

sees in it, and who will offer amendments to make it better. That is what a Senator ought to do.

That is what this Senate should be. It will be a dark day, it will be a day of shame in this Senate if we cobble all these pieces of legislation together and ram it through without any opportunity to amend it. That is what the plan is, as I understand it, to just cobble up 36 pieces of legislation that people have concerns about and just file for cloture, shut off debate, and pass them all. That is not good policy. It will be a dark day for this Senate.

I am so proud I had the opportunity to be here and hear Senator COBURN's speech. He is doing the right thing for this country. I am proud of him and I will be supporting him and I think a lot of others will too.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I would like to thank the Senator for his remarks. I stayed also to hear Senator COBURN, and I am glad I did. It was an important speech for this body in a whole variety of ways.

The Senator from Alabama spoke about one of the ways, but another way is that he reminded us that we are here not to advance our own political interests. I don't think most of us feel as if we are. We come here from a variety of different directions. For most of us, it is an accident we are here. We don't take ourselves all that seriously. We know it is just a set of circumstances that put us here, and we work hard. I think most of us get up every day hoping by the end of the day that we will think of something constructive to do that will help the country. But the functioning of the Senate has failed us in our ability to do that.

I have tried to put my finger on it over the last 6 years. I am not sure I have all the answers. I came here 40 years ago, with Howard Baker, in 1967. I was very young, just out of law school, and I watched things. It is never very easy—in a big complex country like this—to resolve things, and so many of the tougher issues get thrown here. We are supposed to have big issues and fierce debates and big arguments and differences of opinion. That is what we are for. But the tradition has always been that when they come here, we not only bring them up and discuss them, but we resolve them; that we come to some conclusion. That is a part of what Senator COBURN says as well.

We are not able to do that when the structure of the Senate keeps us for 9 days, as an example, from dealing with the single most important issue facing our country—high gas prices.

Senator COBURN spoke about another equally important issue to our country—our fiscal condition in the country. So we need to think about what we need to do to change the structure of our Senate. I know many on the other side must feel the same way. I served

with some of them when we were Governors and we were of different parties. I know they are well intentioned. We have our private conversations. We all express to each other our disappointment that we are not able to focus on a major issue and show respect for our opinions and then come to a result. We must do that.

Our country faces many serious challenges. The fiscal condition of our country has to be dealt with in the next 6 years. It has to be dealt with. The challenge of energy independence has to be dealt with. Our health care system has to be dealt with. We can't do that with a dysfunctional Senate. We simply can't do that. So we need to dedicate ourselves to working across party lines and to putting the country first and partisan considerations second.

I think most of us would rather do that. But there are a few here who prevent that, and perhaps we just need to overcome it. Maybe we are spending all our spare time in too many partisan meetings. Maybe we need to spend more together.

But I stayed to listen to Senator COBURN because I respect him. There are very few Senators who are more valuable in our Senate than he. He is obviously here not for some partisan purpose. He has a sense of purpose about our country and about our Senate. I commend him for it, and I am glad I had the privilege of hearing him speak this afternoon.

I thank the Chair.

Mr. COBURN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

The Senator from Utah is recognized.

#### LIHEAP

Mr. HATCH. Mr. President, I have been watching the debate over the intervening time this week and, frankly, I am appalled that we cannot address energy prices at this time, because we cannot get together from a bipartisan standpoint.

Today the Senate voted on a motion to proceed to S. 3186, a bill to provide funding for the Low-Income Home Energy Assistance Program, or what is commonly referred to as LIHEAP. I have a long history of supporting the LIHEAP program and have voted for almost every increase in the program that has been proposed in Congress. But today's vote is different. It is not a vote about making sure our low-income citizens have the heating and cooling assistance they need, because they already do under the existing program. There is \$100 million still left in the program. Most of that money was

for heating last winter, but we had that much left over.

So what is the emergency here? On top of the existing surplus in the program, the program will also be fully funded for the coming winter when we pass a continuing resolution which will keep all the Government programs running at the level they were funded at last year. So let's not pretend the LIHEAP program is not in place or that it will not be funded for the coming year.

As you well know, each year the Congress appropriates the Government funding needs through 13 appropriations bills. Each bill is handled by separate subcommittees of the full Senate Committee on Appropriations. I applaud the Appropriations Committee and its subcommittees because they have done a good job of preparing and marking up their various appropriation bills.

But there is one problem. Our majority leader has announced we will not be passing any of these bills this year. Instead, we will be passing a continuing resolution that I referred to. Why this announcement? Why can't we pass any appropriations bills this year? There is still plenty of time. I can tell you that Republicans have many amendments prepared for those bills that would allow our Nation to produce more domestic oil. But the anti-oil extremists calling the shots in the Democratic Party cannot allow votes on finding more oil because they know those votes would succeed. That is what this is all about here. That is why we have had a very difficult time and have had to vote against cloture.

If we could do what is normally done in this great legislative body, and that is bring up our amendments and vote them up or down or move to table them if they want to, we could get this matter over in a very short period of time. But our friends on the other side know it would be a considerably different bill than the Band-Aid bill they have had on the floor, the speculation bill.

We need a comprehensive approach to it and, as Members on both sides, we need to vote on these important amendments.

Unfortunately for the Democratic Party, the poor are beginning to wake up that the liberals who they have always looked to are behind the war on the poor. By the "war on the poor," I refer to the movement by the extremists to close off every good domestic oil resource, which is the direct cause of the high energy prices we Americans face. We have heard of the \$700 billion we are spending overseas when we have oil right here in America that would alleviate this type of expenditure and keep the money home.

Democrats have begun to recognize the position they are in and are trying to have it both ways with today's vote.

Earlier this month a group of protesters came to Capitol Hill, calling on Congress to stop the war on the poor—some of that is obscured by signs, by

groups, and Congressmen—who are closing off America's energy resources. Included in this group were pastors and civil rights leaders, calling on this body to unlock America's oil resources for the benefit of Americans, and especially for the benefit of lower income Americans.

One of the participants was Bishop Harry Jackson. I wish to quote some of his remarks for the RECORD. These are his words:

I am a registered Democrat but this has nothing to do with partisan politics. Unless the public understands that there are specific people and organizations that are fueling this war against the poor, nothing will change and the poor will continue to suffer. We will unmask those behind this war, regardless of their political party or ideology. Party labels and partisan ideologies are meaningless when it comes to protecting the lives of America's most vulnerable citizens.

That is Bishop Harry Jackson, a Democrat, who has been calling the bluff here.

By the way, you can see more about the "stop the war on the poor" movement on the Web at [www.stopwaronpoor.org](http://www.stopwaronpoor.org).

Democrats in Congress must choose between the very well-funded extreme anti-oil interests or the poor, because on energy prices there is no compromise between the two. To be honest, I believe Americans have put their finger on this conflict even before their Representatives in Congress have fully begun to understand it.

However, the fact that this vote was scheduled today when it was not even necessary is an indication that they are beginning to catch on.

Look at this photo of the protesters: My Family Needs Affordable Energy. Food or Fuel, Don't Make Me Choose. Congress Needs To Act.

I think Congress does need to act. These are folks who are being hit hard.

This next chart has a couple of examples of the Democrats' war on the poor. Both these examples were referred to during the war on poor protest. Here we see that Representative HENRY WAXMAN—great friend of mine, no question, I care a great deal for him—but he passed a bill that bans the Federal Government from purchasing oil sands from Canada, unless he can prove it has a lesser greenhouse gas footprint than gasoline. In other words, we would be turning away 1.5 million barrels of oil a day from a friendly neighbor in favor of oil from the Middle East and Russia. What about the greenhouse gas footprint of shipping that oil all the way across the world and all the way over here?

Representative WAXMAN's section 526, 2007 Defense bill bans the Federal procurement of oil shale, oil sands, and coal to liquids. It turns away 1.5 million barrels a day from Canada, our neighbors to the North, our friends to the North, in favor of oil from the Middle East and Venezuela.

Let me go further here. Last year, Representative MARK UDALL, who represents Aspen, CO, passed a 1-year mor-

atorium on commercial oil shale leasing.

Keep in mind, Estonia has been developing oil from oil shale for over 90 years—Estonia. I might add that Brazil has been developing oil from oil shale for decades. It can be done. We know how to do it. We have the companies willing to do it. We have people willing to put up the capital to do it. Oil shale has plenty of oil, and we can develop it, but instead we say no.

Last year Representative MARK UDALL, who represents Aspen, CO, passed a 1-year moratorium on commercial oil shale leasing. At first I thought he was seeking a little extra time for comments, but a year moratorium on leases is a very long time. But believe it or not, after the solid year that will expire this September, he is now trying to extend the moratorium for another year when we are sending \$700 billion every year overseas to some who are not our friends, with not a dime of that coming back to benefit us.

I guess there are not too many poor in Aspen. I love Aspen and the people there. It is a beautiful place, but it is no secret that it is home to very many wealthy elites and environmentalists. I have no problem with Representative UDALL in choosing the elite and anti-oil crowd over the poor. That is his constituency. But let's be honest about the choices we are making around here. Ironically, the local governments in Colorado's oil shale areas support oil shale development. But it is the wealthy environmentally minded citizens like the good people of the not so nearby Aspen who are opposing it.

I addressed the environmental benefits of oil shale production earlier in my remarks, but extreme views are sometimes extremely hard to change.

The American people are not asking for a big appropriation or some difficult action by Congress. They are not asking us to give oil companies subsidies or environmental loopholes. All they ask is they are asking this Congress to stop locking up our domestic oil resources. They are asking us to stop relying on foreign governments who are much smarter than we are about developing their own oil resources. They are asking us to find more oil and use less oil, and that is our theme over here because it is true, it is right, and it should be followed.

Let's be honest about why the Senate has brought up this amendment today, this LIHEAP amendment. It is because the Democrats are trying to please the anti-oil extremists by not allowing any votes on oil drilling or on appropriations bills or on development of our oil shale lands where we have at least 3 trillion barrels of oil—about 2 trillion of which, most experts say, are recoverable.

At the same time, the Democrats must pretend they have not sold out the poor by their policies that force high gas prices. I am not inclined to play their political game and support their effort to shift the debate away

from unlocking our Nation's energy potential and I am particularly not inclined to support this vote, because this proposal busts the budget while not providing any additional benefit to the LIHEAP program.

As I have said before, the LIHEAP program has a \$100 million surplus right now. And when we pass the continuing resolution either in September or October, it will carry the same program over for the next year. There is no problem at all with regard to the LIHEAP or the low-income energy proposal we already have in law that has a \$100 million surplus.

So this is a sham. And it was a shame today to see that happening on the floor of the Senate, when we could be addressing the fact that we have it within our own power to develop our own resources to bring down the price of gas so the poor will not be spending up to 50 percent of their income on gas just to stay alive.

This is a joke. I hear the lamentations over there like they really care about solving the energy crisis. Come on. They are dominated by the anti-oil extreme environmentalists whom they are afraid to buck. If you look at the facts and if you look at what is going on and you look at what we can do if we were allowed to, it is embarrassing. Some of our good Democratic friends would vote for offshore oil drilling. I think a number of them would vote to develop our oil shale knowing that could mean a great future for our people. And literally, with the high price of oil today, it could very well be the answer. I know some of them really would like to develop our oil resources in our country today. There may even be some who, having thought it through, are willing to develop ANWR. Now we find that there are 98 billion potential barrels of oil up there in the Northwest. Are we going to continue to sit on our hands and spend \$700 billion of our Treasury for overseas oil when we have it within our means to alleviate that?

That is what they are arguing. I care for every Democrat on the floor, every Democrat on the other side. I work with them all the time. I try to bring us together. But on this issue, they plain cannot break through the stranglehold these extreme environmentalists have on them and allow us to develop our own resources so that the poor are not left holding the bag, which is where they are right now. It is not just the poor, it is everybody in America who is paying \$4-plus per gallon of gas. Look at this woman's poster on this chart: "My family needs affordable energy." They should have the word on there "now."

"Food or fuel, do not make me choose."

"Congress needs to act." There ought to be a word "now" there.

Frankly, while we develop the oil resources, if we are permitted to do it, if our colleagues will wake up on the other side, and let us go forward and

get this done, we will develop wind, solar, geothermal, solar thermal, we will develop not only hybrids but plug-in hybrid cars. No one on this side has said no to that. We've been promoting alternatives over here.

In our Utah papers today was a little company in Utah called Raser Technologies that will have a truck, and they are talking about fleets of trucks that can get up to 140 miles per gallon. These would be plug-in trucks with up to 140 miles a gallon. Tesla Motors has developed a car that gets 120 miles per gallon. My Clear Act that we passed in the 2005 Energy bill provides for an accentuation of hybrid vehicles. It gives incentives to do that—not just hybrid vehicles but alternative fuel vehicles and alternative fuel infrastructure. You have seen the ads, you have seen the Honda ad talking about a fuel-cell vehicle they have already developed. What does that mean? It is a hydrogen vehicle. Nuclear power is one of the ways we can produce a lot of hydrogen in this country. But we have stopped nuclear development for so long now that we do not have the hydrogen to be able to service those. We can put those vehicles out within the next 5 to 10 years, and Americans could be driving them. There is not one drop of pollution, not one ounce of pollution in all of those vehicles. But we cannot get the hydrogen because we do not have nuclear power and some of the other power we have to have. It is going take time to get us there. In the interim, meantime, we have to have oil.

The last time I heard, as I have said many times on this floor and otherwise, our cars, our trains, our planes, our ships, our trucks—they run on oil. Until we can get all of these other things going, we need to have oil. And we have it within our power to be able to have oil domestically so that we are not throwing \$700 billion away every year and funding some people who are our enemies.

That is what is amazing to me, that some are so locked up with these extremists that they cannot—they know it is true, but they cannot do anything to promote any oil development. There is something terribly sick about that in a body this important. Should not this body be brave enough to do its best in the interests of our country to create more energy and use less as we develop all of these other alternative forms?

They have even distorted T. Boone Pickens' words when he said we cannot drill ourselves out of this problem. He did not mean we should not be drilling; he said we need to do all of these things. That is his pitch. That is his energy program. He happens to be right. But until we get all of those other alternative forms going, and these alternative vehicles, we have to have oil, and we will continue to need oil. Without it, the people who are left the most poor, the people who are left without, the people who will struggle the most are the poor. I do not under-

stand why my colleagues cannot see that. I do not understand it because they claim to be for the poor. But these extremists take precedence over the poor.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

#### UNANIMOUS-CONSENT REQUEST— S. 3001

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 732, S. 3001, the DOD authorization, at a time determined by the majority leader, following consultation with the Republican leader, and that when the bill is considered, the only first-degree amendments in order be those that are germane to S. 3001, H.R. 5668, the House companion measure, and items within the jurisdiction of the House Armed Services Committee, and that the first-degree amendments be subject to second-degree amendments which are germane to the amendment to which it was offered; that upon the disposition of all amendments, the bill be read a third time and the Senate vote on passage of the bill; that upon passage, it then be in order for the Senate to consider, en bloc, the following calendar items: Nos. 733, 734, and 735; that all after the enacting clause of each bill be stricken and the following divisions of S. 3001, as passed by the Senate, be inserted as follows: Division A—S. 3002, Division B—S. 3003, Division C—S. 3004; that these bills be read a third time, passed, and the motion to reconsider be laid upon the table, en bloc; further, that the consideration of these items appear separately in the RECORD; provided further, that the Senate then proceed to the consideration of Calendar No. 758, H.R. 5658, the House companion; that all after the enacting clause be stricken and the text of S. 3001, as amended and passed by the Senate, be inserted in lieu thereof; the bill be read a third time, passed, the motion to reconsider be laid upon the table; that the title amendment, which is at the desk, be considered and agreed to; that upon passage of H.R. 5658, as amended, the Senate insist on its amendments, request a conference with the House on the disagreeing vote of the two houses, and the Chair be authorized to appoint conferees on the part of the Senate, with the above occurring with no further intervening action or debate; finally, that in order for a first-degree amendment to be considered in order to the bill, it must be filed at the desk, and comport to the requirements specified above, by 2 p.m., Wednesday, July 30, 2008; pro-

vided further that the bill would not be considered prior to the filing deadline of first-degree amendments.

The PRESIDING OFFICER. Is there objection?

Mr. HATCH. Mr. President, reserving the right to object, although I may not personally have an objection to this, this consent would limit the rights of Senators to offer amendments to the Defense authorization bill. This is an agreement that would need to be cleared by all Senators on both sides. Given the detailed limitations of what can be offered to this bill, I will have to object on behalf of the Members on this side of the aisle.

The PRESIDING OFFICER. Objection is heard.

Mr. REID. I would say to my friend, the only requirement was that the amendments be germane. There were unlimited amendments as long as they relate to what we are dealing with on our side.

Mr. HATCH. On behalf of our side, I have been asked to object. I apologize to my dear friend from Nevada.

The PRESIDING OFFICER. Objection is heard.

Mr. REID. I understand the objection. The Senator from Utah is certainly not supposed to be totally aware of all that is in the Defense bill. But this agreement would allow scores of amendments because it would be anything that is germane. That is certainly nothing unusual. So I understand.

#### MORNING BUSINESS

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

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

#### AMERICANS WITH DISABILITIES ACT

Mr. REID. Mr. President, I rise to recognize the 18th anniversary of the Americans with Disabilities Act. We have much to celebrate on this occasion. Signed into law 18 years ago, the ADA has fundamentally strengthened our Nation with its promise of equal rights and opportunity for individuals with disabilities.

We can see the ADA's transformative effects on society, with our public facilities, services, transportation, and telecommunications now accessible to millions who were excluded in the past. Even though the results are easy for most of us to take for granted, they can mean the difference between exclusion and full participation for a person with a disability. The ADA has ushered in a new era of opportunity in the workplace as well. After all, this legislation was intended to prohibit discriminatory job decisions in the same spirit of the other great civil rights laws of our country.