALEXANDER. I thank the Presiding Officer.

Mr. President, I thank my colleagues.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Mr. President, I say to Senator DOMENICI, thank you so much for clarifying this. It is like we are hearing two different conversations utterly unconnected to one another. But I notice Senator MCCONNELL, the Republican leader, had offered a consent request. He offered and asked that we be allowed to offer seven amendments—just seven amendments. There was some confusion about it. But did you hear what the majority leader said to that offer?

Mr. DOMENICI. I did. Surely, I did.

Mr. SESSIONS. What did he say? And what power did he have to carry out what he said?

Mr. DOMENICI. He said no. And he had the power to do it because, I told

you, if our leader would have taken any one of those seven—say, he would have given you one of them and said to the distinguished Senator from Alabama: Why don't you offer this one? If you would have offered it, somebody would have said that meant that amendment is out of order, and the Parliamentarian would have said that is out of order. You cannot offer amendments because those two amendments have been offered to fill the tree. That is a nice word. We have to understand it.

What he has done is put those up there, which equals no one has a right to offer an amendment: I have done it. I have had all the amendments that this institution is going to have. I have the right to, says the leader. I put them. That is the end of the amendments.

Mr. SESSIONS. Mr. President, I think that is a sad event.

I ask the Senator, would you not say that this body we take so much pride in as being the greatest deliberative body in the world—maybe in the history of the world—on an issue that is as important to the family budget and the entire Nation's economy that is shaky now because of surges in gas prices—isn't it bad policy—I say to Senator DOMENICI, you have been here 36 years, you have chaired the Energy Committee, you have written energy bills that have made the country better. Isn't it critically important right now for America that we start talking about and debating openly, not trying to manipulate it but openly to see what we can do to produce more and use less energy?

Mr. DOMENICI. Mr. President, I believe it is absolutely what our distinguished chairman of our conference—who is on the floor, who was the leader of the colloquy that took place—has so eloquently said. It is right here in our hands that offshore contains more oil and gas than any other property of the United States, and it not only should be the subject matter of debate but there should be an amendment offered and we should vote on it and say yes or no to opening it for drilling.

Can you imagine how happy the American people, who have followed this issue, would be if one of these mornings they could read: Senate votes on offshore drilling and says yes. I do not know why the Democrats do not want to do that. I would think they would be in favor of it because most Americans are. So I do not know where they are getting the messages.

But you cannot stand here any longer, after what we have established today, and say you can vote on any of these. Somebody is going to be here with the name of these amendments, and anytime he says that, we are going to ask: Can we remove these two amendments that stand in the way of us doing that? I don't know what his excuse is going to be, but there will have to be one. Right?

Mr. SESSIONS. Mr. President, I will ask this too.

I say to the Senator, you have watched this so closely, and we have the question of oil shale in the West.

Mr. DOMENICI. Yes.

Mr. SESSIONS. Two years ago, when your Energy bill passed, we had an opportunity to begin to see if we could make that be successful. I think we can. We had testimony in the Energy Committee that indicated it would come in below the world price of oil.

Mr. DOMENICI. Oh, yes.

Mr. SESSIONS. But what happened? Wasn't it when the Democrats got the majority in the Congress, Speaker PELOSI put in language that barred any utilization of Federal lands to produce oil from shale?

Mr. DOMENICI. Well, actually, when we did our big Energy bill—that is when the good Senator from Tennessee was on our committee—one of the things we wrote in—it went by rather easily, nobody knew it; I knew it because I worked on it and I put it in there—we decided that the Bureau of Land Management property up there in those three States belongs to the Government—that property. So it belongs to the people. There was not any provision to let the leases out so they could use it for research on how to develop it. We permitted that in our bill.

Sure enough, it worked. Within 6 months after the bill was passed, there was interest. The interest was evidenced by one of the major companies taking out a lease. They wanted to spend \$4 billion developing a technology. They were ready to move and see if it was going to work. Well, that is a lot of money, and it means that is going to take a lot of money.

Well, you know what happened. Similar to all these other things around here, in the dead of night, on the Interior appropriations bill, an amendment was put on, a rider, you call it. It said: You cannot proceed to write the final regulations for the research and development—not for the production—for the research and development so people will know what they are getting into and what they can spend money on.

They passed that at night, put it on there. We know where it came from. It came from those who want no development in the State of Colorado. And there we are, similar to all these other amendments that have been put on that take away property rights from our American people. That was done there. We are asking that be lifted. We have an amendment to do that. We cannot vote on it. Right?

Mr. SESSIONS. But it was a very recent act in the Interior appropriations bill, not fully debated anywhere.

Mr. DOMENICI. Nowhere.

Mr. SESSIONS. Slipped in, as we say, in the dead of night. It reversed the option to going forward and basically denied the Interior Department the ability to write the regulations that would allow it to go forward.

Mr. DOMENICI. Yes. Whenever I talked about the regulations, I want to clarify that the first commercial rigs

couldn't be developed because of what they did.

Senator, I just wish to say before I sit down—and I am ready to—how pleased I am that you are going to stay after I leave and apparently stay on the Energy Committee and apparently work on something very dear to my heart: nuclear energy. I worked for 8 to 10 years on that, with marvelous staff help. I think we had a lot to do with going from no nuclear power in America to a very live activity where many companies are standing in line to offer their licenses at the Nuclear Regulatory Commission to produce nuclear power.

We need to finish with a recycling provision. I understand you are interested in that and you will probably work on that in the years to come, and I commend you. I will be gone.

I think my good friend from Tennessee who is here knows we have to do recycling, the second phase of this activity. Right in his State, we have taken the lead. TVA has taken the lead in nuclear power because they were ready, and before anybody else they were building one, building a half one, turning it into a whole, and that has been a tremendous experience for the nuclear industry. He is to be praised because that happened with people being heard and all and with no serious complaints, and it is on its way, just like the rest of them. They are going to build them right next door to existing ones, and that is going to be a pretty good approach. Remember that when you start working at it, they are not building them in new places, they are building right next door to ones that have been there for 30 years. People say: Of course, build another one. You might hear some anti's, but they are not anti's around the existing plants because it has been nothing but good, and you will find that when you start to take the lead in that.

I want to say I think the time is up for me, and if it isn't, whatever it is up here tells me I am about finished for the day. I am. I do want to say to both of you that it has been tremendous to talk here today. I think, somehow or another, we have made the point that there just cannot be one set of truths for the Democrats, one set of truths that apply to the majority leader, and another set of truths that apply to us. It is either true or its not true, and the issue of whether we have been able to offer amendments in the true way, to amend them and to debate them, to be amended themselves, whether we have been in that position is clear, clear, clear as the clearest water on Earth, it is that clear that we have not been able to because it has been denied to us.

Anybody standing up saying: You could have offered amendments—how could we? I don't know how we can. Maybe next week we can offer six or eight or more. Senator, maybe you can stand up and offer them and let the Parliamentarian say they are not in order; say, why not; and we will get the

answer. Maybe somebody who put those two amendments on there to close everything up, maybe they would consider taking them off. I mean, if he says you can have an amendment, well, can we have an amendment by taking down your two amendments and then we will have our amendment? I am sure the answer would be no. Why wouldn't it be? Because they don't want you to offer an amendment, right? That must be it.

I yield the floor.

Thank you, Mr. President. I thank the Senator for giving me time.

Mr. SESSIONS. Mr. President, do we have a time agreement now?

The PRESIDING OFFICER. There is no time agreement in effect.

LIHEAP

Mr. SESSIONS. Mr. President, I would just say what an honor it has been to serve with Senator DOMENICI. There is no more effective advocate, no more courageous Senator in terms of speaking the truth about complex matters in words that Americans can understand, and no stronger Senator in committing to a sound economic policy than Senator DOMENICI. We are going to miss him in this body, there is no doubt about it.

I wish to briefly share a few thoughts about the LIHEAP legislation that was offered.

First, I would note that the Democratic leadership has proposed two pieces of legislation at this point in time over the last few weeks that would deal with energy. One is speculation, which I am open to in seeing what we can do to tighten that up, but it produces not one barrel of energy. They also tried to move today a \$2.5 billion energy subsidy to subsidize the purchase of fuel oil for people in America, and they want to spend it. There is no money whatsoever to pay for it, so it is going to be treated as an emergency, adding to the debt this Nation already has. I would just suggest that if you are looking at sound energy policy, it seems to me that Senator ALEXANDER has it right: We should find more and use less.

I would suggest it is crystal clear that the LIHEAP legislation that is designed to use \$2.5 billion of the taxpayers' money—actually, money we don't have because we are already in debt—to subsidize the utilization of more energy—really some of the dirtiest energy we have in America; burning dirty fuel oil in private home furnaces—that is not consistent with a sound energy policy.

So I reject the LIHEAP bill first and foremost because it is unpaid for, it adds another \$2.5 billion to the national debt, and it is on top of an already \$2.5 billion LIHEAP piece of legislation. This is not good leadership from the Democratic side on matters important to America.

You remember the dispute we had over automobile gasoline. The prices

went up, and some suggested we should cut the tax. We said no, that is not good policy. Why would you want to encourage the utilization of more gasoline by cutting this tax? It is just not good policy.

We need to do something fundamental about energy. It is an even worse policy to tax the American people or add debt to our grandchildren to subsidize the utilization of some of the Nation's most dirty energy.

The very people from that area of the country—the Northeast primarily—are the ones who have consistently objected to the production of more energy. Time and time—I have been here 12 years, almost. I know where the votes have come from. The very people pushing for this subsidy to burn more dirty fuel oil are the people who had objected and successfully blocked attempts to produce more, cleaner energy in America, and it is not good.

We need to talk about this. We need to get serious about America's energy policy. I know my fine colleague, the great advocate from Vermont, tried to argue that this is a fair allocation of money and that it is not regionally biased in favor of Vermont or some of our Northeastern States, that it helps rural Southern States with air-conditioning. Well, I am just looking at the numbers in the bills. I have the numbers State by State right here. In Vermont, they have one Congressman. They got \$17 million. I guess that is less than—\$17 million under this program. Alabama, with seven Congressmen—seven times the population—got a total of \$18 million.

Look, this is a gimmick. It is a transfer of wealth to a certain group of people for political reasons, and we are going to send the debt to our grandchildren. It is not good policy.

We ought not to go to the LIHEAP bill because we need to be talking about how to produce more energy. If we produce more energy and we produce cleaner alternative energy sources, if we build nuclear plants that some of these same people have opposed, if we were building another 100 nuclear plants instead of the 100 we have—and we haven't built one in 30 years—if we had been building them the way France has, where 80 percent of their energy is from nuclear power, we wouldn't be in the crisis we are in today, but they blocked that. So I just protest a little bit. Count me as saying no on that question.

I see some of my other colleagues are here, and I yield the floor at this time.

The PRESIDING OFFICER. The Senator from Tennessee is recognized.

UNANIMOUS CONSENT REQUEST— S. 3268

Mr. ALEXANDER. Mr. President, I thank the Senator from Alabama. The Senator from Oklahoma wishes to speak, but before that, I would like to make a unanimous consent request.

The majority leader said we could offer amendments on energy that dealt

with gas prices. We said we hadn't heard that to be the case for the last 8 days, but we are eager to do that. So I would like to renew, once again, the unanimous consent request that would establish a way in which this Senate on Monday could take up \$4-a-gallon gasoline, with amendments on each side of the aisle and debate them with a limited time agreement and try to come to a result on both the issues of more supply and less demand.

I ask unanimous consent that the Senate consider the pending energy speculation measure in the following manner: that the bill be subject to energy-related amendments only; provided further that the amendments be considered in an alternating manner between the two sides of the aisle.

I further ask consent that the bill remain the pending business to the exclusion of all other business other than privileged matters or items that are agreed to jointly by the two leaders.

I further ask consent that the first seven amendments to be offered on this side of the aisle by the Republican leader or his designee be the following: Outer Continental Shelf exploration plus plug-in hybrid cars; No. 2, oil shale plus conservation; No. 3, Alaska energy production plus conservation; No. 4, the Gas Price Reduction Act; No. 5, the clean nuclear energy amendment; No. 6, the coal-to-liquid energy amendment for military aviation fuel, plus the conservation provisions in that amendment; and No. 7, LIHEAP.

The PRESIDING OFFICER. In my capacity as a Senator from Pennsylvania, I object.

Mr. ALEXANDER. Thank you, Mr. President.

The PRESIDING OFFICER. The Senator from Oklahoma is recognized.

SENATE PROCEDURE

Mr. COBURN. Mr. President, I wanted to spend a few minutes. I have been a Senator for almost 4 years. I think my life experiences I bring to the body are somewhat different than a lot of others. I have some observations on what is happening to us. I hope the American people will pay attention because this week the Senate has failed—miserably failed. We just passed a housing bill that fixes only short-term problems and doesn't fix the long-term problems associated with housing and Fannie Mae and Freddie Mac. We just did that because we are in a crisis. You have to do it. The Secretary of the Treasury came to the Presiding Officer's conference, he came to ours, and he talked about why this is important for them to have the flexibility to establish confidence in the mortgage markets. We had a great opportunity to not only address that confidence and make sure it was there so people have the proper expectations that they can get a mortgage—and a reasonable one—but we did other things that failed to fix the ultimate problem.

As you play out this bill, if you look at the negative long-run end of it, the