

The Senator from Texas hit the nail on the head. We need to act on these issues, and we should stop this obfuscation which is occurring on the other side of the aisle on this issue. We should get to the essence of the issue, which is produce more American energy.

Mr. CORNYN. I appreciate the Senator from New Hampshire addressing that issue. I have always been amazed that those who say we ought to do something to help poor people who need help with their heating oil are the same folks who seem to be the most resistant to opening America's reserves of natural resources which would have the effect of bringing down oil prices for everybody. It seems to me that would be one of the most commonsense things we could do.

Mr. GREGG. The Senator makes a truly excellent point. If we want to address the fear low-income people have about the cost of their energy to heat their home, bring down the cost of energy. Address the systematic problem.

LIHEAP is an important program. It is a critical program for us in New England. But it is the bandaid. It is not going to the symptom. The symptom is the price of the energy, so that is why we need to vote on it.

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. If the Senator will suspend, morning business is closed.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2009—MOTION TO PROCEED

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of the motion to proceed to S. 3001, which the clerk will report.

The assistant legislative clerk read as follows:

Motion to proceed to Calendar No. 732, S. 3001, a bill to authorize appropriations for fiscal year 2009 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

The ACTING PRESIDENT pro tempore. Under the previous order, the time until 12:30 shall be divided in alternating 30-minute blocks of time, with Republicans controlling the first block.

ENERGY

Mr. CORNYN. Mr. President, I ask if you would please notify us when 10 minutes remain in our time so the Senator from Georgia can take the floor. We would like to continue with the colloquy.

I know the Senator from Florida, Senator MARTINEZ, is here. I know offshore drilling has been somewhat controversial in his State. I would like him to address that. But I would also

like him to help us understand the bigger picture, and that is why the majority leader, who controls the agenda on the floor of the Senate, a Member of the other party, refuses to allow us to vote. I know Senator OBAMA has adamantly opposed any additional offshore exploration and production. One conclusion I guess you might draw is that the majority leader, by refusing an opportunity for Senators to vote, is somehow protecting the Presidential nominee, the presumptive Presidential nominee, from perhaps an embarrassing split in his own political party.

I wonder if the Senator has any comments.

Mr. MARTINEZ. I am happy to comment on the situation in Florida and also what I think is an observation you made accurately in the larger political climate. They are related. The State of Florida has jealously guarded its offshore resources because we have a tremendous tourism economy, as does Texas in some parts of the State. However, \$4 for a gallon of gas has caused a transformation in thinking. It has allowed us to see more clearly what is occurring. What is occurring to our Nation is not just that the people, the families, American families, are hurting at the pump when they go pump gas. Fortunately in Florida our winters are mild, but I understand the situation in New Hampshire and other cold States that is going to be coming up. This is hurting families. This is a problem for the American family, particularly those on fixed income, many of whom live in Florida.

The problem becomes more acute because this also merges into our national defense, into our security as a nation. When the Persian Gulf war took place, Alaska increased its production of oil, and at that time they were producing at a capacity of 2.1 million barrels a day. Today they are only producing 700,000 barrels a day because the supply of oil in Alaska is dwindling because we are not allowed to develop additional resources there.

What is occurring, essentially, is that the domestic supply of oil is ever decreasing, our percentage of dependence on foreign sources is ever increasing, while at the same time the price is going through the roof. It is a supply-and-demand problem that cries out for a solution.

What has occurred? My own transformation has been that while I was adamantly opposed to any form of drilling, my own Governor took a forward-thinking position and decided maybe the time had come for us to reconsider and think a little differently about it. We still want to protect our coastline. We still want to protect our beaches. But at the same time, we have to recognize a new reality. That new reality requires us to adapt to the current circumstances. We are transferring wealth to the extent of \$700 billion a year to foreign sources. It is unsustainable over a long period of time. America will be squandering its

wealth purely to satisfy our demand for oil.

Surely we have to do other things about renewables. We have to do all that. But at the end of the day, we have to do more on our own resources to produce more oil from America's soil.

What has occurred is, in fact, the presumptive nominee of the Democratic Party and the presumptive nominee of the Republican Party have taken divergent points of view. Senator MCCAIN, changing his position much as I have, has said: Times have changed. We have to drill in the offshore. Senator OBAMA remains stuck in the past. He is not for change. He is against change when it comes to taking care of America's oil resources. I believe what we are following is the dictates of higher powers. At the same time, the business of the Senate has ground to a halt. We have not been able to accomplish much because we have not been allowed to have the thorough debate we need to have on this very important issue.

When I hear from Floridians today, they want us to move the business of Government, but they most of all want us to solve this problem. They do not want us to put it aside. They know they are hurting.

They also realize, by the way, this is no panacea. We have no magic wand we can wave and lower prices tomorrow, but we can begin a trend that is going to trend in the downward direction if we begin to do something about opening America's resources to more drilling.

Mr. CORNYN. I appreciate the comments of the Senator from Florida. In the real world, when the facts change, people are free to change their mind.

Mr. MARTINEZ. That is right.

Mr. CORNYN. I think \$4 gasoline and \$140-plus for a barrel of oil have caused a lot of people to rethink their prior positions. Gasoline was \$2.33 when the Democrats took control of Congress in early 2007 but now is hovering around \$4 a gallon, and I think it is only reasonable that people will reassess their decisionmaking. Indeed, I think we have seen that happen with the American people, if you look at public opinion polls, shifting to overwhelming support for exploration and production from the Outer Continental Shelf.

I say to the Senator from New Hampshire, I know, as the Senator from Florida said, more oil is going to be a transitional step on our part because production globally is declining. Yet demand, especially from huge economies such as China and India, is going up. I know the Senator from New Hampshire is a big proponent of clean nuclear power. I wonder if he can comment on what he sees this transition looking like, in terms of starting with more American production but with conservation, with renewable energy, and developing nuclear power.

Mr. GREGG. The Senator from Texas has been one of the best advocates on the floor for balance, which is what we

need. The American people understand the basic common sense of an issue, which is we need to use all the different options we have at hand. We are a nation with great creativity, great ability to be innovative. We are also willing to push the envelope, to try to use technology to improve our situation.

Not only do we need to find more, we need to use less. We need also to use our great strength in technology to advance our cause of delivering more American energy.

Nuclear power is a classic example of that. We basically created nuclear power, the concept of it, and how to use it in a positive way. Yet for the last 27 years, because of the adamant and, in my opinion, inappropriate opposition of the most activist environmentalist groups in this country, we have not had a new nuclear powerplant application approved.

New Hampshire, ironically, was the last State to bring online a nuclear powerplant. That occurred in the late 1980s. That nuclear powerplant was resisted by the Democratic leadership in the State and by the activist environmentalists in the State at a level which was basically civil disobedience. Thousands of people were arrested at the site where the plant was being built. It was delayed for almost 15 years. The cost of it quadrupled—it went up by a factor of 10, I think.

What happened in the end was the plant came online. What has happened since the plant has been online? It has produced safe, clean, reliable energy—not only for the people of New Hampshire but for the people of all the Northeast because it is producing so much energy it actually exceeds New Hampshire's needs. As a result, we have had an energy source which has saved us from having to buy thousands and thousands—millions of barrels of oil. We should be doing that across the country.

Mr. MARTINEZ. May I ask the Senator a question. This nuclear plant, does it produce greenhouse gases? Does it, in any way, harm the quality of air or produce the kinds of problems associated with global warming?

Mr. GREGG. That is a good question and it is very important. Nuclear power is clean. It addresses the issue of global warming. It is the most effective energy we have for that. It has no emissions which basically go into the atmosphere and aggravate the issue of global warming, so it is the type of power we want. It is safe and it is ours. We do not have to buy it from some other country. It is very logical we should be aggressively pursuing nuclear power. Again, you have to appreciate the fact that the other side of the aisle and the leadership of the other side of the aisle, especially Senator OBAMA, are opposed to expanding the nuclear option for our Nation which, in my opinion, is cutting off your nose to spite your face. This is a very safe and usable form of energy which addresses

the issue of global climate change in a positive way by still giving Americans American-purchased energy.

Mr. CORNYN. I would say to the Senator from New Hampshire, it does not make sense to me. The U.S. Navy, of course, as we know, has been using nuclear power for its aircraft carriers and submarines for, I think, 50 years and is able to do so safely and without incident.

France generates 80 percent of its electricity using nuclear power. In France, the environmental activists have actually cut a deal, as I understand it, with the nuclear power producers because they understand. They get the point the Senator from Florida makes, and the Senator from New Hampshire, that nuclear power is clean power. For those who are concerned about climate change, that would be one of the best things we could do to alleviate the pressure on the environment.

I wish to get back, if I can for a second, because there has been a lot of talk, particularly the Senator from Tennessee, Mr. ALEXANDER, is talking about the need to develop new technology, to develop plug-in hybrid cars, battery-operated cars. I know there is a little confusion because right now we need transportation energy, which is basically oil and gasoline—aviation fuel to fly our airplanes. People wonder how does nuclear power or using coal in a clean way to generate electricity figure into that? The point we are trying to make is we need all of the above. We need to generate the electricity cleanly so we can use the new technology that we think will bring us into a clean energy future.

I wish to ask both my colleagues to comment on a couple things. One of my constituents, T. Boone Pickens, is in town. He is a remarkable man. He has been very successful in the oil and gas business. He says we need a different way of looking at our energy future. He is advocating increased use of wind energy to generate electricity. He is advocating more use of natural gas because he says we have found ways to develop more of that here in America so we have to buy less—the point of the Senator from Florida. That is less money we have to send than the \$700 billion we send overseas each year.

Mr. GREGG. He also said, did he not, that we need to use everything. He didn't say don't use drilling; he said we have to drill everywhere we can in the United States, we have to use wind, we have to use solar, we have to use nuclear, we have to use everything, because we have to stop sending \$700 billion, as the Senator from Florida mentioned, to people who do not like us—Venezuela and Iran. Let's keep it here, where we can use it to build our economy.

Mr. MARTINEZ. I remember him being asked: What do you feel about drilling? He said: I want to drill everywhere.

Now, I am not there, because I don't want to drill everywhere. I want some

beaches to be protected. But he was saying we need to drill, drill, drill. That is part of the answer. It is not going to get us out of the problem, but it is part of the solution.

Mr. CORNYN. I have two points, and I would like to hear from both Senators. One is we hear from folks opposed to offshore drilling say we can't drill our way out of this.

Other opponents of offshore exploration and production said: It is going to take too long.

I wonder if the Senator from Florida and the Senator from New Hampshire have some thoughts about those. I happen to believe those are pulled out of context, particularly when it comes to Boone Pickens, because, as you said, we need it all. What is the best answer to that?

Mr. MARTINEZ. I would say that, no, we cannot drill our way out of the problem, but we can improve on the problem. Today, we use about 21 million barrels of oil, and 5 million of those come from overseas. That is what turns into that \$700 billion bill.

What if we could add another million barrels to that production domestically? We will have ameliorated the problem by a significant percentage. What if we did 2 million barrels? All of a sudden, the equation is different and we can be more sustainable within our own resources.

The second part of this is, it is not all about oil. It is about other things, such as oil shale. The Democrats oppose looking into that possibility. We have not been allowed to have a full discussion. Colorado, Utah, and Wyoming should be allowed to develop this resource. I understand that we have an estimated 2 trillion barrels of oil that can be produced from oil shale. So maybe we can drill our way out of this with enough creativity, enough technology, and enough resources being employed.

So it is not going to just be about nuclear, although it ought to be nuclear. Florida has three nuclear powerplants built in the 1970s and 1980s, and thank goodness for those because in Florida we cannot produce any oil, we do not have any hydro, and we depend on those nuclear powerplants to power ourselves. So thank goodness we have that.

We also need to look at more production offshore. We need to do more oil shale, and the new technologies of wind and solar and new battery technology—all of the above.

My point is, we cannot drill our way out of this, but part of the solution is drilling. So it is not about suggesting that we should forget everything else and just drill, but it is to say that drilling as a component part of a comprehensive energy policy can move this country ahead, can move us forward.

Mr. GREGG. Well, the point the Senator makes is extraordinarily valid. But there is an ancillary issue here,

which is, not only do we need the energy to try to increase supplies and reduce the price, but it seems incomprehensible that we would not want to put in place programs which would relieve us from sending Americans' hard-earned dollars, you know, folks who are working every day, sending those dollars to Venezuela and Iran and other countries which hate us and want to do us harm. It seems that common sense would want us to produce American energy if we have American energy available to us and we can produce it in an environmentally sound way rather than send the money overseas.

Mr. CORNYN. I want to ask the Senator from New Hampshire, the bill that was on the floor about 2 weeks ago was a bill to deal with speculation and the commodity futures market. Our point was, we should not just deal with part of it, part of the problem, we ought to deal with the whole problem. That is why we have insisted—in fact, we have demanded and we said we should not leave here until we have had an opportunity to vote on offshore production and those other good ideas.

But I wonder if the Senator would address why the speculation component alone would be an insufficient response—may be part of the answer but certainly not the complete answer to the problems we face today?

Mr. GREGG. The simple answer is that it does not produce any more energy. Yes, there is probably speculation in the market. Yes, we should have more transparency and more enforcement to make sure the market is not being abused. But that is not going to produce any more energy.

We know there are 2.5 billion people between India and China, and they are starting to have much more high-quality lives, and so they are starting to buy cars, they are starting to buy motor scooters, they are starting to use energy. As a result, the demand for energy is accelerating dramatically. That is 2.2 billion more people than we have in the United States. So the simple math of it shows us we have to find more energy and we have to use less energy.

That is why amendments brought to the floor which are directed at finding more energy—such as oil shale, drilling offshore, and nuclear—need to be addressed. We need to discuss them. I cannot understand why the other side of the aisle refuses to do that.

I asked my staff to put together a chart which would summarize this in the most simple and stark way. Here is the chart. It is a big zero. It is a zero. Zero amendments are being allowed here. Zero new oil is being produced as a result of that. Zero new gas, zero new nuclear plants. Until we have some amendments on this floor which allow us to address these issues, we are still going to have zero as being the answer of the other party to how you produce more oil and more energy. It is not right. We should be getting down to the issue of what the American people

want, which is to get the price of energy down by producing more and using less and producing more American energy rather than buying it from other countries that do not like us.

The ACTING PRESIDENT pro tempore. There is 10 minutes remaining.

Mr. MARTINEZ. The International Energy Agency painted a grim picture about the future. The report estimated that over 3.5 million barrels a day of new production will be needed each year just to hold the total production steady. So as India, China, and these other countries are rising in their demand, we need 3.5 million barrels a day of new oil just to keep the current standards of what we have. That is not just a U.S. problem, it is a global problem.

Mr. CORNYN. I thank my colleagues. We are going to relinquish the floor to the Senator from Georgia for the final comments.

I would say in closing that I can anticipate what the argument is going to be when the majority leader comes out, and the whip—they are going to say it is all about Republican obstruction.

But the problem is, we have insisted we are not going home, we are not going to quit, we are not going to change the topic until we get an opportunity to vote on what we believe will have the most direct impact on reducing gas prices: increasing supply and offering all of the above that we have discussed during this colloquy this morning. That is our position, and we believe that should be a bipartisan position. We invite our friends on the other side of the aisle to join us in being part of the solution instead of being part of the problem.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Georgia.

Mr. ISAKSON. Mr. President, I associate myself with the Senators from New Hampshire, Florida, and Texas, and would like to report an interesting occurrence that took place yesterday that kind of verifies exactly what Senator CORNYN said.

After the vote on the media shield motion to proceed, I went back to my office and placed two phone calls, one to the president of the Georgia Press Association, the other one to the president of the Georgia Broadcasters Association. I told both of them: We have had conversations about the importance of media shield, and I know both of you are very interested in it. But I want to explain why a few minutes ago I cast a "no" vote on a motion to proceed to media shield.

I said: The reason I did it, quite simply, is that for everybody in my State—and I would submit most everybody in the United States of America—the No. 1 issue is the high cost of energy and particularly the high cost of gasoline.

Both men, both professional journalists, both presidents of their associations, said: We understand.

The broadcasters said: Our talk shows are not calling in about media

shield; they are calling in about the gas.

The president of the press association said: Listen, I understand. Read our letters to the editor. I listen at the coffee shop. I know what Georgians are concerned about. It is the high price of energy and the high price of gas.

So that is why I have remained committed to staying on the Energy bill until we find some way to bring Republicans and Democrats together. Both of us can give. I said in a speech the other day: We ought to put our donkeys and elephants in the barn and sit down and talk about ways to really meaningfully change the lives of the American people, not 20 years from now but today.

The country is hungry for a Congress and for leadership that will say yes to more production, yes to more conservation, yes to a better environment, yes to a productive economy, all of which would be the result of a comprehensive, balanced approach toward energy. But a singular slingshot approach or a rifle approach, like just speculation or just drilling or just something else—we have to do it all. We have to do it comprehensively. We have it within our capabilities to do it right.

As the Senators before me have stated, we have all kinds of resources. Many of these resources are not only abundant but they are cleaner than gasoline and they are cleaner than oil—nuclear energy, for example. In America, 19 percent of our electric energy is produced with nuclear; in France, it is 87 percent. Think about the difference that makes not only in the reliability and the cost of energy but the carbon-free emissions that come from nuclear versus the heavy carbons that come from the burning of oil or gas or coal or other sources.

Ingenuity and innovation. The American people are a remarkable people. When confronted with whatever challenge, we have almost always come up with a solution. But sometimes those solutions either take inspiration or they take encouragement. When we needed to go to the Moon and win the space race, we had the inspiration of a great President, John Kennedy, to declare a goal to land a man on the Moon and bring him back again before the end of the decade. We did not know how to do it, but we did it. We need a Congress that is just as bold today to say that \$4 a gallon is too much for gasoline, carbon is too bad for our atmosphere, and fossil fuels are geologically not in our interest.

It is time that we as America find ways through engineering and ingenuity to invent and to develop and to process those sources of energy that are clean, renewable, reliable, and less expensive. And we can do it. But you cannot do it if you stand in gridlock on the floor of the Senate and the House of Representatives, unwilling to talk about all the issues.

We all have our biases and we all have our prejudices, but all of us take

an oath of office to represent the people of our State and to uphold the Constitution of the United States of America and defend the domestic tranquility of our people. When your economy is tanking, when your debt is going up because of your addiction to foreign oil, and Congress sits here for 2 weeks and debates only one sliver of the solution without everything, then we are not living up to our responsibility.

So if the Georgia Press Association understands, if the Association of Broadcasters understands, if the 17,488 people who communicated last week with my office about one issue—and that was cost of energy—understand, why can't we in the Senate understand? We are all in this together. We are 100 coequals. We all have the same responsibility. And we ought to all have the same goal; that is, to find a way to thread the needle so we sit down and we develop a comprehensive energy program for the people of the United States of America.

I did a talk show yesterday—actually, it was a television program where I was asked about this energy question. I was asked about the Arab oil embargo of the 1970s. I said that the Arab oil embargo of the 1970s was an early warning. It gave us a second chance to address the energy question. But when prices went down in the 1980s and 1990s and the price of gasoline was not that high, we did not take that chance. Well, now prices have spiked to an all-time high.

This is not a second chance for us in America, this is a last chance for us in America. A sustained cost of gas at \$4 a gallon, oil at \$120 to \$150 a barrel will break the U.S. economy. It will destroy the value of the U.S. dollar, and it will hurt the people of the United States of America.

So it is time for us to put these prejudices aside, put them aside and sit down and be willing to agree. I will be the first person to lay on a table—I am willing to sit down and talk to anybody, anyplace, anywhere, about any singular facet of the energy crisis if they are willing to talk about the other facets of the energy crisis.

As Boone Pickens said, drilling will not solve it, but it will help. Solar will not solve it, but it will help. Wind will not solve it, but it will help. Renewables will not solve it, but they will help. What we have to do is put together the pieces of the puzzle that are within our grasp and make sure the people of the United States have abundant energy at affordable prices. We are sitting on a ham sandwich, starving to death. We are not developing the resources we have at our disposal, and because of that, our citizens are paying a dramatic price.

Anytime, anyplace, anywhere, let's start talking about solutions rather than continuing to perpetuate the problem.

I yield back any time we have remaining, and I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. BROWN). The clerk will call the roll.

The assistant legislative 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.

Mr. REID. Mr. President, I ask unanimous consent that I have the floor at 2 o'clock for the purpose of a colloquy between Senators DURBIN, MURRAY, SCHUMER, DORGAN, and Senator REID.

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

Mr. REID. I don't think it will—we will have that happen at the half hour. I don't think we will use all the time. That is the Democratic time. We will just work the Republican time at 2:30 or 3 o'clock and thereafter.

Is there an order in effect now as to what will happen after lunches as to the allocation of time?

The PRESIDING OFFICER. The current order provides allocation of time until 12:30 p.m.

Mr. REID. I ask unanimous consent—if I could have the attention of the distinguished Republican leader, the time has been allocated until 12:30 today. So 11:30 is Republican time, from 12:30 to 1:00 would be the Republican time again; is that right?

The PRESIDING OFFICER. The Senator is correct.

Mr. REID. So I ask that the time be allocated every half hour until 5 o'clock tonight, and that I be recognized at 2 o'clock for the half hour of Democratic time under the conditions I mentioned.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. REID. Mr. President, I would also say that if we have any conference reports that we can agree on, whoever's time it is, we will interrupt and try to do that—if, in fact, we get an agreement.

The PRESIDING OFFICER. The Senator from Oklahoma is recognized.

Mr. COBURN. If we are in a quorum call—

The PRESIDING OFFICER. We are not in a quorum call.

Mr. COBURN. I think I have until 11:45, I believe.

The PRESIDING OFFICER. There is no order as to time.

Mr. COBURN. I thank the Chair.

The PRESIDING OFFICER. The Republicans control the time until noon.

Mr. COBURN. Mr. President, our side of the aisle has allowed me until 11:45 to speak.

KATY FRENCH

Mr. President, I am on the Senate floor for a lot of reasons at a lot of different times, but today is extremely unusual. I wish to spend the time talking about how important staff is in Washington. We are only capable of doing and accomplishing what we accomplish because we have staff here to help us.

I have had the great fortune over the last 3½ years to have someone on my staff who has displayed character virtues like none other I have seen in my career. She will be leaving my staff. Her name is Katy French. She has a master's in public health from Harvard. She has been on the front lines of HIV/AIDS since the epidemic came about. She worked for both Senator GREGG and Senator BROWNBACK. The characteristics about her that make her great—in Oklahoma we would say her "plow runs deep." She is well-rooted in the principles of liberty.

What she has done with that principle is recognize that if you are free, and you have liberty and yet you don't spend your life helping other people, the liberty is for naught. So she has been a great example to me and my staff over the last 3½ years for her tireless dedication—which all on our staff have—and for bringing with that well-rootedness, that deep-rootedness, the ability to challenge a Senator, to tell us what she thinks even though we may not like it, to bring forth ideas that aren't in the conservative realm yet are humanitarian, great ideas, the ideas to help people. The people who know Katy French know she means business, but that business has always involved taking care of people.

One of the first things she did as my staff director on the Federal Financial Management Subcommittee was set up a hearing on malaria. What we know is millions of people today in Africa are being cured of malaria because we, in fact, changed that program. The oversight hearings we held changed the direction. I know the Presiding Officer of the Senate now, the Senator from Ohio, is very much interested in that topic. Through her work, millions of Africans are alive today who would not otherwise be alive because the program was changed where we actually made a difference.

I can't think of any greater tribute to an individual who comes to work to help us in the Senate than to measure the value of what they have done in terms of the lives that have been made better, made healthier, and have forgone a serious disease and dread. She also conducted more hearings in our subcommittee than any other committee or subcommittee in the entire Senate in the 109th Congress. Most staff directors of committees know—and subcommittees know—how hard it is to put together and hold hearings.

Probably the greatest tribute to Katy is the fact that she didn't stop with that. When the Pope was here in his visit this last year, he called on America's youth to reach out and make a difference. Katy is in the middle of her career. She has made a big difference in the Senate for three separate Senators. She has made a big difference in terms of the PEPFAR legislation—the original legislation and the legislation that we just passed and the President has signed. She listened to that call to make a difference. So it is

both a sad time and a happy time for me to know that Katy is joining a religious order to further her life in giving to other people.

She is foregoing money. She is foregoing material things. In fact, she will be in an order that was established some 30 years ago associated with the Catholic Church out of Argentina that she will dedicate the rest of her life to, making a difference—a real difference—in other people's lives.

She will be focusing on troubled urban youth. Her characteristics and multilingual talents will lead her in that direction. To me, the greatest compliment you can have as a Senator is to have a staff member leave for such a higher calling. For Katy and all of those who work in our office and on behalf of the Senate, and as a reflection of the rest of the staff of the Senate, we thank you for your efforts on behalf of freedom.

I thank you, Katy, for your efforts on behalf of our office and what we are trying to do for the people of Oklahoma. Most importantly, I thank you for your grasp of faith and what it means to truly give up your life so that in the words of that man from Nazareth: "He who is last will be first."

Katy French has lived that example. We will miss her.

I thank the Senate for the time.

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

The PRESIDING OFFICER. The clerk will call the roll.

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

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

AMERICAN ENERGY FREEDOM DAY

Mr. DEMINT. Mr. President, I rise today to invite my colleagues to join me in supporting American Energy Freedom Day on October 1, 2008.

On this day, the current prohibitions on oil and gas exploration off the Outer Continental shelf and in the oil shale fields of the West will expire, giving Americans the freedom to access their own energy reserves and providing them with relief from sky-high prices at the pump.

Estimates indicate there are upwards of 18 billion barrels of recoverable crude oil in the off-limit areas of the Outer Continental Shelf, as well as more than 55 trillion cubic feet of natural gas. In addition, estimates indicate that between 800 billion and 2 trillion barrels of oil can be drawn from American oil shale.

Taking advantage of American resources will increase the worldwide supply of petroleum and bring down prices at the pump. The very access to these resources will send powerful price-reducing signals to the futures market, providing immediate relief for all Americans.

For over 25 years, Democrats have denied Americans the freedom to access their own energy, making our Nation more and more dependent on for-

eign oil. Each year, they have continued the ban on American energy. Now it is time for them to get out of the way and open up American energy supplies.

I strongly encourage my colleagues to support Energy Freedom Day and allow the prohibitions on American energy exploration to expire once and for all. We must actively oppose any attempt to extend these bans on American prosperity and security. Now is not the time to deny Americans access to their own energy.

October 1 is going to be a great day for all Americans. I invite my colleagues to join me in supporting American Energy Freedom Day.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Nevada is recognized.

RENEWABLE ENERGY

Mr. ENSIGN. Mr. President, I rise today to speak about the importance of renewable energy and addressing our current energy crisis in the United States. We need a comprehensive approach to our energy problems in the United States. Renewable energy is one of the answers.

Senator MARIA CANTWELL, a Democrat from the State of Washington, and I have been working tirelessly together, in a bipartisan way, to get a renewable energy bill passed through the Senate, passed through the House, and onto the President's desk for a signature. I applaud her for her efforts in this battle.

We passed our renewable energy bill—a bipartisan bill—back in April. We attached it to the housing bill that was done then. It passed this body with a vote of 88 to 8. Not too often around here do you see Republicans and Democrats joining together in such a bipartisan way. But it shows you the kind of support this body has shown toward renewable energy. Unfortunately, the Democrats in the House of Representatives blocked our renewable energy bill from being considered as part of the housing bill.

Once again, we attempted, in July, to get our amendment added to the housing bill that would expand renewable energy, such as solar, wind, geothermal, and other types of green energy to the United States. We would have been able to attach that to the housing bill if the majority party had allowed us to have that kind of a vote. Unfortunately, they used the excuse it wasn't paid for and that the House of Representatives—the Democrats in the House—would block our piece of legislation from being considered in the final package.

So we offered a compromise and we said, OK, we will pay for it, except that instead of raising taxes to "pay for it," we will offer spending cuts. The Federal Government is too big anyway. We said let's have a very small "haircut" from nonveteran spending programs across the board. We will do across-the-board spending cuts—a tiny percentage.

Once again, the Democratic majority said no. It was very disappointing. We need to come together in a bipartisan way to address the energy needs of this country. Republicans have been saying: Let's do a comprehensive approach; let's include renewable energy and more conservation, but let's also pass a comprehensive bill that allows us to drill in places such as our Outer Continental Shelf. Deep sea exploration is a great way for us to bring more oil and natural gas to the United States, to make us less dependent on Middle Eastern oil.

My colleague from South Carolina talked about oil shale. Up to 2 trillion barrels of oil—which is three times more oil than Saudi Arabia has—is potentially available between Wyoming, Colorado, and Utah. Right now, we have a moratorium put on that. Why? Because the Democratic majority put that into law last year.

We need to repeal that moratorium so that progress can go forward to make us less dependent on countries that—frankly, a lot of them don't like us. Whether it is Hugo Chavez in Venezuela, or some of the other more volatile regions of the world where we get a lot of our oil today, those are not exactly the places where we should be sending our money.

Currently, the United States sends about \$700 billion a year overseas, funding a lot of governments that are not our friends. We, as Republicans and Democrats, need to lay our party labels aside and become Americans. Let's do something that is right for the country. Let's bring more American energy production to America, so we are less dependent on other governments around the world.

I strongly believe we need to tap more of our coal reserves. That is one of our cheapest forms of power we have in the United States. There is exciting new technology for coal, called carbon recapture technology. Senator KERRY and I have a subcommittee—he is chairman and I am the ranking member—and we have done several hearings over the last couple of years on this carbon recapture technology to make coal even cleaner than it is today. That carbon recapture technology is exciting. We are talking about capturing 95 percent of all of the carbon produced by coal. It can produce more and more electricity for the United States.

When we are talking about battery technologies for cars, or hybrids, you can also produce more electricity so that we can take natural gas away from some of these powerplants and convert some of our cars to natural gas. All of this will lower the price of gasoline, because we will need less.

Today, the price of oil and gas is up so high because there is more demand than there is supply. The world is demanding more energy, including oil, than it is currently supplying. That is the reason the price has been going up. That is the reason prices will continue on their upward trend over the next

several years, unless we bring more supplies. I would like more of those supplies to be right here in America. I think that is the right thing to do. It is good from a national security standpoint, from an economic security standpoint, and it is good for the pocketbooks of ordinary Americans across our country.

I call on my colleagues to look at a comprehensive approach that would include renewables, more conservation, and looking for more American energy in the form of oil and natural gas. It is the right thing to do for the American people.

It is time for us to act and to quit playing more politics. The motto on the Republican side has been to "find more and use less." Well, the only way we are going to be able to do that, frankly, is for the Democrats to talk less and start voting more. We need to have amendments that are fully debatable on the Senate floor, because there are answers out there. There are no silver bullets, but in a comprehensive approach, we can have answers to bring down the cost of gasoline in the United States.

Let's join together as Republicans and Democrats and act for the good of the American people.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Ms. KLOBUCHAR. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mrs. McCASKILL). Without objection, it is so ordered.

ONE-YEAR ANNIVERSARY OF THE I-35W BRIDGE
COLLAPSE

Ms. KLOBUCHAR. Madam President, tomorrow at 6:05 p.m. Minnesota time, it will be exactly 1 year since the horrific collapse of the I-35W bridge. It is a day and a moment when all Minnesotans will always remember where they were. They will remember what they were doing, they will remember what they heard, and they will remember the pictures. Minnesotans will even remember the weather and what it was like that day because as if to symbolize what was to come, that warm summer day started with clear skies, but by late afternoon, dark and ominous storm clouds had begun forming on the horizon, with thunder rumbling in the distance. Then after the bridge collapsed, as if to provide relief for the rescuers, the storms retreated.

I know many people across America will also remember that day, and they will think about those who died and those who survived, miraculously, on that bridge.

I know my colleagues in the Senate will also remember. I thank each and every one of them for their tremendous sympathy and concern for the people of my State following the bridge collapse. On behalf of all Minnesotans, I wish to

say how grateful we are for the bipartisan support in the days after that bridge collapse, the immediate funding for emergency relief, and then the funding for the bridge so that bridge could be built again.

This support from the Senate and the Congress helped lay the groundwork for the fast and efficient reconstruction of the bridge. In fact, a new bridge already spans the river. It is expected that by the end of the year, possibly within the next month or two, cars and trucks will again be crossing over the Mississippi River on the newly constructed 35W bridge. My home is only 6 blocks away. So my family and I look forward to, once again, driving across the 35W bridge.

Not only in Congress but across the Nation, the catastrophic failure of this bridge provoked deep concern that it might not be an isolated incident, that there might be a broader problem with bridges across the country. That is because a bridge should not fall down in the middle of America on the 1st day of August in 2007, especially not an eight-lane interstate highway, especially not one of the most heavily traveled bridges in the State, especially not during rush hour, in the heart of a major metropolitan area.

But on August 1 of last year, the 35W bridge in Minneapolis fell down. So tomorrow, 1 year later, we remember the 13 people who lost their lives on that bridge, and we remember the 145 people who were injured, many of them now living with serious and permanent injuries.

Tomorrow we also remember the many people—the police officers, the firefighters, the paramedics, the citizen bystanders who risked their lives by running toward that catastrophe and not away from it.

When I watched what unfolded that night, I was shocked and horrified. But as the evening wore on and the days went by, the entire world watched our State come together, and I was proud to be a Minnesotan.

We saw the heroes. We saw them in the face of unimaginable circumstances. We saw the off-duty Minnesota firefighter, Shanna Hanson, who grabbed her lifejacket. She was off duty, but she was among the first on the scene. She was tethered to a yellow life rope and she was in the midst of broken concrete and shards as she swam from car to car, in and out, in and out of that river searching for survivors.

We saw a school bus perched precariously on the falling bridge deck. I like to call it the "Miracle Bus," perched on that falling bridge deck, on the side, ready to fall in. Inside were dozens of kids from a Minneapolis neighborhood who had been on a swimming field trip. Their bus was crossing the bridge when it collapsed. Thanks to the quick action of responsible adults and the kids themselves, they all survived.

Now, with the perspective of a year, what can we learn from this catas-

trophe? Well, first, the emergency response to the bridge collapse demonstrated an impressive level of preparedness that should be a model for the Nation. You can never feel good about a tragedy such as this, but I do feel good about our police officers, our firefighters, our paramedics, and our first responders. Look at the scene they came upon, this enormous eight-lane highway in the middle of the water, a storm above them, and they dove into that water and literally saved hundreds of people.

This week, the Hennepin County Medical Center, located only blocks from the bridge, was honored with a national award for extraordinary response to this crisis. As the Hennepin County attorney for 8 years, I remember meeting with the sheriff, the police chief, and other officials as we planned and practiced for disaster relief drills after 9/11. Even though no one imagined a major bridge would collapse, the result of all that planning and the preparation was evident on the night of August 1 when our survivors were quickly rushed to the hospital.

Second, we saw how important it was to move forward and build a new, safe bridge, and I will show you the bridge as it stands 1 year later. Again, it is 6 blocks from my house, so I have been able to watch its progress. You can see this bridge now. The last piece actually was just added, and it is spanning this huge river, the Mississippi River. It is an eight-lane highway.

So what happened in Washington? In 3 days, the Senate voted to provide \$250 million in emergency bridge construction funding. Representative JIM OBERSTAR led the way in the House, and it was a bipartisan effort in the Senate as Senator COLEMAN and I worked together on the relief.

I personally thank Senator DURBIN and Senator PATTY MURRAY for assisting me with this. I still remember the day the Senate voted for a billion dollars for bridge reconstruction across the country, but it didn't include the funding for our bridge. I came in early, and I sat at my desk, and I said I wasn't going to leave until we got our amendment to fund the construction on our bridge. The pages and the chaplain came in, and the Senate was starting, and Senator DURBIN came and sat next to me and he said: Somehow I think you are here to do more than pray. He helped me, and we got that amendment through and we got it passed.

Approval of this funding came with remarkable speed and bipartisanship. Capitol Hill veterans tell us it was a rare feat to get it done so quickly.

What else can we learn from this bridge? Third, we must still get to the bottom of why this enormous bridge fell into the middle of the Mississippi River. It didn't happen because of a barge or some kind of electrical storm or tornado. It just fell down. Evidence is accumulating that the bridge's condition had been deteriorating for years

and that it had been the subject of growing concern within the Minnesota Department of Transportation. This wasn't a bridge over troubled waters, this was a troubled bridge over waters. Still, as a former prosecutor, I know we must wait until all the facts and evidence are in before we reach a verdict. We will need to be patient as the investigation continues.

Mark Rosenker, the Chairman of the NTSB, the National Transportation Safety Board, said the other day that the NTSB investigation is nearing completion and that a final report should be ready for public release within 100 days. Already, the NTSB has publicly released a number of documents, photographs, diagrams, and other evidence that are part of their investigation. We know this bridge had problems, and we look forward to the NTSB report to give us definitive answers.

Finally, the bridge collapse in Minnesota has shown us that America needs to come to grips with the broader questions about our deteriorating infrastructure. The Minnesota bridge disaster shocked Americans into a realization of how important it is to invest in safe, strong, and sound infrastructure.

As if we didn't know already, Minnesotans got a reminder a few months after the 35W bridge collapsed, because we learned another bridge of a similar design was inspected and found to be in serious trouble. That bridge is in St. Cloud, MN, a major regional city in central Minnesota, which is now closed with plans to replace it.

Unfortunately, it took a disaster to put this issue of infrastructure squarely on the agenda of this Congress. According to the Federal Highway Administration, more than 25 percent of the Nation's 600,000 bridges are either structurally deficient or functionally obsolete. That is more than 150,000 bridges. When 25 percent of all American bridges are in need of serious repair or replacement, it is time to act.

When we don't have enough money to build new bridges or repair the ones we already have, there is clearly a problem with our priorities. And when the American people question the integrity of the bridges they cross every day, we must act. Putting it all together with the bridge collapse in Minnesota, this should be a national call to action on infrastructure.

Senator DURBIN and I recently introduced the National Bridge Reconstruction and Inspection Act. This legislation has already passed the House and we hope it will move quickly in the Senate. This is only a start, but it is a good start, if the Senate will pass it and the President will sign it. I am hopeful it will get us headed in the right direction.

In closing, I note one final lesson. What happened a year ago in Minnesota reminds us that disasters can bring out the worst or the best in people. They can divide us or they can unite us. I believe the catastrophe, the

collapse of the I-35W bridge, brought out the very best in Minnesotans and it united us. We joined together for the rescue, we joined together for the recovery, and we joined together for the rebuilding. I hope that going forward the ultimate legacy of the 35W bridge collapse can be something positive for our Nation. I hope it can bring out the best in all Americans and unite us as we address the pressing infrastructure issues facing our country.

Tomorrow, as we remember and as we grieve for the bridge victims and their families, let us also look ahead and move forward and take the action necessary to make sure that no bridge ever again falls down in the middle of America.

I thank the Chair, and I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. DORGAN. Madam President, how much time remains in this half-hour allocation?

The PRESIDING OFFICER. Nine minutes remain on the Democratic time.

Mr. DORGAN. Madam President, I came expecting to be recognized at 12:10, so I think what I will do, I believe my colleague from Minnesota apparently is seeking time as well. I assume my colleague from Minnesota is seeking time in the second half-hour allotted; is that correct?

Mr. COLEMAN. Madam President, I am seeking time to follow on the remarks of my colleague from Minnesota reflecting on the collapse of the bridge, but I will defer to my colleague from North Dakota.

Madam President, how much time is left in the majority's time?

The PRESIDING OFFICER. There is 8 minutes for the majority.

Mr. DORGAN. Madam President, let me, in the spirit of allowing the two Senators from Minnesota to be able to complete their discussion of the bridge collapse, which is truly a tragedy, let me ask unanimous consent that the Senator from Minnesota be recognized for that 8-minute period, and that the majority side be allowed to claim 8 minutes in the next half-hour, if that is what the Senator is suggesting.

The next half-hour belongs to the minority. If the Senator wishes to agree to a unanimous consent request that our side use 8 minutes in the next half-hour, I would be happy to have him go now.

Mr. COLEMAN. No objection, Madam President.

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

The Senator from Minnesota is recognized.

Mr. COLEMAN. Madam President, I first thank and applaud my colleague for the leadership she has shown in dealing with the challenges this Nation faces on infrastructure. We need to do something about it. She moved forward aggressively after the bridge collapse, and I joined her and applaud her for those efforts.

Like everyone who suffers loss, the people of Minnesota have come to a tragic anniversary, a hole in the calendar where we confront the pain of our past. Friday, at 6:05 p.m., we commemorate the moment when the I-35W bridge collapsed, taking the lives of 13, injuring hundreds, and disrupting the lives of untold thousands.

I have a few words to share as we observe this first memorial.

So much of what Minnesota was, is, and will become is tied to our rivers and bridges. Before the roads and the railroads, rivers were Minnesota's fluid highways through difficult terrain. European settlement followed the rivers. Because of Minnesota's unique geography, our rivers flow out toward all the points of the compass, which is why we call ourselves "The Headwaters State."

But rivers can be barriers as well as thoroughfares, so towns and cities grew up around bridges which allowed people to move perpendicular to the river flows. More than a century later, we are a State of river towns and bridge towns.

That is why the I-35W bridge collapse was so significant humanly and spiritually to Minnesotans. It fell not far from the Falls of St. Anthony, the head of navigation of one of the world's great rivers. It fell where Father Louis Hennepin became the first European to look on the area which comprises Minneapolis today. It fell where huge early 19th century flour mills, textile mills, lumber processors, and railroad terminals met to create an economic boom which put Minnesota on the map. It fell at the heart of our heartland.

It has been said that adversity doesn't create character, but it surely does reveal it. We witnessed that in the days following August 1, and it continues to this hour. Preparation is a virtue, and our Twin Cities learned the valuable lesson of 9/11, that we have to get ready for the unthinkable. When it happened to us, there was an extraordinarily well-coordinated response from law enforcement, medical institutions, and other first responders. The speed and professionalism of their actions are a textbook case of emergency response.

We also experienced amazing spontaneous acts of heroism. It is our natural instinct to run from pain and danger, and on this occasion, hundreds of regular Minnesotans ran toward the pain and toward the danger and saved many lives. In the days following the disaster, the 364 days preceding today, we have seen an unprecedented unity of effort among all branches of government and levels of government, without regard to party or position. Our single goal has been to raise a new bridge over our old river that we can be proud of and that we can trust, as the pictures shown by my colleague from Minnesota reflect. Our goal has also been to care for those who have been injured, and we have done that.

But this is a day to remember those who have been lost: Greg Joldstad of

far northern Kanabec County, a construction worker on the bridge; Sadiya Sahal, her daughter Hana, and her unborn child; Paul Eickstadt of Mounds View, 10 miles north of the bridge; Vera Peck and her son Richard Chit, who had an inseparable bond; Scott Sathers, a young husband of Minneapolis; Peter Hausman, a computer security specialist; Christina Sacorafas, of White Bear Lake; Julia Blackhawk of Savage, MN, 10 miles south of the bridge; Patrick Holms, also from Mounds View; Sherry Engebretsen, a wife, mom, and businesswoman from Shoreview; and Artemio Trinidad-Mena of Minneapolis.

I ask my colleagues to join me in a moment of silence and reflection in their honor.

(Moment of silence observed.)

Madam President, sometimes a meaningful silence is the only answer.

I conclude with the ancient words I have prayed many times this last year, the Hebrew Kaddish, prayed by Jewish mourners for centuries. It ends as follows:

May there be abundant peace from Heaven and life upon us all and upon all Israel, now say amen. He who makes peace in his heights, may he make peace upon us all and upon his Nation, Israel. Now say amen.

Madam President, I yield the floor, and I suggest the absence of a quorum. The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. CRAIG. Madam President, we may be hours or a day away from adjourning for the August recess. At the same time, many of us have said there is no more important issue for this Senate to be dealing with than the issue of energy and the price of gas at the pump. For the last year, the American consumer has gone through increasing price shocks as they have seen more and more of their family budget left at the service station or gas station every time they fill the family car. First it was \$15, then \$20, then \$25, then \$30, \$40, \$50, and in some instances now and in certain locations \$60 to fill the family car. If that family car is also the vehicle in which they commute to their workplace and they have to fill it several times a week, it has become a dramatic hit on the American family in a way that has now clearly registered in polling across our country and in what we are hearing every day in our phone calls coming in from those distressed Americans out there who are paying more for energy than they ever have before.

That is just one side of the energy equation. Our whole world, our whole economy runs on energy. The cost of that energy in that economy has to be felt—whether it is in the heating of the

home or the processing, manufacturing, or growing of food. All segments of our economy feed on energy and feed, basically, on gas or hydrocarbons that are reduced into gas and diesel and oil and plastics and the refining of energy. All of them have also become factors for which the average American—and certainly the average Idahoan—is paying now at a higher price than they have ever paid.

In my great open Western State of Idaho, we travel long distances. The majority of our people do not live downtown, don't live in the suburbs. They live out in the countryside. Going to town is a trip that is not unusual to rack up 50, 60, 70, 80 miles. I grew up on a ranch that was 30 miles from the nearest community. It was not unrealistic, when my mother went to town to acquire groceries or do the family shopping, to travel 60 or 70 or 80 miles in one round trip. That still goes on today in many of our Western States. So the cost for that family has gone up dramatically, also, simply by the character of where we live.

Yet, for the last 2 weeks, in an effort to try to deal with this issue on the floor of the Senate by allowing the offering of amendments that would in many ways cause production to begin once again in this country in locations where we know oil exists today but they have been taken off limits for political reasons—in that debate over the last 2 weeks, the leadership, the Democratic Party, the majority leader has stopped us from doing so on at least six different occasions.

Why, I am not sure—why any leadership of the great Senate would stop this Senate from doing what the American consumer and the American voter are asking for is largely beyond me. I could speculate—and I have, on numerous occasions, in speeches on the floor over the last several weeks, as have my colleagues. But one thing is clear: On six occasions, the majority leader, the Democratic leader, has said: No, we will not proceed to offer amendments to allow or to cause this country to become once again a producing nation.

Now we are about ready to try a seventh time. I am told that on the Defense Authorization Act, cloture has been filed. That is a procedure we use here in the Senate ultimately to force a vote on whether we will proceed to go to Defense authorization. We could vote on that today if we all agreed or we could vote on it tomorrow, as the cloture motion ripens—the term we use here in the Senate when all time has run out. I know what our vote is going to be. As important as Defense authorization is, we are going to say no. There is something even more important today to every American than that Defense authorization; that is, the price of energy at the pump which is literally sucking the family budget dry.

What do we do? My guess is we are going to adjourn for the August recess having done nothing. Every Senator

here is going to go home. I hope they go home to explain to their voters and to their State why they would not vote for increased production; why they will not allow this great country of ours to get in the business of producing energy once again.

The President has responded. He removed the moratoria he had placed on Outer Continental Shelf drilling. Prices dropped a little as a result of that. Yesterday, the Interior Department initiated a 5-year oil and gas leasing program for the OCS. They are preparing, if we act, to expedite and allow these areas in which we believe production can go on to go on there sooner. We have heard the argument here on the floor that it is 5 or 6 or 7 years away. No, it is not. In many areas, it could be as short as 2 or 3 years. And the anticipation of coming into the market in 2 or 3 years, in nearly everyone's opinion who understands oil markets—they would tell you it would bring the price of that product down now in the market.

The price already is coming down—not because of our actions but because of a beleaguered consumer out there who simply cannot afford the price anymore. That consumer and his or her family are already making decisions to shrink their travel and shrink their gas budgets. They are doing so.

In the last 4 months comparable to the 4 months of a year ago, the American family has driven 40 billion fewer miles. They didn't want to, they didn't want to alter their lifestyle, but they did. The reason they did is they just simply did not have the money to go forward. The price began to drop. Across America today, the gas price in many States has now dropped below \$4 a gallon.

You see the marketplace is out there, and what we have said about supply and demand is true in the market even though here in the Senate the action to deny production is to deny that the marketplace exists. What is going on today across America is living proof that market exists.

What can we do? If we were able to act as we have asked our majority leader here in the Senate to allow us to do, we could gain access to what we believe is about 30 billion barrels of known oil reserves in the Outer Continental Shelf. We think there is an additional 85 billion barrels of undiscovered resources out there, simply, if we are allowed to explore and develop the resources we know are there that are off limits today—if.

If I were allowed to offer an amendment, here is the amendment I would offer. I would go to what we call the eastern gulf that is now off limits and I would say: 50 miles out from the shoreline along Florida in the eastern gulf, this would be open for leases. We believe there are over 2 billion barrels of oil out there and trillions of cubic feet of gas. Right across here are the pipelines and the infrastructure we could connect to, which would go into

the refining areas in Louisiana and Texas.

Doesn't that make sense? Even Floridians who once said: No, we do not want any drilling, are now by their latest polling saying: Yes, we do, because we, too, are going broke at the pump. We want an opportunity to do so.

Of course, what Floridians know is that if oil is discovered here, they will share in the money that comes from it, and that can go into their educational programs and their State budgets and potentially reduce the tax burden on the average Floridian, along with bringing the price of gas down at the pumps in Florida.

I have offered that amendment. I filed that amendment at the desk. Yet the majority leader of the Senate has said no, that amendment will not be offered.

Ultimately, it will be offered. Ultimately, someday the voter is going to say: We have had enough of this. We are not going to stand by and let the Senate of the United States block us from the resources that are ours as a nation, that need to be developed, that can bring the price of energy down.

It is a pretty simple equation and, as many of us have said, this is an interim solution. Many of us have called it a bridge to the future. The Energy Policy Act we passed in 2005, and the new Energy Policy Act we passed in 2007, already the Senate of the United States was recognizing that the day of a nation living exclusively on oil as a form of transportation energy was a day that would ultimately end and that we would invest in hybrids and electric-powered cars and new technologies.

I am very proud, in my State of Idaho, that, in part, we have led those kinds of technologies in our national energy laboratory in Idaho Falls. Hydrogen cars and hydrogen initial combustion vehicles and full-sized electric cars have been experimented with and are being developed at that laboratory and in other facilities across the Nation.

But that is not going to be available tomorrow. It takes billions of dollars and 10 or 15 years for a lot of this new technology to come online and be available to the American consumer. So do we sit idly by and allow the family budget to be drained away? Do we sit idly by and buy from foreign nations the billions of barrels of oil we currently buy from them and pay \$1.2 billion a day to a foreign nation and drain not only our family budgets dry but our national treasure?

It is a phenomenal dilemma we have put ourselves in. As you note, I used the word "we" put ourselves in because it is folks on the floor of the Senate and the House of Representatives across the Rotunda from us who have put these properties off-limits, who have put Alaska's oil off-limits, all in the name of the environment.

We caused this crisis, and American families now know it. Eighty percent of American families and consumers

out there are saying: Congress, fix it. For 3 weeks we have been on the floor trying to do that, and every time we try it, we are denied that opportunity in the raw name of politics.

Well, we are about to go home. I hope in the raw name of politics, America's voters rise and say to their politicians: Go back to Washington and do your work and do it in a way that allows this great Nation of ours to once again become a producing Nation, not just a consuming Nation.

We know the resources are there. Our national geologic survey says they are there. We know they are there because they have been put off-limits in the name of the environment years ago when gas was cheap. But many of us who have worked in this area for a long while said the day would come when there would be a break point and no longer would America be sitting with cheap energy available in an unlimited way. That day is here.

Yet, politically, we are bound up. We cannot move. I guess we will now not move to do what we ought to be doing for the American consumer, acting and allowing these resources to become available so we can develop them in a safe and clean environmental way for the American consumers to use.

This is a challenge for all of us, but it is a challenge we are capable of meeting if we simply surpass the politics of the moment and get on with the business of this great country.

I yield the floor.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Madam President, are we in morning business at this point?

The PRESIDING OFFICER. We are on the motion to proceed to S. 3001, and the minority side has the 10 minutes until 1 o'clock.

Mr. WARNER. I ask unanimous consent that I might use a portion of that 10 minutes to proceed as in morning business.

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

HONORING KOREAN WAR VETERANS

Mr. WARNER. Madam President, this week our Nation, and indeed nations throughout the world, paid our reverence to the men and women of a past generation who fought so valiantly to provide freedom for the Southern portion of the Korean Peninsula. They fought under the Commander In Chief at that time, President Harry Truman, a courageous man.

It has been 55 years since that conflict. Today, the Senate Armed Services Committee held an extensive hearing on the current status of the Korean Peninsula, most specifically the progress we are making, in my judgment, with respect to North Korea.

I played a very modest role in that war as a young Marine Lieutenant, for a period, 1951–1952, but my contribution and participation is of little consequence when you look at the extensive casualties our Nation took in that conflict.

The total deaths were 36,574, the total wounded over 100,000, and 1.7 million-plus men and women in the Armed Forces were in and out of that theater to preserve freedom.

Today, South Korea is a flourishing nation, one with a very strong economy. It ranks, I think, 11th worldwide. It is a partner in world affairs in terms of its strategic importance and, clearly, a participant in trying to secure freedom for others on that historic peninsula.

I do hope, as the Senate begins to finish its work prior to the August recess, the Chamber will consider the nomination, which I understand is pending, of Kathy Stevens, a career diplomat of many years who has been nominated to become the new Ambassador to South Korea.

I had the privilege of visiting with her, and I certainly felt that, in every respect, she is eminently qualified to take this important post.

I wish to thank Ambassador Hill this morning, because he addressed a number of issues, most notably the question of the deprivation of basic human rights by North Korea to so many of its citizens. I support Ambassador Hill in his endeavor, and colleagues on both sides who, in the course of the hearing this morning, expressed our concerns about the human rights of individuals in North Korea and the environs. Senator BROWNBACK, an internationally recognized spokesman on behalf of human rights, took an active role in today's hearing.

I wish to note that Senator MIKULSKI and Senator CARDIN from Maryland, Congressman STENY HOYER, and I met with a group of Korean war veterans who came to the Hill to talk, to memorialize the sacrifices of so many of their fellow service persons of that generation.

I am so humbled and privileged to have had that very modest, brief, tour of service with that generation. My service was inconsequential compared to the extensive loss of life and limb by others during this conflict.

But I do urge America not to forget those who served in Korea. The war is often referred to as the "forgotten war." But they laid the foundation for the current freedoms in South Korea. Indeed, Harry Truman's decision to stop the spread of communism on that peninsula saved other small nations in the region. Today, those countries might not have the freedoms, they now have, had it not been for the sacrifices of the men and women of the U.S. Armed Forces, and other nations fighting under the "banner" of the United Nations Organization.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

HONORING REVEREND FRED SHUTTLESWORTH

Mr. BROWN. Madam President, a few days ago the Birmingham, AL, airport announced plans to rename the Birmingham International Airport after Reverend Fred Shuttlesworth.

I rise to honor the work of activist, legendary civil rights leader, the Reverend Fred Shuttlesworth. For more than 60 years, Reverend Shuttlesworth has fought passionately for racial equality and social justice in our great country.

Born in Birmingham, AL, Reverend Shuttlesworth became involved in the civil rights movement as a young pastor. He organized sit-ins and boycotts. He challenged the injustice for decades of Birmingham's Jim Crow laws, despite attempts on his life, and there were many by the Ku Klux Klan.

In spite of repeated arrests, attacks by police dogs and firehoses, Reverend Shuttlesworth simply refused to back down. In 1957, Reverend Shuttlesworth joined the efforts with Dr. Martin Luther King, Jr., and Ralph Abernathy to form the Southern Christian Leadership Conference. Members of the SCLC fought side by side to increase educational opportunities, to promote voter registration, and to promoting equality of opportunity for African Americans throughout the country.

In 1961, Reverend Shuttlesworth took up the pastorate of Revelation Baptist Church in Cincinnati, OH, and continued his campaign for racial justice.

Bringing the same fearless opposition to segregation he had displayed in Birmingham, he joined forces with other Black ministers to make William Lovelace the city's first African-American judge.

For greater than a half century, Reverend Shuttlesworth spoke out against injustice. He has worked to increase minority representation in city government, he has expanded minority hiring by the local police department, and worked to improve access to housing in Over-the-Rhine, an area of Cincinnati, for needy families and throughout Hamilton County.

Reverend Shuttlesworth has made great personal sacrifice, risking his life, risking his own health and the health of his family, so every American, without regard to race, would have access to equal opportunity to succeed.

I announced my campaign for the Senate in 2005 at the church of Reverend Shuttlesworth in Cincinnati. I consider him a friend. I have met him many times over the last 15 or so years. He took me one day to a small room in his church, a room he called a museum. It was a room dedicated to the civil rights movement. It had so many wonderful examples of his courage, his bravery, his accomplishments, and the accomplishments of so many people he worked with to promote social justice, to promote economic justice, to promote civil and human rights.

For that, I am especially proud of Reverend Shuttlesworth. I am especially proud of the role he plays in Cincinnati, always battling for racial justice. I am proud the Birmingham, AL, airport has named their international airport after the Reverend Fred Shuttlesworth.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mrs. MCCASKILL. I ask unanimous consent that the order for the quorum call be rescinded.

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

ENERGY

Mrs. MCCASKILL. Mr. President, I have been presiding in the chair listening to some of our friends across the aisle talk about oil and gas prices and lamenting that we may go home without taking action. I was blessed to be home yesterday and had the chance to be in rural Missouri. I talked to a lot of people who represent the heart of our country.

I will tell my colleagues what they have figured out. They have learned to look beyond everybody talking about this stuff and to figure out who wants what. This is simple for the American people. All they need to do is ask about the solutions and who wants them.

The Republican Party says there is only one solution. Even with the 68 million acres they are not touching, they only need to have another 10 or 20 million acres and our problems are over. Who wants that? Big oil.

What this town has done for decades is give big oil everything it wants. This administration has given big oil everything it wants. For 25 years, big oil has had its way with the Congress. The solution they are proposing is, once again, giving big oil its way.

I don't know how one can look at today's financial news and not shake their head. ExxonMobil with \$12 billion in profits, announced today, in the last 3 months; \$11 billion the quarter before. They want to give ExxonMobil another tax break, and they want to give ExxonMobil what they want moving forward.

It is very simple. We got in this mess because the Republican Party continues to do the bidding of big oil. We will only get out of this mess if we turn our back on big oil and start doing what makes sense for the future. If only we had been willing to say no to big oil in 2000, 2001, 2002, 2003, 2004, and 2005, when the Vice President had 40 meetings with big oil executives and one meeting with alternative fuels people.

It is time we say no to big oil. America is sick and tired of being handcuffed by the demands of big oil.

Democrats say no to big oil. We say yes to getting out from underneath big oil. We do that by extending tax credits

for solar and wind, to which Republicans keep saying no. Of course, they keep saying no to that; big oil doesn't want that. They called big oil. Big oil said no; they say no.

We say: Let's do more alternatives and invest in technologies that will rid us of our dependence on foreign oil. America has 2 or 3 percent of the world's oil and she consumes 25 percent. We will never drill our way out of this. The only way we will find relief for the American public is to say no to big oil.

It is time. They to have muster the courage. The sky will not fall if they will only stand and say, for the first time on that side of the aisle, no to big oil.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mrs. MCCASKILL). Without objection, it is so ordered.

NATIONAL INFRASTRUCTURE

Mr. DODD. Madam President, I come to the floor today to remember the terrible tragedy that occurred 1 year ago tomorrow in Minneapolis, MN, when the bridge carrying Interstate 35W over the Mississippi River near downtown Minneapolis abruptly collapsed during the evening rush hour. At least 50 vehicles plunged some 60 feet into the Mississippi River, killing 13 people and injuring dozens more.

As we approach the anniversary of this devastating event, my thoughts and prayers and those, I know, of all our colleagues are with the victims and their families, with Senator KLOBUCHAR, our colleague, Senator COLEMAN, Representative ELLISON, whose district the bridge is in, and all those affected by this terrible tragedy.

The people of my own State of Connecticut can sympathize in a direct way with the people of Minnesota, as they prepare to remember: 25 years ago, a bridge carrying Interstate 95—the main thoroughfare along the east coast of the United States—over the Mianus River in Greenwich, CT, abruptly collapsed in the early afternoon. Four vehicles plunged into the Mianus River, three people lost their lives, and others sustained serious injuries. It remains one of the worst transportation disasters in my small State's history.

The tragedy in Minnesota is the most recent example of our national infrastructure crumbling before our very eyes. Indeed, this is not a problem that only affects Minneapolis or Connecticut or—in the case of last year's steampipe eruption—New York City. These are problems affecting every single State, every single county, every single community in our Nation from San Diego, CA, to Bangor, ME.

For far too long, we have taken all our infrastructure systems—our roads, bridges, mass transit systems, drinking water systems, wastewater systems, public housing properties—for granted. For far too long, we have failed to invest adequately in their long-term sustainability. Today, we find ourselves in a precarious position concerning their future viability—a precarious position that is costing lives and jeopardizing the high quality of life we have come to enjoy and expect as American citizens.

The Federal Highway Administration estimates that 152,000 of the Nation's bridges are either structurally deficient or functionally obsolete. Put another way, one out of every four bridges in our Nation is in a state of serious disrepair. The American Association of State Highway and Transportation Officials estimates it would cost some \$140 billion just to repair the 152,000 bridges that are in that condition.

The life-threatening problems are not confined to bridges. The National Highway Traffic Safety Administration reports that approximately 14,000 Americans die each year, at least in part, because our roads and bridges are no longer up to the task.

Congestion on our highways causes tons of carbon dioxide and other pollutants to be pumped into the atmosphere every day. These emissions compromise the health of children and adults and contribute to global warming, which poses immense risks to the future of all of us. This congestion on our highways stems from the absence of mass transit systems or other adequate means to move people.

Tens of millions of Americans receive drinking water in their homes every day from pipes that are, on average, over 100 years old. In our Nation's capital city, in the area of Georgetown—one of the city's most affluent neighborhoods—wastewater is still conveyed through wooden sewage pipes constructed in the 19th century.

In the city of Milwaukee, over 400,000 people were sickened several years ago with flu-like symptoms caused by a strain of bacteria in the municipal drinking water system of that community. The bacteria strain was eventually linked to inadequate treatment of the drinking water.

It is not just our health and safety that is affected by our crumbling infrastructure; in fact, our national prosperity is at stake. From the days of the Roman aqueducts to the present, a nation's ability to grow and prosper has always relied upon its ability to effectively move people, goods, and information.

Ask any American today how we are doing in achieving this objective, and chances are the response would be the same: We are not doing very well, and we could be doing substantially better.

When the average American spends 51.5 hours a year—more than 2 full days of one's life, per year—stuck in traffic

congestion, then I think we can do better. When one out of three of our roads is in poor, mediocre, or fair condition, then I think all of us would agree we can do better. When the United States invests less than 2 percent of its gross domestic product on infrastructure, while nations such as China and India—the major competitors of this country in the 21st century—invest between 7 and 12 percent, then I think all of us recognize we need to do better or we are going to find our country in a very weakened position very quickly. Infrastructure is not something you can correct overnight. The investments need to be made. It takes time to do it right. We are almost to the second decade of this century, and we remain way behind in this area.

Tomorrow is also the 1-year anniversary of the introduction of the National Infrastructure Bank Act that I have offered along with Senator CHUCK HAGEL of Nebraska. It is a bipartisan bill that has gained a number of co-sponsors over the last year, and we would like more.

The Infrastructure Bank would establish a unique and powerful public-private partnership to restore our Nation's infrastructure. Using limited Federal resources, it would leverage the significant resources, both at home and abroad, of the private sector. If we don't talk about how we are going to finance this, it is not going to happen.

Madam President, I ask unanimous consent to proceed for 2 additional minutes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. DODD. We need to come up with a financing mechanism. We all understand the need for doing this. I think all of us recognize as well that we are not going to talk about doing this out of the appropriations process alone. There are not enough resources there to meet the \$1.6 trillion currently needed to repair decaying infrastructure. We need a better mechanism to finance this. Senator HAGEL of Nebraska and I have worked with the Center for Strategic and International Studies over the last 2½ years, along with Senator Bob Kerrey, the former Senator of Nebraska; Warren Rudman, the former Senator of New Hampshire; Felix Rohatyn, a well-known business individual from New York who is almost certainly responsible for getting New York City back on its feet years ago; and John Hamre, a former official at the Defense Department, and we have constructed a means by which a limited amount of Federal dollars could attract massive amounts of private capital to allow us to really begin this work.

Absent some idea like this—and we think this is a good one—then year after year we can give speeches about our infrastructure, but nothing much will happen. This bill is designed to deal with regional and national needs, not local ones. We leave those up to the local municipalities.

We need to once again recognize that to grow as a people, to have our economy grow and provide the jobs and fulfill the aspirations and hopes of many Americans, we have to grow as well in our capacity to handle that kind of growth. The infrastructure needs of our Nation are daunting.

So on this tragic anniversary of the events in Minneapolis and the reminder of what occurred in my own State, as well as the recognition of what is occurring every single day all across our Nation, my hope would be that in the coming Congress, whether we are talking about a McCain administration or an Obama administration, that infrastructure would be a high priority for our country, that we get on that track together, as Democrats and Republicans, and come up with some creative ideas on how we can invest in this needed aspect of our economy.

With that, I yield the floor.

The PRESIDING OFFICER (Mr. SALAZAR). The Senator from Louisiana is recognized.

ENERGY

Mr. VITTER. Mr. President, I rise to urge action on what is clearly the single top priority, the single top challenge for American families; that is, sky-high gasoline prices and energy prices.

In the real world, in every State of the Union, families are struggling with this enormous additional burden. Gasoline prices, the prices at the pump—all energy prices have obviously gone through the roof in the last several months. Yet, even faced with this true crisis, even faced with this outpouring of hurt on the part of the American people and call for action, we are not yet acting. We are not yet acting as grownups. We are not yet coming together. We are not yet acting on the issue. I urge us to do just that and to simply act in a full, bipartisan, and balanced way on what is clearly the single biggest challenge facing Louisiana and all American families.

The good news is that at least there has been an energy-related bill on the floor of the Senate which has been the pending business that I think goes back to Tuesday, July 22—almost 2 full legislative weeks ago. The bad news is the distinguished majority leader has blocked all attempts to have an open debate and an open amendment process about energy.

That bill—his bill—about the limited issue of speculation—and I urge us to act on speculation, but we clearly must act on other things as well—that speculation-only bill has been the business at hand on the floor of the Senate for almost 2 legislative weeks, and yet we haven't had a single amendment considered, certainly not a single vote on an amendment. What an enormous lost opportunity. What an enormous example of pure obstructionism in Washington and the sort of gridlock people are sick and tired of when the country truly faces a crisis. American families face enormous challenges based on energy prices. We need that real debate.

We need that open amendment process. We need to act as grownups. We need to come together and act on energy.

It is in that vein that I suggest two very specific things. First of all, in less than 24 hours, I assume there is going to be some move for us to go home for August. I don't think we should until and unless we take some reasonable action on energy. I believe it is a derogation of our responsibility to go home for any length of time when this crisis is hanging out there and this institution is failing to act. I think we should stay here and work. We should stay here and act in a fair and in a balanced way.

We should consider a host of issues—yes, including speculation, but also fundamental issues that go to supply and demand on both sides of that equation: conservation, yes; greater fuel efficiency, yes; new technology, yes; renewable sources of energy and alternative sources of energy, yes. Also, we should be doing something on the supply side: finding more here at home and using our resources we do have right here at home. So I am against going home, going off on vacation, going on the August recess—however you want to put it—when we are not acting on the top priority and concern of the American people.

Secondly, I certainly oppose moving off this topic, which has been what the distinguished majority has tried to get us to do over and over again. We will have an upcoming vote—his latest attempt to get us off this topic. He has filed a motion to invoke cloture to proceed to the Defense authorization bill. Defense is an extremely important issue, particularly in this time of war and terrorist threat. However, I can tell my colleagues the reaction the American people have to this choice of energy versus Defense authorization. They have the same reaction I have: Staying on energy, acting on energy in a meaningful, bold, positive, balanced way, is the single most important thing we can do to improve our security, to improve our defenses. Quite frankly, that is far more important for national security and for defense than any Defense authorization bill. So surely we should reject that attempt to move off the subject to take this vote and move to the Defense authorization bill when the single biggest issue that not only faces American families and hits their pocketbooks but also the single biggest national security issue is energy.

So, again, I urge us to reject that attempt once again to move off the subject. We need to stay on energy but, more importantly, we need to act on energy. We need to reject that cloture vote. I urge us to stay here and work and act rather than go off on any August recess. We must address this crucial energy issue.

As so many of my colleagues, I have important amendments on the topic. I specifically filed seven amendments. Those amendments address a number

of key issues and a number of key questions, but they are balanced. They are not just about drilling because we can't just drill our way out of the problem. They have us use less and find more at the same time. That is exactly the sort of balanced approach we need, as I said a few minutes ago. Yes, use less. Yes to conservation. Yes to greater efficiency standards. Yes to new technology. Yes to renewables. Yes to biofuels. Yes to alternative fuels. Also, at the same time, yes to accessing greater supply right here at home, to accessing that energy we have here offshore, in Western States in shale deposits and elsewhere, to help ourselves rather than have to go beg, hat in hand, to Middle Eastern countries to cut us a break. We need to do all of the above. We need to act on the demand side and the supply side to stabilize, bring down prices, and help American families with this, their top challenge and their top concern.

I have seven amendments. Unfortunately, under the rules of the game that the distinguished majority leader has laid out, I haven't come near any opportunity to call any of those amendments up, and certainly I have not been able to have a vote on those amendments. The majority leader at one point offered four votes on the entire issue; none of them would have been on my amendments. He then rescinded that offer, so we are back to an offer of zero amendments and zero amendment votes.

Let's get serious about a serious challenge facing American families. Let's not only be on the topic on the Senate floor—so what. Let's act on it in a grownup way, in a bipartisan way, in a balanced way, addressing supply and demand, using less and finding more right here at home. Let's take up not just my amendments but any good ideas for debate and consideration and votes, and let's act on the single greatest challenge facing Louisiana families whom I represent and American families across the Nation. Surely we shouldn't vote to move to any other topic when we still have this tremendous challenge not acted upon.

I think we shouldn't run home for the August recess to vacation or even to talk with our constituents when this enormously important pending business is not acted upon. Let's stay here. Let's work. Let's come together. Let's act for the American people. It is perfectly obvious to them that this is our greatest national challenge. This is their greatest personal and family challenge as they try to live their real lives in the real world. We have to get that message and act on it here in Congress.

Mr. President, with that, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mrs. DOLE. Mr. President, the Federal Government has more acronyms for more Federal agencies that produce more economic statistics than anyone can reasonably be expected to comprehend in a single sitting. We have the Office of Management and Budget, the Congressional Budget Office, the Bureau of Labor Statistics, the Bureau of Economic Analysis—just to name a few.

These agencies produce a wealth of information that we use to inform our policy decisions with facts and expert analysis; but I often find that the best advice I get on matters of public policy comes not from these experts and their reports, but from the wisdom and sincerity of North Carolinians who write to me.

I received a letter recently that I think gets to the heart of our energy debate here in the Senate. It comes from a retiree who is living on a fixed income from his life savings, who resides in Lake Junaluska, North Carolina, a picturesque mountain town of 3,000 situated on a pristine mountain lake. I used to go to church camp there almost every summer when I was growing up.

"Too much energy," the letter reads, "has gone into rhetoric and not enough into actually doing something about it. We have so many brilliant leaders and the ability to make major transformations, so let's concentrate on action and do whatever it takes to reduce our dependence on foreign oil."

My friend from Lake Junaluska is right. Indeed, too much energy in this energy debate has been spent on partisan rhetoric, and not enough on delivering real solutions to provide Americans with relief from these record high gas prices.

Both sides bring important and worthwhile ideas to this debate. On one side, we see a focus on conservation and cracking down on alleged bad behavior in the energy market. On the other side, we hear more about energy exploration.

There is no "silver bullet" that can solve our energy woes. We need every option on the table. We need to throw everything and the kitchen sink at our energy crisis. Conservation. Alternative energy. Energy exploration. Market fairness.

There is no reason we can't develop a comprehensive strategy that includes the best ideas from both sides of this debate.

The bottom line is that high gas prices are driven by too much demand and too little supply. Last year, global demand exceeded global supply by roughly one million barrels per day. Because of that, families in my home State of North Carolina are having to pay 30 percent more to fill their tanks than they did just 1 year ago.

To truly solve this problem, we have to tackle both the demand side and the supply side. We need to find more and use less.

On the demand side, we need to make major investments in alternative energy research and take a crash course in conservation.

That is why I introduced legislation last week to repeal roughly \$17 billion in tax breaks to oil companies, and pour that funding into alternative energy research. With the price per barrel of oil at record highs, the market is providing petroleum producers all the incentive they should need to produce more oil. So, that funding would be better spent by investing in alternative sources of energy that are the key to our energy future.

In the near term, we could also help decrease demand by incentivizing the purchase of hybrid and other clean fuel vehicles with point of sale rebates and by investing in better transit systems.

While decreasing demand and investing in alternative and renewable forms of energy is certainly a necessary part of any comprehensive energy solution, it is by no means sufficient. We cannot simply conserve our way to energy independence.

We must also increase supply by making better use of America's vast energy resources. We should open up 2,000 out of 19.6 million acres in ANWR to energy exploration. We should capitalize on our immense oil shale reserves, which could produce three times as much oil as Saudi Arabia's proven reserves. And we should also allow the States decide whether or not to permit offshore energy exploration at least 50 miles off their shores on the Outer Continental Shelf, where we could gain access to billions of barrels of oil.

Of course, some will argue that bringing these energy resources online will take years to complete, and won't help provide the immediate relief that folks need. But, if anything, that means we cannot afford to let another day pass without pursuing them.

After all, if President Clinton hadn't vetoed legislation in 1995 to allow energy exploration in ANWR, our current energy shortfall would already be reduced by roughly 1 million barrels per day.

To provide immediate relief, we can release one-third of the strategic petroleum reserve to inject some much-needed supply into the markets, which will drive down prices in the near term and send a signal to market speculators that the American Government is dead serious about lowering gas prices.

Because of enormous and unprecedented economic growth in developing countries like India and China, it is imperative that in this debate we keep our eyes fixed firmly on the ultimate goal of ending our dependence on foreign oil altogether. Facing an ever-dwindling global supply of oil and ever-increasing global demand for energy, this is not a goal or a debate that we can take lightly. When it comes to securing America's energy future, partisan politics need not apply.

To lower gas prices and reach our ultimate goal of energy independence, we need every option on the table—everything and the kitchen sink.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative 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. 3044

Mr. REID. Mr. President, 92 times this session, which is now in its 19th month, Senate Republicans have filibustered critical legislation, everything and anything to maintain the status quo. Of course, it is an all-time record, 92 filibusters. It is more than 100 percent of what has been done in a full Congress—that is 2 years—and this has been done in a year and a half.

For those unfamiliar with the language of the Senate, a filibuster is a stall tactic to give a Senator more time, but it prevents the Senate from debating legislation. A filibuster is not a "no" vote in the true sense of the word. It is an objection to even having a vote. A filibuster cuts off debate before there can even be a vote. Most importantly, it cuts off negotiation and compromise.

Ninety-two times and more than 100 percent than has ever been done before, Republicans have filibustered America's priorities. Republicans have shown no favoritism on whom their filibusters harm the most. They have filibustered our troops, veterans, children, working families, small businesses, elderly, disabled, and recently stroke victims, those suffering from paralysis, those suffering from Lou Gehrig's disease. The list is endless. Not a single American has escaped the harm of a Republican filibuster in this, the 110th Congress.

Perhaps our country has been most damaged by Republicans blocking us from addressing the energy crisis. CNN issued the results of a poll they took over a couple days very recently. Here is how the American people feel about major causes of high gas prices:

No. 1, U.S. oil companies. Is that any surprise with the record profits being reported today by Exxon?

No. 2, foreign oil producers, OPEC mainly.

And, of course, speculators.

One, oil companies; two, oil producers; three, speculators, and new demand from other countries, and the American people are very perceptive. We know there is a tremendous demand from India and China.

No. 5, a major cause of higher gas prices, the Bush administration.

No. 6, the war in Iraq.

So if you only heard the faint outrage of our Republican colleagues, you might think it is the Democrats who spent the past 2 years blocking every

effort to lower gas prices and reduce our dependence on oil. But the exact opposite is true. Republicans may talk about high gas prices and oil prices today, but they are late to the party and they have shown up empty-handed.

The one idea they have come up with lately is more coastline drilling. But we all know it won't have any significant impact on prices, and some say in more than 20 years. That is according to the Bush-Cheney administration, which says the change in price will be in the year 2027.

Yesterday, in the New York Times and in newspapers all over America, the most syndicated columnist in America, Tom Friedman, wrote as follows:

Republicans have become so obsessed with the notion that we can drill our way out of the current energy crisis that reopening our coastal waters to offshore drilling has become their answer for every energy question.

Anyone who looks at the growth of middle classes around the world and their rising demands for natural resources, plus the dangers of the climate change driven by our addiction to fossil fuels, can see clean renewable energy—wind, solar, nuclear, and stuff we haven't yet invented—is going to be the next great global industry. It has to be if we are going to grow in a stable way.

Friedman went on to say:

Therefore, the country that most owns the clean power industry is going to most own the next great technological breakthrough—the ET revolution, the energy technology revolution—and create millions of jobs and thousands of new businesses, just like the IT revolution did.

Republicans, by mindlessly repeating their offshore-drilling mantra, focusing on a 19th-century fuel, remind me of someone back in 1980 arguing we should be putting all our money into making more and cheaper IBM Selectric typewriters—and forget about these things called the "PC" and "the Internet." It is a strategy for making America a second-rate power and economy.

He is not only the most well-read and the most well-spread columnist in America today but a man who is a prize winner for his best selling books, and his books are so tremendous because they see the world as it is going to be, not as it now is.

Their one idea, more coastline drilling, is not the answer. It is no wonder Senator MCCAIN said the plan was purely psychological, the Republican plan for more coastal drilling is psychological.

This morning we came to the Senate floor. We were going to offer some consent agreements, but the time was inconvenient. I did not want to use leader time and throw off the sequence of time we had. So we are here this afternoon to offer Republicans yet another chance to end their obstruction and do the right thing. We will offer unanimous consent requests on seven Energy bills, each one of which is extremely important, a package of bills that would lower the price we pay at the pump while applying for the long-time transition away from oil and toward clean renewable fuels of the future Tom Friedman talked about.

If past is prolog, Republicans will object to each of these proposals. If they do, and they probably will, it will be clear again for all Americans to see which party wants to only talk about our energy crisis and which party wants to solve it.

The first I would like to offer is S. 3044, the Consumer-First Energy Act. This is a very thoughtful piece of legislation which ends billions of dollars of tax breaks for big oil companies, and if there is ever an opportunity to recognize why they are unnecessary, look at those profits today and what they do with those profits. Do they do new energy exploration? No. Do they invest in renewables? No. They buy back their stock.

It was announced today they made last quarter, Exxon alone, about \$12 billion. S. 3044 would force oil companies to invest some of their massive profits in clean, alternative affordable fuels rather than buying back their stock. S. 3044 would protect the American people from price gouging and profiteering. It would also stand up to OPEC countries that are colluding to keep prices high.

Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 743, S. 3044, the Consumer-First Energy Act; that the bill be read three times, passed, and the motion to reconsider be laid upon the table; and that any statements relating to this bill be printed in the RECORD, as if given.

The PRESIDING OFFICER. Is there objection?

The Senator from Arizona.

Mr. KYL. Reserving the right to object, this bill does not produce any new American energy and would increase the price of gas at the pump. Further, I agree with Chairman BINGAMAN that a windfall profits tax is "very arbitrary" and "bad policy." For these reasons, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from New York.

UNANIMOUS CONSENT REQUEST—ENERGY PRICE REDUCTION AND SECURITY ACT OF 2008

Mr. SCHUMER. Mr. President, I am going to speak about a proposal that has been at the desk for a period of time and was put together by Senator BINGAMAN which deals in a very real way with the issues about which so many of our colleagues on the other side of the floor have talked.

First, it does increase domestic production by giving the Secretary of the Interior the authority to shorten lease terms and raise rental rates, requiring oil companies to comply with benchmarks. It would require the oil companies to drill rather than just hold property for decade after decade and not produce.

It would also bring down prices immediately by selling about 70 million barrels of high-quality light crude in the SPR, replacing it later with low-quality heavier crude.

Mr. President, 90 percent of sales would be invested in LIHEAP. Even

more importantly, it reduces demand. First, building codes, 40 percent of our energy is used by cooling and heating buildings. Certain States have put in building codes for decades and dramatically reduced demand. We also have research for batteries, so we might have electric cars and many other provisions.

I cannot go into all of them because time is narrow. Why do my colleagues oppose something so rational? The bottom line is because they want to do what the oil companies want: give them record profits.

What do the oil companies do with those profits? Do they promote alternative energy? Absolutely not. Do they drill domestically? We are hearing all this talk about drill. Look what the oil companies do with their profits. They buy back stock. That is very good if you are a big shareholder in ExxonMobil. It is very bad if you are a homeowner heating your home or a commuter driving your car.

It does no one any good except a handful of people, mostly very well off, to raise ExxonMobil stock, raise Chevron stock, raise BP stock, and not put that money into production.

Our proposal doesn't do what the oil companies want, but it increases production, domestic production, and reduces demand, exactly the slogan that my colleagues are talking about on the other side of the aisle. But it does it in a way not that the oil companies want but that America wants.

Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of a bill authored by Senator BINGAMAN, the Energy Price Reduction and Security Act of 2008, which is at the desk; that the bill be read a third time, passed, and the motion to reconsider be laid upon the table; and that any statements relating to the bill be printed in the RECORD, as if read.

The PRESIDING OFFICER. Is there objection?

The Republican whip.

Mr. KYL. Mr. President, reserving the right to object, this bill does not open a single new acre for the production of American energy and, in fact, would place new regulations and fees on American energy production, which would raise the price of gas at the pump. For these reasons, I object.

The PRESIDING OFFICER. Objection is heard.

The assistant majority leader.

UNANIMOUS CONSENT REQUEST—S. 3335

Mr. DURBIN. Mr. President, 68 million acres are currently open to the oil and gas companies, Federal land leased to them for oil and gas exploration. You would think, from the position and the statements on the Republican side of the aisle, that there was no land available and that we have to find new opportunities for oil and gas companies. They have 68 million opportunities they are not using today.

Time and time again, over the last several weeks, the position of the Re-

publicans on the energy question has come down to two or three very basic things: First, the Republicans in the Senate and Senator JOHN MCCAIN are stuck on old ideas. Secondly, they can't wait to go hat in hand to big oil—the oil companies—and ask them: What would you like us to do next? Well, the oil companies have a pretty good agenda. Before President Bush and Vice President CHENEY leave town, can you try to find some way to provide even more Federal acreage we can drill on maybe in the future? We want to stock it in our portfolios and get to it another day. Can you make sure you do that before President Bush leaves town?

That is the Republican agenda: More acreage beyond the 68 million they currently have and no vision for the future. It is an old agenda, an old idea. The Grand Old Party is stuck in an old way of thinking when it comes to energy.

The bill I am about to talk about looks to the future. It is a vision for tomorrow. Of course, there is responsible exploration and production—there has to be and there should be—but it realizes that the energy future of America and the world has to be different. We have to get ahead of the curve. As Senator REID said in quoting Thomas Friedman, it is time for us to think of the energy revolution we are about to engage in, one that is going to make a profound difference in our lives.

Twice this week we have given the Republicans a chance to vote for a real energy package. Is it a bipartisan plan? Read this quote from 48 Governors, Democrats and Republicans, across the United States.

Securing our energy future must be a priority at both the State and Federal levels. We strongly urge you—

They are speaking to the Congress—to partner with States by passing legislation on a bipartisan basis to extend expiring renewable energy and energy efficiency tax credits that can be enacted this year.

The Governors understand it. The American people understand it. The Democrats in the Senate understand it. It is only the Republican Senators who continue to object.

Now, what are these incentives? They are incentives for renewable energy that will chart a course for America to find clean energy sources and the creation of new businesses and new jobs so America can again lead the world. The Republicans look in the rearview mirror at drilling for oil because that is where the big oil companies are—their friends, their allies, their inspiration when it comes to energy.

This bill that came before us yesterday brought in five Republican votes. Only 5 out of 49 crossed the aisle and joined us to try to pass it. Not enough. They know it. Coincidentally, four out of five are in tough reelection contests. They understand when they go home that they can't sell this "drill forever" and the mentality the Republicans in the Senate have been peddling.

The bill talks about incentives for biomass and hydropower, solar energy, biodiesel, advanced coal, electricity, demonstration plug-in electric cars, battery performance standards, idle reduction units for trucks, and so many other things that move us forward using those nonpolluting renewable sources of energy that are truly our future.

Time and time and time again, the Republicans in the Senate have said no, no to these incentives for renewable energy and no to our future. I will give them a chance this time.

Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 767, H.R. 6049, the Renewable Energy, Job Creation Act of 2008; that the amendment at the desk, the text of which is S. 3335, be considered and agreed to, the bill, as amended, be read a third time, passed, and the motion to reconsider be laid upon the table; that any statements relating thereto be printed in the RECORD.

The PRESIDING OFFICER. Is there objection?

The minority whip.

Mr. KYL. Mr. President, reserving the right to object, I ask that the unanimous consent request be modified; that instead of adopting S. 3335 as an amendment, the Senate adopt the McConnell-Grassley substitute which is filed at the desk. This substitute provides the AMT patch, extends all of the traditional tax extenders, some of them with modifications, it extends the many energy tax incentives, provides for Midwest disaster relief, and includes no tax increases.

The PRESIDING OFFICER. Does the Senator modify his request?

Mr. DURBIN. Reserving the right to object, the Republicans, the Grand Old Party that used to be the party of fiscal conservatism, refuses to pay for these tax breaks. We have come up with an approach that is reasonable and accepted by the business community and that puts the tax burden on companies that are shifting jobs overseas. The Republicans can't stand the thought of imposing taxes on companies that are sending American jobs overseas and that is why they object to our bill and that is why I object to their alternative.

The PRESIDING OFFICER. Is there objection to the original request?

Mr. KYL. Mr. President, further reserving the right to object, yesterday, the majority leader said that legislating is the art of compromise, and indeed it is. There has been discussion here about the Grand Old Party—my party, of which I am proud—comparing it to the idea that oil is in the past, that oil is an old idea, we were told, and Republicans are stuck in the past. The Democrats are for renewables.

If you can find me a renewable that runs on wind or on solar, I would be happy to think about the idea. But I do think that since legislating is the art of compromise, we ought to listen to

each other's ideas, and that means each side moving off its hard-and-fast position, meeting somewhere in the middle.

Republicans are ready and willing to negotiate a true compromise, and I hope we can instruct our respective staffs to work on compromise during August.

I object to the original request.

The PRESIDING OFFICER. Objection is heard.

The Senator from North Dakota.

UNANIMOUS CONSENT REQUEST—S. 3268

Mr. DORGAN. Mr. President, the pending business of the Senate is S. 3268, the Stop Excessive Energy Speculation Act. That is currently the pending business. That has been objected to. I would like to try, once again, to see if perhaps we can do what every one of us as kids has been told by our parents to do—first things first. We need to do a lot of things and a lot of things well—produce more energy, produce different energy, and conserve more energy. I understand that. I think almost all of us agree with that. But first things first.

We have a broken oil futures market, and let me describe it. Seventy-one percent of those who are trading in the oil futures market are speculators. They don't know about oil. They do not want any oil. They do not want to carry a 5-gallon can of oil. They want to trade paper and make a lot of money.

A couple months ago, the vice president of ExxonMobil says the price of oil should be about \$50 or \$55 per barrel. The CEO of Marathon Oil has said the same thing. Finally, in testimony before the Congress, Fidel Gheit, 30 years in this business at Oppenheimer and Company—the top energy person at Oppenheimer and Company—said:

There is no shortage of oil. I am absolutely convinced that the price of oil shouldn't be a dime above \$55 a barrel.

In speaking of the futures market, he said:

I call it the world's largest gambling hall, open 24/7 and totally unregulated. It's like a highway with no cops and no speed limits and everybody going 120 miles per hour.

The result. The price of gas has doubled in a year. There is nothing in the supply-and-demand relationship of oil that justifies doubling the price in a year. It is because the market is broken and infested now with oil speculators.

We say first things first. We have crafted a bill to try to wring the speculation out of that market and preserve it for ordinary hedging, for which it was originally created.

Mr. President, I ask unanimous consent that the Stop Excessive Energy Speculation Act, that we are recognizing as the pending business, we proceed to the immediate consideration of Calendar No. 882, S. 3268; that the bill be read three times, passed, the motion to reconsider be laid upon the table, that any statements relating thereto be printed in the RECORD.

The PRESIDING OFFICER. Is there objection?

The Republican whip.

Mr. KYL. Reserving the right to object, this bill does not provide any new American energy, is flawed, and, in fact, the New York Times recently called it a "misbegotten plan."

Senate Republicans believe we should continue to work on the bill so it would provide meaningful relief from high gas prices for American families. For this reason, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Washington.

UNANIMOUS CONSENT REQUEST—S. 3186

Mrs. MURRAY. Mr. President, no one in this country should have to choose between heating their homes and putting food on the table. But with oil prices rising through the roof, more and more of our low-income families and our seniors today need extra help to stay warm and healthy. The cost of heating oil has risen 162 percent over the last 8 years, and by this winter it will have risen another 41 percent in the last year alone.

As these oil prices have skyrocketed, some regions of the country, including some counties in my home State of Washington, have had to cut back on the amount of heating assistance they can provide to the people who live there. The Seattle Times, our hometown paper in Seattle, is today reporting almost 100,000 people in Washington State alone will pay hundreds of dollars more to heat their homes this winter. Many people are already planning on how they are going to get by without heat because they can't afford it.

Last week, we had a chance in the Senate to double the funding available to help our low-income families and seniors to afford to heat their homes this winter. The Warm in Winter and Cool in Summer Act, which is S. 3186, would have ensured our local governments were able to cover these additional costs and help those who need it most. We were all extremely disappointed that despite the fact that 13 Republican Senators were cosponsors of this legislation, they chose last week to say no, once again, on behalf of big oil.

As we debate the refinements of how we are going to solve the short-term crisis, it seems logical to me that we not leave behind the people who are hurting the most. For seniors, low-income Americans, people who are truly worried, can't we come together on this one issue and solve it as we try to take care of the large energy crisis before us?

Mr. President, I come to the floor today to ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 835, S. 3186, the Warm in Winter and Cool in Summer Act; that the bill be read three times, passed, and the motion to reconsider be laid upon the table; that any statements relating thereto be printed in the RECORD.

The PRESIDING OFFICER. Is there objection?

The minority whip.

Mr. KYL. Mr. President, reserving the right to object, I ask unanimous consent that the bill be modified to add to the text of Senate amendment No. 5137, the Coleman offshore oil exploration and conservation amendment, so we can address the root cause of high energy prices that are hurting all Americans, particularly low-income Americans.

The PRESIDING OFFICER. Does the Senator wish to so modify her request?

Mrs. MURRAY. Mr. President, I object to that, and I say to our colleagues that, as we continue to debate in this country, in a very clear manner, the different root causes and what we can do, it seems to me, without encumbering this in the larger debate, we ought to be able to at least deal with an oil heating crisis that is going to affect many Americans, and therefore I renew my unanimous consent request as I read it.

The PRESIDING OFFICER. Is there objection?

Mr. KYL. Mr. President, is there objection to my request?

Mrs. MURRAY. Mr. President, I did object, and I renew my original request.

The PRESIDING OFFICER. The Senator from Washington objects.

Mr. KYL. I thank the Chair and I object as well.

The PRESIDING OFFICER. Objection is heard.

The majority leader.

Mr. REID. Mr. President, we have a few minutes left until 2:30. I would, rather than take leader time, ask unanimous consent to take another few minutes past 2:30. I would say to my two Republican colleagues on the floor, what we would do is run over, and the next 30 minutes in the next block of Democratic time would be cut by whatever time I use at this time. It will only be a few minutes; otherwise, I will use leader time.

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

Mr. REID. Mr. President, Senator KOHL and Senator SPECTER have been talking quite a bit. They both have visited with me on more than one occasion because they believe they have one of the answers to the problems we have with oil, and that is let's do something about OPEC. It is a cartel, it is a monopoly, and they have no concern for the American people, and they are obviously in violation of antitrust laws. But it is a question of whether American law can take them into consideration.

The legislation introduced by Senator KOHL and Senator SPECTER in the form of S. 879, the No Oil Producing Exporting Cartels Act of 2007, would make OPEC subject to the Sherman Antitrust Act. Why shouldn't they? At the present time, we only have two entities that are exempt from the Sherman Antitrust Act: baseball and insurance companies.

We know how we all feel about insurance companies, and how the American people feel about them, because they violate what would be antitrust laws all the time, but they are not subject to it.

Mr. President, what this legislation is all about is let's have OPEC be subject to the antitrust laws. I agree with Senator SPECTER. I agree with Senator KOHL. This should be something the Senate does.

UNANIMOUS CONSENT REQUEST—H.R. 2264

Therefore, I ask unanimous consent that the Senate proceed to Calendar No. 169, H.R. 2264, that the bill be read three times and passed, the motion to reconsider be laid on the table, and any statements relating to this matter be printed in the RECORD.

The PRESIDING OFFICER (Mr. NELSON of Nebraska). Is there objection?

Mr. KYL. Mr. President, reserving the right to object, this bill does nothing to increase American energy independence but would increase our reliance on the Middle East. Further, authorizing our Government to sue OPEC could, as Chairman BINGAMAN said, "get us into all kinds of trouble internationally" and "is not practical."

For these reasons, I object.

Mr. DORGAN. Mr. President, I say to the majority leader, I yielded 8 minutes to the Senator from Minnesota today in order that his statement could be coterminous with Senator KLOBUCHAR. If you don't mind, this is the last unanimous consent request—and let me do that by saying I think all of us in this Chamber understand the way you produce energy, and we support virtually every mechanism and approach to produce energy. Drilling for oil is one of them. But drilling a hole in the ground is not the only way you produce energy. You can use turbine and blades to produce energy from the wind and produce electricity. You can take energy from the Sun and produce electricity. There is biomass and biofuels. There are many ways to produce.

The problem is we do not aspire to set any national goal or national standard to require or to push that production of alternative energy.

I think we need something around here that is game changing. Every 10 or 15 years people are content to shuffle on the floor and talk about what do we do about the next box canyon we have ridden in. Then they say let's drill some more. I am all for drilling, but what about other ways of producing energy, wind and solar and the alternatives?

I am going to offer a unanimous consent request on an issue that has been kicking around for a long time. I know some people oppose it strongly. I respect their views but respectfully they are wrong. We ought to have a national standard—many States now have it—to provide a renewable energy standard, saying when you are producing electricity, a certain percentage of that should come from renewable sources.

This proposal at the desk requires a 15-percent renewable energy standard. If we are ever going to change the game, we have to do this by deciding that America is going to produce energy and produce different energy. So this would be a 15-percent renewable energy standard. Many States have taken the lead. I regret they have had to take the lead, but we ought to have a national set of goals and a national standard to say there are a lot of ways to produce. This is about producing energy for this country.

UNANIMOUS CONSENT REQUEST—H.R. 6049

I ask unanimous consent the Senate proceed to the immediate consideration of a bill to establish the renewable electricity standard which is at the desk, that the bill be read three times and passed, the motion to reconsider be laid on the table, and any statements relating to this matter be printed in the RECORD.

The PRESIDING OFFICER. Is there objection?

The Senator from Arizona is recognized.

Mr. KYL. Mr. President, reserving the right to object, we need more energy production to reduce costs. Republicans support it, Democrats do not. Tom Friedman, quoted by the Democratic leaders, is right about one thing, Republicans want more offshore drilling. Democrats do not.

Second, and I respectfully correct the majority leader in this, Senator MCCAIN did not say offshore drilling is only psychological. He advocates more offshore drilling both because of the energy it would produce and also because, he said, it would have a positive psychological impact on energy markets.

This would increase heating and cooling costs for American homes. For that reason, I object.

The PRESIDING OFFICER. Objection is heard.

The majority leader is recognized.

Mr. REID. Mr. President, the last half hour or so has been a microcosm of the 18 months of this Congress. Time and time again, Democrats have offered solutions to our energy crisis. Each time Republicans have objected. They have not come up with answers to specific objections to try to reach any sort of compromise. Basically, they said no. After 18 months of ignoring our energy crisis, and rejecting every Democratic effort—and we have talked about some of them today—they now claim to have seen the light. After a year and a half, all they want to talk about is gas prices. But as we have seen, all they want to do is, as I refer to part of what Thomas Friedman said:

Republicans, by mindlessly repeating their offshore-drilling mantra, focusing on a 19th century fuel, remind me of someone back in 1980 arguing that we should be putting all of our money into making more and cheaper IBM Selectric typewriters—and forget about these things called the "PC" and "the Internet." It is a strategy for making America a second-rate power and economy.

I did not hear JOHN MCCAIN say drilling was psychological. All I did was

read it in the press. It has been repeated time and time again.

I would finally say, we believe in domestic production. We Democrats, all 51 of us, believe there should be more American production. There are ways of accomplishing that. We know we cannot drill our way out of the problems we have, but there are things we can do and we want to work to have that accomplished. We have seen that set forth in legislation that Senator BINGAMAN has offered. Of course we talk about the 68 million acres—that was, of course, talked about here during this half hour—but we also are aware of the ability the President has today to offer leases to oil-rich areas in Alaska, onshore and offshore.

We believe in more domestic production. We call it American production. Hopefully the August recess will bring some ability of our friends on the other side of the aisle to start working with us. I hope we are going to see, a bit later today or tomorrow, a vote on a motion to proceed to the Defense authorization bill. That would be too bad, to have Republicans vote against that. That is the way we pay our troops and we refine what we do for our troops. It is a very important bill, led by two of the Senate's fine Senators, Senator LEVIN and Senator WARNER, chairman and ranking member of the committee.

We are 5 minutes over. I express my appreciation to my friends for being patient. If you care to, you can go over 5 minutes and we will take 25 minutes in our half hour. OK?

Mr. DOMENICI. Yes. I thank the leader.

Mr. MCCONNELL. Mr. President, are we in a quorum call?

The PRESIDING OFFICER. We are not. The Republican leader is recognized.

Mr. MCCONNELL. Mr. President, we had hoped to make significant progress over the last week or two to begin to address the most important issue in the country, and that is the price of gas at the pump. Regretfully, it seems we are bogged down here in trying to move ahead. So in order to try to facilitate progress, I have notified my friends on the other side that we intend to propound a number of consent agreements that virtually every Member of my conference believes would move us in the right direction and begin to address the No. 1 issue in the country.

UNANIMOUS CONSENT REQUEST—AMENDMENT
NO. 5137

In that regard, I ask unanimous consent that the Senate proceed to the immediate consideration of a Senate bill to address drilling in the Outer Continental Shelf, the text of which is identical to the amendment No. 5137, filed by Senator COLEMAN to the Energy bill.

I ask unanimous consent that the bill be read three times and passed, the motion to reconsider be laid on the table, and any statements relating to the bill be printed in the RECORD.

The PRESIDING OFFICER. Is there objection?

The Senator from Colorado is recognized.

Mr. SALAZAR. Mr. President, reserving the right to object, the reality is the Democrats have been in favor of drilling in the Outer Continental Shelf in places such as the gulf coast, including votes we took here on a bipartisan basis 2 years ago. The reality is the Republican proposal here will not do anything in terms of addressing the gas price issue which we are facing here today because it will not be effective in bringing down the price of gas. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. MCCONNELL. Mr. President, I know the Senator from Minnesota is on the floor. The amendment I propounded in the form of a consent agreement was essentially the Coleman proposal to open the Outer Continental Shelf. It was not geared to any particular price of gasoline at the pump. But I renew consent for the very same proposed consent agreement with one modification—that the enactment date is triggered when the price of gasoline reaches \$4.50 a gallon.

The PRESIDING OFFICER. Is there objection?

The Senator from Colorado is recognized.

Mr. SALAZAR. Mr. President, reserving the right to object for the same reasons we stated earlier, this again is creating a phantom solution to the reality of the energy crisis and the energy crisis we face as a Nation, and therefore I object.

The PRESIDING OFFICER. Objection is heard.

Mr. MCCONNELL. Mr. President, our good friends on the other side of the aisle apparently do not believe \$4.50 a gallon gasoline is sufficient emergency to open the Outer Continental Shelf, those portions of it that are currently off limits which—by the way, 85 percent of the Outer Continental Shelf is currently off limits. I renew my consent agreement with the following modification, that the enactment date is triggered when the price of gasoline reaches \$5 a gallon.

The PRESIDING OFFICER. Is there objection?

The Senator from Colorado is recognized.

Mr. SALAZAR. Mr. President, reserving the right to object, and I will object again, it is a phantom solution, and therefore I do object.

The PRESIDING OFFICER. Objection is heard.

Mr. MCCONNELL. Mr. President, if \$5 a gallon gasoline is not an emergency, I am compelled to ask what is the definition of an emergency? Maybe it is \$7.50 a gallon gasoline. Therefore, I renew my consent request with the following modification: that the enactment date which triggered the implementation of the amendment would occur when the price of gasoline reaches \$7.50 a gallon.

The PRESIDING OFFICER. Is there objection?

The Senator from Colorado is recognized.

Mr. SALAZAR. Mr. President, reserving the right to object, it is clear the Republican leader wants to move forward with the opening of places in the Outer Continental Shelf. I would say, on the Democratic side, there are a number of us who supported opening places in the Outer Continental Shelf, including additional significant acreage in the Gulf of Mexico, the 8 million acres that were part of the lease sale 181. We also know there are hundreds of millions of acres in Alaska that are not in a moratoria area, on which we support exploration and inventory of those places. What we are doing here with those triggers being proposed by the Republican leader again is not getting to real solutions that deal with the energy crisis we have and not coming together in a bipartisan way to move forward to have a package of energy legislation that would work for America. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. MCCONNELL. Mr. President, I am going to propound my consent agreement with a modification one more time and then I am going to engage in a colloquy with Senator COLEMAN. It is his amendment that he had hoped to offer, which I initially offered consent that we take up. Then these additional amendments were a different trigger, these additional consents were with a different trigger. I say to my friend from Minnesota, I will give our friends on the other side one more opportunity to maybe get their attention. Then we will discuss the amendment of the Senator from Minnesota.

Mr. President, I renew my request with the modification that the trigger be \$10 a gallon at the pump.

The PRESIDING OFFICER. Is there objection?

The Senator from Colorado is recognized.

Mr. SALAZAR. Mr. President, if we were moving forward with a package of energy legislation that would address the fundamental national security, economic security, and environmental security issues we are facing, and this were part of that kind of package, this might be very well worthy of consideration, including some of the triggers that have been mentioned. But it is clear to me this is another one of the tactics that essentially is wanting to get this Senate and this Congress to the point where we simply are not going to be able to get to a bipartisan energy package, and so I object.

The PRESIDING OFFICER. Objection is heard.

Mr. MCCONNELL. We know why we cannot get to a bipartisan energy package. The American people are saying—some 70 percent of them—that we ought to open the Outer Continental Shelf, those portions that are currently off limits, and it is my understanding that 85 percent of the Outer Continental Shelf is currently off limits. I

have been proposing a series of consents, basically drafted consistent with the Coleman amendment that would have been offered had we had a chance to offer it.

I would ask my friend from Minnesota if he would describe his proposal?

Mr. COLEMAN. Mr. President, I would say to the Republican Leader, first, I want to make it clear that if I understand the objection, the Republican leader has offered an amendment that if gas reaches \$10 a gallon, more than double the record levels, the other side is objecting to opening areas of the Outer Continental Shelf, areas that would yield at least 14.3 billion barrels of oil and 55.3 trillion cubic feet of natural gas at a minimum—at a minimum; there are other estimates that say if we opened all of these areas, up to 80 billion gallons of gas.

So I understand the objection and that as a result of that objection, we cannot move forward on increasing the supply of oil, that we cannot then move forward and open these areas on the Outer Continental Shelf that could yield at a minimum over 14 billion barrels of oil. Is that the result of the objection placed by the majority?

Mr. McCONNELL. I say to my friend from Minnesota, I think he has it entirely correct. I have offered a series of consent agreements here to give us an opportunity to take up and pass the Coleman proposal with differing triggers, starting at \$4.50 a gallon and going up to \$10 a gallon. Our friends on the other side have objected to passing legislation even with those ascending triggers, leading me to believe there is opposition on the other side to opening the Outer Continental Shelf, 85 percent of which is currently off limits—and over 70 percent of the American people support that—even if gasoline reaches \$10 a gallon.

Mr. COLEMAN. Mr. President, I would note to the leader that, by the way, the Coleman-Domenici amendment also has conservation pieces in it. I believe we will discuss that later.

But as I listen to the objection from my friend from Colorado, talking about phantom solutions as we look at the issue of the rising price of oil, I think there is bipartisan understanding that part of the problem is the basic law of supply and demand; that demand is increasing, and if you want to somehow affect demand, I would take it that the supply piece is the other piece. And as I understand the Coleman amendment, this is an opportunity to increase supply.

I would also note that part of the discussion has been about the issue of speculation, that there is money going into believing that oil is going to be scarce in the future, and that is somehow driving up the price of oil today. I would ask, then, if, in fact, we would open the Outer Continental Shelf, that we would increase supply, finding more oil of at least 14 to 15 billion barrels, would that not indicate that in the fu-

ture there will be less scarcity because we are increasing supply, and would it make common sense that if there is going to be less scarcity, more supply, we are going to tap into America's resources, that would have an impact on the price of gas today?

Mr. McCONNELL. I say to my friend from Minnesota, it makes sense that if you were betting on the future, so to speak, which I guess is what the futures market does, if there were signs of optimism, an indication that the United States of America was going to do something within its boundaries to deal with this problem, it is reasonable to expect that the markets would respond favorably.

I might add—it was not alluded to specifically by my friend from Minnesota, but I might add that the underlying bill which we have been seeking to amend is actually opposed by the New York Times, the most liberal newspaper in America, as being ineffectual and actually making the matter worse. So clearly doing that alone runs the risk, according to the New York Times, of destroying or at least adversely impacting one of America's great markets. But also refusing to amend it to allow such reasonable proposals as the Coleman amendment means we would be making an ineffectual response to the issue that is the most important issue in the country.

Mr. COLEMAN. Mr. President, I have one more observation. First, I do wish to make it clear that when the Republican leader talks about the underlying bill, he is talking about the majority proposal on speculation, a proposal that does not do anything to increase production?

Mr. McCONNELL. Yes.

Mr. COLEMAN. A proposal that does nothing to deal with more conservation? A proposal that suggests it is going to focus on speculation only, and that is what the New York Times says would actually do more harm than good?

Mr. McCONNELL. The Senator from Minnesota is entirely correct.

Mr. COLEMAN. Mr. President, I would note that this issue of speculation is something that has come before the Permanent Subcommittee on Investigations on which I am now ranking member and I was, in the past Congress, the chair. We looked at this issue. It has come before Homeland Security, a committee that works on a very bipartisan basis. I would tell the Republican leader that at least one of the witnesses has come forward and said: If we do all we can do, if we do conservation, if we let the world know we are serious about ending our addiction to foreign oil, that we are serious about not being held hostage to what Saudi sheiks or Chavez or Ahmadinejad does, the suggestion is that prices could drop like a rock.

I am not going to suggest that I know. I would not suggest to the Republican leader that in fact they will drop like a rock. But common sense

says that if we increase production, if we do those things, tell the world that we are not going to be stuck with scarcity, that we are going to use the great power of America to tap into our resources, that, in fact, would have an impact.

I would also note, for those who say it is only going to have an impact in the future, would that be such a bad thing, for this Congress to be looking forward to the future? We are going to have this debate 10 years from now if we do not do anything. In 10 years, we will be saying: If only 10 years ago we had opened the Outer Continental Shelf, we might today not be 80 or 90 percent dependent on foreign oil. I would suggest that we have the debate now.

One final comment. We have not talked much about the issue of natural gas. I represent a State which is cold. The Presiding Officer represents a State that gets very cold in the winter. I would suggest that we are going to come back here in September, and the cost of heating our homes is going to start to go up as the leaves turn color and the temperature starts to drop. By October, the snows may hit. By November, they actually may be here. In December and January, it is going to be below zero. And the price of natural gas is going through the roof.

My farmers in Minnesota have trouble today buying fertilizer and will next year because folks will not speculate on what the price of natural gas will be.

I would then ask the Republican leader, that in objecting to the Coleman-Domenici proposal, the majority is not only stopping the possibility of tapping into billions of gallons of oil but also trillions of cubic feet of natural gas, a market that is much more susceptible in the short term to increases of supply.

Is that the result of the Democratic objection, that we are not going to be able to tap into this and tell the world that there are trillions of cubic feet of natural gas available, and I cannot tell my folks in Minnesota, when it is cold in November and December and prices shoot through the roof, that we were not able to act because the Democrats objected to the unanimous consent offered by the Republican leader.

Mr. McCONNELL. Well, my friend from Minnesota is entirely correct. I learned from the distinguished Senator from New Mexico, who has been our leader on energy issues for a number of years, that we can be entirely independent and sufficient in natural gas. We have enough here in the United States, if we would simply go get it, to take care of our natural gas needs.

So, yes, we are walling off natural gas as well as oil, exacerbating all of these problems, driving up the price of fertilizer and every other product in which natural gas is used, refusing to exploit our own resources. It strikes the American people, and we know that by looking at all of the public opinion polls. It is not making any sense at all.

I thank my friend from Minnesota for his observations.

Mr. President, it is not only offshore that we have enormous potential to increase our production. It has been estimated that we have three times the reserves of Saudi Arabia right here in our country onshore in oil shale.

Last year, this new Democratic Congress passed a moratorium on going forward with oil shale research and development. I think that moratorium was a foolish thing to do. It should be lifted.

UNANIMOUS-CONSENT REQUEST—AMENDMENT
NO. 5253

I ask unanimous consent that the Senate proceed to the immediate consideration of the Senate bill to address oil shale leasing, the text of which is identical to amendment No. 5253 filed by Senator ALLARD to the Energy bill.

I would further ask unanimous consent that the bill be read a third time, passed, the motion to reconsider be laid on the table, and any statements related to the bill be printed in the RECORD.

The PRESIDING OFFICER. Is there objection?

Mr. SALAZAR. Mr. President, reserving the right to object, I would remind the Republican leader that even the oil companies—Chevron Oil—have said we do not even know whether the technology is out there to be able to develop oil shale. At the earliest, it is 2015, 2016 when we will know that. We had the Assistant Secretary of the Department of Interior, and in his testimony before the Energy Committee, he said the same thing.

So the consequences of moving forward with the legislative proposals propounded here by the Republican leader essentially would do nothing more than to lock up millions of acres of land and millions of barrels of reserves to oil companies that already are getting the highest record profits of any company in the history of the world. That includes companies such as Shell, which reported a 33-percent increase in its second-quarter profit on Thursday, Exxon, and all the rest of the oil companies.

So if this is about giving the national public resources away to the oil companies, then I would say we should support the Republican leader's unanimous consent. But it is not about that, it is about creating a new energy frontier for America. Therefore, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. MCCONNELL. Mr. President, I see the Senator from New Hampshire is on his feet with some observations about this objection.

Mr. GREGG. I guess I am a little surprised at the objection. The first objection to your first amendment was that we did not have a comprehensive approach. Now you suggested another approach; we would add to a comprehensive approach that appears to be objected to.

The gravamen of the objection appears to be that we do not know if we

can produce oil shale, oil from oil shale; that the technology and the location of the oil shale is not necessarily far enough along to be able to produce, and therefore we should not even look at it.

As I understand the leader's amendment, it says simply remove the regulation which was put in place last year which barred the Interior Department from putting out regulations which allow us to find out whether the oil is there and whether we can remove it.

So there seems to be an inconsistency here on the reasons why people would object to taking off that regulation which was put in place last year by the Democratic leadership.

Secondly, the known reserves from oil shale are projected to be two to three times the known reserves of Saudi Arabia. That is a huge amount of oil, potentially. I do not think we want to not look there and say we are going to throw a sheet over our head and not look at this potential reserve which would give us as a nation more potential oil reserves than Saudi Arabia, that we are not going to allow the Department of Interior to begin the process of developing regulations that will, if the oil is there and if it can be used, expedite the production of that oil. That makes no sense at all.

As I understand, the proposal that came earlier from the Democratic Party was to open the Strategic Petroleum Reserve. That is 3 days' worth of oil. If there is 2 trillion barrels of oil in oil shale, that is 40,000 days of oil. Well, I do not know. I would think the American people would like to have the opportunity to find 40,000 days of oil in the United States rather than have to buy it from Iran or from Venezuela, places that do not like us very much, even from Saudi Arabia. I think they would like to have the money kept here in the United States.

Yes, the oil companies are making some big profits. They are spending it to look for oil also. But when they are not spending it to look for oil, they are actually paying some dividends. Who gets those dividends? Well, if they are American companies, I suspect that many Americans are, Americans who invested in pension funds, Americans who have 401(k)s.

Are we to say they shouldn't get those profits and we should, rather, send them to Saudi Arabia or to Iran or to Venezuela so Hugo Chavez gets the profits? How absurd. On its face it is absurd. We have 2 trillion barrels of oil sitting there, and all the leader has asked for is to lift the regulation which will let us find out whether we can look for it and whether it is there.

Mr. SALAZAR. Mr. President, will the Senator from New Hampshire yield for a question?

Mr. GREGG. I was propounding a question to the leader.

Mr. MCCONNELL. I would say to our good friend, the other side had plenty of time to discuss their proposal.

I say to my friend from New Hampshire, he is entirely correct. Why would

we not want to look. Maybe we don't want to look because we might find something. If the potential is as vast as the Senator from New Hampshire portrays and as other experts have indicated, it seems to me we would be foolish in the extreme not to pursue this further. The American people simply would not understand.

Mr. SALAZAR. Will the Republican leader yield for a question?

Mr. MCCONNELL. Not at this time. I think the American people would not understand our reluctance to continue to explore this alternative given the vast potential it seems to possess.

Mr. GREGG. If I may ask the Republican leader a further question: Have we not been on the floor now for 2 weeks, asking for the right to offer a series of amendments to address these issues that could be voted up or down, that would be fairly presented, where the minority would have the right to present its amendments so we could present to the American people the case for Outer Continental Shelf oil, oil shale, nuclear power, electric cars, for a variety of other options that might get us out from underneath this severe issue which is the price of oil? Have we not been asking for the opportunity to present those amendments in a fair and open manner in the tradition of the Senate and been denied that right? Are we not being denied that right one more time here today?

Mr. MCCONNELL. The Senator is entirely correct. All we are asking for is the way the Energy bill was handled last year, the way the Energy bill was handled in 2005, in which we had an open amendment process, in which Members from both sides of the aisle were given an opportunity to offer their amendments. Forty or fifty amendments were adopted on each bill. It ultimately led to a law. What we have been engaged in in the last 2 weeks is not designed to lead to anything other than a check-the-box exercise and move on. That is why Republicans in great numbers have insisted that we stay on this subject, the No. 1 issue, that we continue our effort to both find more and use less. The only way to achieve that is with a balanced approach, not a sort of single-issue approach which is in the underlying bill.

In addition to addressing gas prices directly, there are also a great many Members of the Senate on both sides of the of the aisle who understand we need to move in the direction of more nuclear power. A lot of us think the French have not done a whole lot right in recent years, but one thing they have done rather well is develop a nuclear power industry that supplies the vast percentage of their electricity. Had we been given the opportunity, we would have been offering a nuclear power amendment.

Therefore, I ask unanimous consent that the Senate proceed to the immediate consideration of a Senate bill to promote nuclear power generation, the text of which is identical to amendment No. 5179 filed by Senator LINDSEY

GRAHAM to the Energy bill. I ask unanimous consent that the bill be read a third time and passed, the motion to reconsider be laid upon the table, and any statements relating to the bill be printed in the RECORD.

The PRESIDING OFFICER (Ms. KLOBUCHAR). Is there objection?

Mr. DURBIN. Madam President, reserving the right to object, I was personally on the floor two or three times when Senator REID offered to Senator MCCONNELL to allow them to bring this amendment to the floor. They said: No, we want to talk it over. We have so many more amendments. Of course, time ran out. Now they are back again. We have given them ample opportunity to talk about nuclear power, to offer their amendments, offer their energy package. Each time they couldn't get it together. This is the gang that can't drill straight.

I object.

The PRESIDING OFFICER. Objection is heard.

Mr. MCCONNELL. Madam President, I will use leader time to allow us to get up to the same 30 minutes that was used by the other side of the aisle.

Mr. GREGG. Madam President, I was wondering if the leader could explain to me how the Democratic assistant leader could object to something the Senator didn't object to?

Mr. MCCONNELL. I know Senator DOMENICI and Senator ALEXANDER both are knowledgeable about the nuclear industry. I see Senator DOMENICI, our energy expert in the Senate, on his feet.

Mr. DOMENICI. Madam President, might I say to the Republican leader, I am here sitting down because you and the Senators on my side are doing such an excellent job of letting the American people know what has been going on. It has been a thrill to listen, because I would hate to be on the other side. It looks as if they are very anxious to make sure you don't finish your statements. They would like to take a little bit of your time. If I were in their shoes, I would too. Because the truth is, their leader changed the course for debate on energy, meaningful energy amendments, when he decided he would put all the amendments that the process would hold, he put them on so there could be none offered. That is why we are here today, because no amendments could be offered and voted on. Anybody who stands up and says we had a chance, what chance? If we would have offered something, the objection would have been: The tree is full. It is out of order. I already asked the Parliamentarian if an amendment would be in order, if I tendered an amendment to such-and-such amendment, and the Parliamentarian said: You couldn't offer it. So that is why none of the amendments you refer to could have been offered.

There has been one area in which we can all stand up and say we legislated in the normal way and got something good, and that is the current set of

rules regarding nuclear power. We now have 16 nuclear powerplant applications filed and waiting their turn to start construction. We had zero when we started this process. We need some additions to that which are in the amendment you propose to make sure it works, to make sure this wonderful start of nuclear power for America hits the few things it still needs to be competitive. You have been denied the opportunity to discuss it. We are not talking about that, but to offer a full-fledged amendment that will require a little bit of debate and then vote. That is what we have been denied. That is why I am here saying the public is going to understand this. We should have voted on the Outer Continental Shelf, opening it, with amendment and full debate. We can't do it because they won't let us. It is that simple.

Mr. MCCONNELL. I thank the Senator from New Mexico.

Madam President, what time remains on this side to achieve the 30 minutes?

The PRESIDING OFFICER. The 30 minutes has been consumed.

Mr. MCCONNELL. I will use a few more minutes of leader time. If the other side wants to expand their time, it would be perfectly permissible with me.

There is one other area that is important to me and to other Members on both sides and that is coal. We have vast reserves of coal in this country. There is a promising technology we know works to turn coal into liquid. We have a customer, the U.S. military. We have an interested potential customer in American commercial airlines. One of the amendments that would have been offered was related to coal to liquid.

Therefore, I ask unanimous consent that the Senate proceed to the immediate consideration of a Senate bill to promote coal-to-liquid energy, the text of which is identical to amendment No. 5131 filed by Senator BUNNING to the Energy bill. I ask unanimous consent that the bill be read a third time and passed, the motion to reconsider be laid upon the table, and any statements relating to the bill be printed in the RECORD.

The PRESIDING OFFICER. Is there objection?

Mr. SALAZAR. Madam President, reserving the right to object, the purpose of the amendment is laudable. For those of us who work on the Energy Committee, including the Senators from Montana, we recognize that coal is to the United States what oil is to Saudi Arabia. There are ways in which we can advance the usage of coal, including coal gasification and carbon sequestration which we all support. But the proposal put on the table is not something that would get that kind of bipartisan support.

I object.

The PRESIDING OFFICER. Objection is heard.

Mr. MCCONNELL. Madam President, I know the Senator from Texas is on

his feet. I know he has strong feelings about this issue.

Mr. CORNYN. Madam President, I say to the distinguished Republican leader, it sounded as though we were almost going to get to vote. The Senator from Colorado spoke so passionately about the importance of using coal. Of course, the big concern we have is coal can pollute. But the Senator is no doubt aware of a remarkable technology that has actually been around a long time that can take coal and convert it to synthetic fuel that the Air Force is now using to fly airplanes. Isn't it a fact that in terms of transportation fuels, talking about gasoline and diesel and aviation fuel, that represents one of the biggest challenges from an energy standpoint to this country and that actually coal-to-liquid technology, such as the leader described, represents one of the great opportunities for becoming less dependent on imported oil from the Middle East?

Mr. MCCONNELL. Absolutely. Of course, I come from a big coal-producing State. The amendment I sought to call up is actually authored by Senator BUNNING, my colleague from Kentucky. We are, not surprisingly, enthusiastic about this option. But putting aside the Kentucky-specific interest, the military is looking for a reliable, secure source of fuel for our planes. They don't want to be dependent on the Middle East.

Mr. CORNYN. I say to the Republican leader, this is not just an energy issue, this is a national security issue. Let me ask the leader, since he comes from a State that produces significant amounts of coal, whether these figures given to me by my staff are accurate. It has been reported to me that the Air Force uses about 2.6 billion gallons of jet fuel a year at a total cost of about \$8 billion. That is \$8 billion the United States appropriates and goes to the Department of Defense and the Air Force to buy jet fuel. It is estimated that for every \$10 increase in the price of a barrel of oil, the Air Force—and we can see in parentheses the U.S. taxpayer—spends an additional \$600 million in fuel costs. Do those figures I have cited sound approximately correct?

Mr. MCCONNELL. I am not an expert on the figures, but it sounds correct to me. I know the military has great desire for the kind of reliable, secure energy source this would provide.

Mr. CORNYN. Are you aware or would you have any reason to disagree with the experts who say that synthetic fuels such as coal to liquids are competitive with \$70 to \$80-a-barrel oil, plus an additional 10 percent that would be needed to figure out how to capture and divert the carbon dioxide that would be produced by the process? Do you have any reason to disagree with the experts on that?

Mr. MCCONNELL. Those are statistics I have heard in the past. It certainly underscores what a promising

alternative this would be, were we willing to pursue it. I thank my friend from Texas for his thoughts.

Madam President, I see the Senator from Tennessee is on his feet as well.

Mr. ALEXANDER. I had a brief question for the Republican leader.

Nearly 2 weeks ago, when the Democratic leader brought the speculation Energy bill to the floor, isn't it true that we met and said we look forward to a balanced debate where we can get a result, and we believe in the law of supply, as well as demand, and, therefore, we think we should come up with a proposal for finding more and using less?

On the finding more side, which we talked a lot about today, we had offshore drilling and oil shale, which would produce over time about 3 million barrels a day. We talked about nuclear power for more American energy.

But we have even more on the demand side, on the using less side. In our case, the idea was, was it not, to create an environment in the United States where, as rapidly as possible, we could encourage the use of plug-in electric cars. Is there not much support on the other side of the aisle for that?

So my question to the leader is: Why is it that when Republicans, nearly 2 weeks ago, suggested a proposal for finding more that would produce 3 million more barrels a day, eventually—that is a third more production—and using less that would save 4 million barrels a day, which together would have cut in half, over time, our imported oil—why is it we have been unable, for the last 2 weeks nearly, to actually begin to debate and adopt such amendments and produce a bill that would send a signal to the world that the United States of America is taking an action to find more oil and to use less oil, which would bring down the price of gasoline? Why have we not been able to do that?

Mr. McCONNELL. Madam President, I say to the Senator from Tennessee, I am perplexed. The American people do not understand taking a time out until next year. The senior Senator from New York, for example, was recently quoted as saying we are not going to do anything about this until next year. Well, the American people are paying these high prices now, and I do not think they sent us here to engage in a 2-week partisan battle and achieve nothing.

The Senator from Tennessee is entirely correct when he says our goal from the beginning, on this side of the aisle, was, as he reminds us frequently—and as the sign points out—to both find more and use less. Virtually every member of our conference is in favor of almost every conservation measure you can think of.

Our fundamental problem in here is it seems as if the other side does not want to do any finding of more. They may share our view about using less, but they do not want to find any more, as if somehow we could simply con-

serve our way out of this problem. I know of not a single expert in America who thinks we can, by conservation alone, solve this problem and get the price of gas at the pump down.

Mr. ALEXANDER. Madam President, I thank the leader.

Mr. McCONNELL. Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois is recognized.

Mr. DURBIN. Madam President, before the Republican leader leaves the floor, I would like to reconcile the remaining time allotment.

I understood he said we could have extra time in the next segment for Democrats, to make up for the additional time used by the Republican side; is that correct?

Mr. McCONNELL. Yes, that is fine.

Mr. DURBIN. Madam President, could the Chair indicate how much additional time was used by the Republican side?

The PRESIDING OFFICER. Ten minutes ten seconds.

Mr. DURBIN. Madam President, if I could ask unanimous consent, then, that the next segment be 40 minutes on the Democratic side and then we return to 30-minute segments on each side.

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

Mr. DURBIN. Thank you very much.

Madam President, for those who are following this debate, it is interesting because a friend of mine I used to work for in politics as a young man used to say: When politicians speak, there is a good reason and a real reason for the things they are saying.

The good reason for the position taken by the Republicans is they believe more oil put on the market is going to mean more supply and lower prices. It is intuitive to us, in a supply-and-demand economy, that makes sense on its face. So the pillar of their argument on energy policy is we have to find more places to drill. We do not have enough places to drill for oil now. If we could find more oil, there would be more gasoline, and gasoline prices would come down. The logic is good. But it fails to tell the whole story. It fails to account for 68 million acres of Federal lands currently leased by oil and gas companies that they have not touched. They have paid the Federal Government for this land to go drill for oil and have done nothing. The Republicans never mention the 68 million acres out there that the oil companies are not using.

There is a second matter they never mention. If we decided today to start drilling for oil on the Mall—and sometimes I think in the speeches on the floor a few people might be for that—but if we decided to drill, they think it takes 8 to 14 years before you put the oil well into production—8 to 14 years.

As you are paying for your gasoline each week and somebody says: Hey, hang on, in 14 years we are going to get this under control, you have a right to

be a little impatient. But that is the Republican approach.

So who would buy this approach? Well, the people who are buying this approach—the real reason behind the position on the Republican side—this is the oil companies' agenda. This is the oil companies' answer: Keep drilling, give us more land, give us more options, let us put these in our portfolio—the same oil companies that are reporting not just recordbreaking profits for oil companies but recordbreaking profits for American businesses. No businesses in our history have ever reported the profits they have reported.

Shell reports a profit jump. Despite reducing production of oil, their profits have gone up. Shell went up 33 percent this quarter; Exxon, 14 percent—recordbreaking profits for these oil companies, and the position they hold, coincidentally, is the same position as the Republican Party in the Senate.

But an honest energy picture, one that looks forward, says we need responsible exploration and production. That means we do not go into environmentally sensitive areas; we do not pollute our beaches and our shore communities; we do the safe and the right thing but we produce oil and gas as we can in this country, realizing the entire inventory of oil in America represents 3 percent of the global supply of oil—3 percent—and we consume 25 percent of the oil.

We cannot drill our way out of this. We have to look beyond that. We have tried to do that. Twice this week we brought an energy policy bill to the floor. Twice this week the Republicans defeated it. They refused to vote for an energy policy that is comprehensive, that has just not exploration and production in it but looks to things that are our future: more fuel-efficient cars and trucks.

We cannot keep driving these gas hogs. We have to drive cars and trucks that are sensible, that meet the needs of our families and our economy and do not consume so much gas. I think my kids and my grandkids will be using plug-in hybrid cars. They will wonder why their old man used to use so darn much gasoline when he was growing up because they will have found ways to do it without gasoline, without diesel fuel, using these batteries and using plug-in hybrids.

That is the future. That is what we asked the Republicans to join us on and vote for, and they refused. We asked them to join us in creating tax incentives for solar power and wind power and geothermal sources, all of which can serve our economy, serve our businesses, serve our families, and not create global warming. They refused. Time and again, the only thing they will vote for is the oil company agenda.

The oil companies are pretty powerful. You may see some of their folks walking the halls out here, wearing pretty nice suits and shoes. You can't

miss them. But that is not the future. That is the past. They have done their part. They will continue to play a role—a major role—but the future is a future of vision, looking for clean energy and good-paying jobs right here in America, creating the kind of industry where we can have growth in manufacturing jobs so families across our country have an opportunity.

The Republican view and the Democratic view are quite different. When we offered them a chance to come together, they refused. They would not do it. The last bill they defeated not only had the energy provisions I mentioned, it had a lot of other important provisions. There was disaster assistance for the poor people in Iowa. There was \$8 billion to put in the highway trust fund so we can reduce congestion on our highways and create construction jobs across America.

It even included the Wellstone Mental Health Parity Act. Paul Wellstone of Minnesota passed away about 6 years ago. This was his passion, and we have never passed this bill. We have to pass it now so your health insurance covers mental illness, as it covers physical illness. They voted against that too. It was all part of the same bill.

It is unfortunate we have reached this point, but that is the point we find ourselves.

The final word in this debate is going to be on November 4, and the voters will have it. If the voters believe we need to look backward to the oil company agenda, they can agree with our Republican friends. But if they believe we need to look forward, with responsible exploration and production but also incentives for renewable energy that brings us into the 21st century in leadership, I hope they will consider voting for those who have brought that to the floor.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. SALAZAR. Madam President, I wish to make a few comments to clarify some of the colloquy that went on and what I consider to be some of the distortions that were spread.

First, there is a misconception that the minority side is trying to spread: that Democrats are against drilling. If you go to my State of Colorado, you will find tens of thousands of natural gas wells and oil wells that are producing. If you look at the votes we have taken in this Chamber, there are many of us who have said we need to go and drill, and we need to explore, whether it is off the gulf coast or whether it is in other areas. So for them to try to use the brand that we are against the use of our conventional fuels and resources is simply wrong.

I wish to comment on two or three specific matters. First, on the opening of the Outer Continental Shelf, it is true the President has said he wants to lift the moratoria. It is true Senator MCCAIN has said it would have some

kind of a psychological effect, perhaps, on the market. The fact is, there are some of us who say we ought to at least have an inventory of what is out there on the OCS.

But no matter how you cut it, the Department of Energy and the Energy Information Administration has said we are not going to be producing anything out there for 7 to 10 years. So it is not going to have an impact on gasoline now. That raises the question: What is the real motivation of these amendments and these agendas on the Republican side? It is a stalling tactic to keep gas on the minds of people through the month of August so they play it for their own political advantage.

I think the American people expect better of us. I think the American people expect us to come up with real solutions and not phantom solutions. Solutions that have been proposed here are, by and large, phantom solutions. There can be no greater phantom solution, frankly, than what we have seen countless times over the last 2 weeks: the assertion by my wonderful friends on the other side who have said that somehow out of this shale rock—which is shale; it is not tar; it is not sand; it is shale; it is rock—that somehow we are going to be able to develop 2 trillion barrels of oil out of that rock.

Well, it has been tried for about 100 years. Nobody has figured it out. Even the oil companies are saying they cannot figure it out right now. We, contrary to the assertions made by my good friend from New Hampshire, opened the opportunity for oil and gas companies to go in and see whether the technology could be developed. So we have a robust research and development program that is taking a look at whether oil shale can be commercially developed in my State of Colorado, where 80 percent of the reserves are located.

So I would hope, as we move forward in what is one of the most important issues in the crucible of our times, that we look to the future to find real solutions that are so important for us on energy because, at the end of the day, what will drive us to that new energy world is the importance of national security, economic opportunity here at home, and the environmental security of our planet.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan is recognized.

Ms. STABENOW. Madam President, a little earlier this afternoon, our leader came to the floor with colleagues and offered six different opportunities for the Senate to bring before it bills that include responsible drilling, investments in alternatives, investments in areas that will create jobs right away, which relate to my great State of Michigan, which is investing immediately in advanced battery technology research and development and retooling our plants for the new vehicles, which will create, within 2 years—not

15 years—changes that will allow us to move aggressively to hybrids and plug-in automobiles. We saw legislation put forward to deal with energy speculation and what is going on in the marketplaces.

Each of those times, there was an objection to even moving ahead to consider those bills. Twice this week, we have tried to move forward on tax incentives for production, for alternative energy, and other options that will get us off foreign oil and bring down gas prices for good. Each time there were objections. In the month of June, two other times—we can go back a year—objection, objection, objection.

Frankly, people watching the Senate get sick of this because they want action. They want something to be done. The question is: Who benefits by this blocking continually, by this stopping of us moving forward to alternatives to compete with oil companies or to tackle oil speculation or windfall profits tax proposals that would require you to pay an extra tax if you don't reinvest in alternatives or in drilling in America to create more supply? Who would benefit by these things?

I think it is very clear from the announcement in the paper today. Today ExxonMobil reported second quarter profits of \$11.68 billion, the highest ever for an American company. It did that last month—the last quarter: highest profits ever—ever—for an American company. All together, since President George Bush and Vice President DICK CHENEY, two oilmen, have been in the White House over the last 8 years, all together ExxonMobil has reached \$212 billion in profits. That is a lot of zeroes: \$212 billion in profits.

I wonder who benefits from the inability of the Senate to get agreement to move to bills that would create competition with this company or deal with oil speculation or deal with other policies that would hold them accountable? It is right here. It is right here. This is very clear. As my kids say, it is as clear as the nose on your face of what this is all about. This is about an oil company agenda that has run wild for 8 years, and the American people are paying a huge price. Our economy is paying a huge price.

Along with ExxonMobil, Shell has also reported profits of \$11.56 billion, bringing their grand total since this administration took office to over \$157 billion. The total combined net profits of the big five oil companies since President Bush and DICK CHENEY took office are upwards of \$641 billion.

What have they done with those profits? Well, oil companies have spent \$188 billion in stock buy-backs and other spending, rather than investing it in supply here at home and abroad. We have heard so many times on this floor that there are 68 million acres available right now for exploration that are not being used. I have supported responsible drilling as part of the solution. We know there is no silver bullet, but we also know we have to be aggressively moving to the future and not

stuck in what is an oil company agenda for this country.

We also know we are in a global marketplace. Nobody knows that more than the people in my great State of Michigan. We are competing in a global economy. So that as there is supply created, as there is drilling, it goes into the global marketplace. If they drill in Alaska, it goes to China. To add insult to injury, we don't even know where the oil will be going.

However, here is what we do know: In February of this year, according to the Department of Energy, shipments outside this country were 1.8 million barrels a day—1.8 million barrels a day. Overall, in the first 4 months of this year, the shipments of American oil outside this country—drilling here, going somewhere else in the world—were up 33 percent.

So clearly, the great oilman who has been all over our television sets, T. Boone Pickens, is right. We are not going to drill our way out of this in a global economy where you can drill here and it can go anywhere to the highest bidder.

Here is also what we know: We know we have to get extremely serious—and quickly—about those things that will make a difference, such as bringing accountability to the energy markets and addressing speculation, and focusing aggressively on those areas that will give us real alternatives and competition for these guys who have been doing so well.

To add insult to injury, we take a look at the other ways in which this industry has received so many benefits from this administration. Eighteen months ago, we heard in the New York Times that the Bush administration was allowing oil and gas companies to forgo royalty payments. They didn't have to pay their royalty payments on leases in Federal waters in the Gulf of Mexico. This decision by the Department of the Interior can cost up to \$60 billion. They were supposed to make payments. Those payments were waived, for whatever reason, costing us up to \$60 billion. Sixty billion dollars is the equivalent of 38 days of free gas for every American. Right now, I know a lot of folks who would take that gladly.

The reality is we have seen at every turn efforts to support this industry for the last 8 years, and where has it gotten us? Where has it gotten us?

I wish to share with my colleagues some stories of folks from Michigan in terms of where it has gotten us—not only \$4 a gallon at the pump, but when we look at what has happened to real people, it is an outrage, where this 8 years of a policy that has put oil companies first has gotten us. We know that everybody is affected. The folks going to work are affected. Yesterday I read a letter from a young woman who works after school and was concerned because she takes the bus to school and now the buses are being cut because they can't afford to put gas into the

schoolbuses. What an outrage in the United States of America.

Let me share today an article that was in the New York Times. Older poor people and those who are homebound are doubly squeezed by rising gas prices and food prices because they rely not just on social service agencies but also on volunteers. We have heard from our home health care agencies that do such a wonderful job in this country helping people to be able to remain at home and allowing them to receive services. In a survey of home health agencies, more than 70 percent said it was more difficult to recruit and to keep volunteers. We have heard that from Meals on Wheels. We have heard that from other kinds of volunteer programs that go into homes to help seniors, to help the disabled, to help those who need some assistance.

Let me share with my colleagues one letter. Mrs. Fair, who has limited mobility because of diabetes, lives on \$642 a month of Social Security widow's benefits, and relies on care from her son who often works odd hours, especially during blueberry season. We grow a lot of blueberries, and they are terrific, they are the best, in Michigan. It says: "You belong in a nursing home." This is what her son said. "I can't take care of you." The delivered meals she has been receiving have allowed her to eat at normal hours which helped her control her blood sugar levels. Last year, she lost her balance during a change in blood sugar and spent a month in a nursing home. With no meal delivery in her area now, she is going to have to find someone to pick up the frozen meals from the center in the next town. She says: "If my aide can't get the meals"—a person who has been helping her—"maybe I can get my pastor to pick them up. I can't travel even to the drop-off center."

In Union, MI, a town among flat corn and soybean farms near the Indiana border, Bill Harman, who is 77, relies on a home health aide to take care of his wife Evelyn, who is 85 years old and she has Alzheimer's disease. Mr. Harman has had to use a wheelchair since 2000 because of hip problems. Unfortunately, the person who has been coming to their house, Katie Clark, who is 26, may have to give up her job. She lives 25 miles away and drives 700 miles a week to provide twice daily visits, helping Mrs. Harman dress in the morning, get to bed at night, feeding her, doing chores around the house, and then she laughs, saying "putting up with a grumpy old man." I am sure he is not that grumpy. Her weekly income of \$250 is being eaten up by gas expenses, which come to \$100 a week. "Some weeks I have to borrow money to get here," says Ms. Clark, a single mom of two, "but they are just like family to me."

For her work she receives \$9 an hour and if she leaves, Mr. Harman has said he will not be able to care for his wife. He said when they married, she raised his five children as if they were her

own. Mrs. Harman started to develop Alzheimer's 8 to 10 years ago. He said, "I promised her, don't worry, I will take care of you as long as I can." But without a home health aide, he said, he was going to have to put his wife in a nursing home and he probably would need to live there himself.

In the greatest country in the world, we have folks who are not able to get their Meals on Wheels. They are not able to get their home health aide now. Why? Because they can't afford gas. We have school buses that can't run because they can't afford gas.

Let me share with my colleagues one other story. Sandra Prediger, who is 70 years old and who still drives a car, said higher gas prices hit her every time she needs to go to the doctor. From her senior apartment in South Haven, MI, she was barely able to pay her bills because gas prices rose. She said: "I try to help some of the ladies around here, driving them to the doctor or to the store." But a round trip to her doctor or the beauty shop now costs \$26 in gas. She has had to ask her friends to pay half. She said, "I hate to ask because they have less than I do."

Her Social Security check arrives on the 3rd of the month. For the first few days before, her local gas station lets her write a postdated check to fill up. On July 2 she had no money and owed money to the gas station and she knew that in a few minutes her friend would be calling saying, could you please take me to the store to get the meals for my diabetes. What am I going to do?

There is something wrong when we are in a situation where we have seen an agenda benefiting a special interest in this country, and in the world right now, where we have seen the highest profits in the history of the country that are creating numbers such as \$641 billion in profits and we have seniors who have to write a postdated check at a gas station so they can pay for gas to get themselves and their friends to the doctor.

The reality is that to be able to change that, we have to do more than drill more so the oil companies can make more of a profit in a global economy. We have to be able to create a situation where there is competition with other kinds of alternative energies so we have more than a choice of whatever price they put up at the pump. That is what this is about. That is what the crux of this is about, because if it weren't about this, we would have a compromise. We would have a solution. If it weren't about this, there wouldn't be objections going on day after day after day to be able to take up legislation on this floor, because under normal circumstances, if there weren't this huge amount of money at stake, people would come together. If they weren't backing up these huge interests, people would be willing to come together to be able to solve this problem.

There are things we can do. I am very proud to be part of a group of people in

the Democratic majority who have been working very hard to create an alternative vision for the future. Yesterday the Senate leadership, including Senator BYRD, the chairman of the Appropriations Committee, laid out a jobs stimulus that we intend to bring forward for a vote in September. In there is a major investment of \$300 million in advanced battery technology research and development. We are so close to having the electric vehicle on the road and mass produced. We are so close. There is work that needs to be done, but we are so close. Within 18 months to 2 years, we can have a real alternative to oil on the road.

Part of this package also includes a commitment to Americans and American jobs by helping to retool and make capital available, make credit available to companies to retool our plants for these new vehicles, so that we keep those jobs here.

Our companies are competing with countries right now. Come to China, we will build a plant for you. Come to Korea, we will build a plant for you. We want those jobs here.

I am very proud that the stimulus that has been put forward shows a commitment to American jobs and American manufacturing. I am very proud that is part of the stimulus package we will be working on and voting on in September.

Around the world, everybody else gets it that it is not just about oil and drilling. Everybody else understands. Every other country is racing to alternatives. Germany announced the great advanced battery alliance that will invest over \$650 million in advanced batteries to help German automobile makers. South Korea spent over \$700 million in advanced batteries and developing hybrid vehicles. We are in a race with them to get to the future, not the past. China has invested over \$100 million in advanced battery research and development.

In the next 5 years, Japan will have spent \$230 million on this research, as well as \$278 million on hydrogen research for zero-emission fuel-cell vehicles. That is the future. That is the real competition, so when you go to the pump and look up and see that price for traditional gas, you have another choice. That is the future. We are working very hard to get us to that future. We need a White House that will help us get to that future. We need support from the other side of the aisle, not just to talk about it.

In conclusion, part of what is talked about on the other side of the aisle in terms of supporting advanced battery research is a prize. If you go out and spend all this money—and Germany spends \$650 million—but if you, an individual or a business in America, figure out a way to get the capital to do this, we will give you a prize at the end. It is insulting that the presumptive Republican nominee and his colleagues on the other side of the aisle have decided to run our economy like a game show.

We have said we have to invest up-front in America, in American jobs. That is the future. That is the only way to create the opportunity for schoolbuses to be able to run, for seniors to be able to get to the doctor, for folks to be able to get home health, for folks to be able to get to a job, and to create the jobs we need in the future in advanced manufacturing.

I hope before this week is out, our colleagues will come to the floor, stop objecting, and work with us. What we know is right in front of us—what we know can be done to bring down gas prices and create jobs in America.

I yield the floor.

The PRESIDING OFFICER. The Senator from Virginia is recognized.

STATE OF PARALYSIS

Mr. WEBB. Madam President, I want to take a few minutes today to speak about the state of paralysis we seem to have found ourselves in on the Senate floor, and then also to make a brief comment about two nominations the Senate will be considering.

First, we are paralyzed, obviously. The other side of the aisle has voted against a windfall profits measure for oil companies at a time when we have seen record profits for any company in American history, which has only increased. How did they get these profits? Certainly not by working any harder. In fact, as people have mentioned on the floor today, it seems a lot of production actually has gone down. I don't know how else you define a windfall than what has happened in the price of oil and the profits that have gone to the oil companies over the past 6 or 7 years. They will not give us a vote on the rampant speculation that has now taken place in the oil market.

I have to say at the outset that I don't have a fundamental disagreement with a lot of the things that are being said on the Republican side about what we need to do. I think we very much need a comprehensive energy strategy in this country. I am not opposed, personally, to the idea of expanding exploration for oil and gas in those cases where it is appropriate, and to get down and find the assets that are available to us as a nation and increase our national security. This may not be, as some people say, the answer in the distant future, but it is certainly an essential transition for us as we reach toward that future.

I personally support nuclear power and expanding nuclear power programs. We have not built a new nuclear power plant in more than 30 years. There has been ample comment about that on the floor. I think nuclear power is safe. We are the best in the world at it. The experiences of the U.S. Navy at sea for at least a half century demonstrate that. It is environmentally clean, and we have gotten better technology, advanced technology, in terms of taking care of nuclear waste.

I believe we can reach a point where we have cleaner coal. This requires new

technology. We are the Saudi Arabia of coal. We are looking to improve national security, and we are looking for independence from countries where we have seen an enormous transfer of wealth from the United States. This transfer of wealth is going to result in better infrastructure for these other countries, and it is going to harm us in the long-term.

I believe we need to support conservation and alternative energy programs of every sort. I went to high school in Nebraska. If you draw a line from Canada to northern Texas, where the winds come down from the Arctic Circle, you will see there is not a mountain in the way. There are actually trees in Oklahoma that bend toward the south because of the power of those winds. I believe we must invest, in terms of alternative energy technologies, whether it is wind, solar, or other areas.

At the same time, when do we debate this? How do we develop a strategy? What should we be doing now, today, looking into the immediate future? The bill our leadership brought to the Senate floor is the best short-term fix, when we are talking about the incredible increase in the price of oil. If you go back 6 years to when this Congress voted in favor of the invasion of Iraq, oil was \$24 a barrel. The price of oil went all the way up to \$147 a barrel. It has tamped down a little since then, but that is a sixfold increase in 6 years.

I can guarantee this is not simply a supply-and-demand issue. The demand didn't go up six times in the last 6 years. There are other interests, including the speculation market, that have driven the price of oil up that high. We have had testimony from oil companies' executives saying that, in a pure supply-and-demand environment, oil would probably be at \$60 a barrel. That is an issue we can affect. We can affect it in the short term by regulating a market that has dramatically changed because of the participants in that market since late 2000. I hope we can have some sort of agreement on this. We should have a vote on the speculation issue. I compliment our leadership for having attempted to bring that issue before the Senate.

PENDING NOMINATIONS

Madam President, I want to speak for a couple of minutes about two nominations that are pending before the Senate.

First, I express my appreciation to the senior Senator from Virginia, Senator WARNER, today for the comments he made about Kathy Stephens, who has been nominated to be Ambassador to South Korea, has cleared the Senate Foreign Relations Committee, and has been waiting for a vote on this floor. I know of very few people who have better qualifications to serve in that part of the world. I have spent a good part of my life in and out of Asia. She began as a Peace Corps worker in South Korea. She is fluent in Korean. I believe she is the best qualified person to

address all of the issues that people on both sides have expressed their concerns about, in terms of politics, the culture, human rights issues, et cetera. I was very gratified to see Senator WARNER mention his support for her nomination today. I hope we can find a way to get her out there doing her job in the very near future.

The second nomination I want to mention is that, regrettably, I am unable to support the nomination for the Chief of Staff of the Air Force. This is an individual who, in an earlier billet, at a key time after the invasion of Iraq, was asked repeatedly to give answers to a question for which I personally believe there were answers. I was writing about it at the time. I have very strong feelings about this. Regrettably, I am going to be unable to support that nomination.

I go back to what General Matthew Ridgway said some 50 years ago, when he was describing the role of a military adviser. He said:

He should give his competent professional advice on the military aspects of the problems referred to him, based on his fearless, honest, objective estimate of the national interest, and regardless of administration policy at any particular time. He should confine his advice to the essentially military aspects.

I believe if we do not insist on this standard in the relationships between the U.S. military and the Congress, then we are going to continue to have the same difficulties that we saw with attempting to get straight comment out of the U.S. military as we went into Iraq.

There was a very wise Marine general who said, at the time I was entering the Marine Corps, "It is very important in the United States to get the politics out of the military and to keep the military out of politics." I believe that, if we believe in that, we need to insist that those military officers who testify before the Congress abide by it.

With that, I yield the floor.

The PRESIDING OFFICER. The majority leader is recognized.

CONDOLENCES TO SIMON FAMILY

Mr. REID. Madam President, I have had the good fortune of working with Senator BINGAMAN now for 26 years. He is such a wonderful man. His academic record is as good as anyone's in the Senate. His ability to do legislation is as good as anyone's in the Senate. Everybody knows what an easy man he is to deal with. He is now chairman of the Energy and Natural Resources Committee, which is so important to what goes on in our country. New Mexico is so fortunate to have his service in the Senate. He does so much for New Mexico and, of course, for our country.

The reason I mention his name is that one reason Senator BINGAMAN does such a good job is he has a wonderful staff. I have worked very closely with them. At least 70 percent of Nevada is public lands—land owned by the Federal Government. Only 13 percent isn't private lands. Over 40 percent of the

State of Nevada is restricted air space. You cannot fly an airplane over most of the State of Nevada. It is restricted to the military. So we have lots of dependence on the Federal Government. We are the most public land State in the country.

As a result of that, I have worked closely with the Energy Committee all these many years. One of the people I have worked closely with over these years, for more than a decade, is the chief of staff of that committee, Bob Simon. He is a wonderful guy—quiet, intellectually very sound, a graduate of a small college in Pennsylvania called Ursinus College. He has a PhD from MIT in chemistry.

I have followed very closely the travails of Bob Simon these last few weeks because he has a son by the name of Gregory, 16 years old, who was struck with a very bad bleed on the brain and died today. He was in the hospital in a coma. We thought he would pull through, but he did not. He died. It is devastating to Bob Simon, his wife Karen, and, of course, Anne-Marie, his daughter, and Catherine. Catherine is not here today, of course. Her brother passed away. She is in charge of the Democratic pages. She works very hard in that capacity.

It is times such as these when you really understand that when we talk about a Senate family, we really mean it. Bob Simon is part of the family. He works with Democrats and Republicans. He is great for working on a bipartisan basis. When Senator DOMENICI was chairman of the committee, Bob Simon was the Democratic chief of staff. The committee with the two New Mexicans as the ranking member and chairman of that committee, one time as chairman, one time as ranking member—one reason that committee functions so well is because of Bob Simon.

There is nothing I can do other than to recognize what a good man Bob Simon is. There is nothing I can do to ease the pain of the Simon family, their friends, and loved ones.

On behalf of the Senate, I extend my deepest condolences to Bob Simon and his wife Karen for their heartbreaking loss. Being the father of five children, I can only think how devastating this must be.

Mr. DOMENICI. Will the leader yield a moment?

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Madam President, I heard the leader's comments about Gregory. I just want to say I am aware of the situation. I feel the same way the majority leader feels. I thank him so much for his graciousness toward Bob and his wife. I know how tough it is on them. We don't know it until something like that happens, but that is a very young, wonderful boy who died. Bob is a wonderful man. Everybody who knows him knows he is a dedicated, devoted father. It is just pathetic that this happened.

I join the majority leader in every way in extending my most sincere regrets and hope and pray that the best will come of this. I know that sounds impossible, but at least we can ask for the best and that the Lord consider them and be merciful to them.

Mr. REID. Madam President, I did not know my friend from New Mexico was on the floor, but as he knows, I did mention his name and the great relationship Bob Simon has had with the committee. As I mentioned, not knowing the Senator from New Mexico was on the floor, I will repeat what I said, that the committee has functioned very well. Two New Mexicans run that committee, either as chairman or ranking member, back and forth, and they work so well together. One reason they do is because of Bob Simon. He is a very quiet, brilliant man, and it is very nice that Senator DOMENICI would say what is in his heart because we join in his wishes that, as he has indicated, the Lord will look down on his family with understanding and compassion, and hopefully, as time goes by, there will be some good that comes from this tragedy.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Madam President, as I understand it, time now inures to the Senate Republicans for—is it a half hour?

The PRESIDING OFFICER. The Senator is correct.

ENERGY

Mr. DOMENICI. Madam President, I am here to lead off for the Republicans. There are two others. Senator BROWNBACK is here, and there may be another Senator, Senator ALLARD. I say to them, I am only going to make a 2-minute or 3-minute statement and then yield to whoever wishes to go first. I would like them to hear what I say.

Yesterday, the chairman of the Appropriations Committee, Senator BYRD, issued what I believe to be a very telling and extraordinary statement. He said:

It became clear that an attempt to add language to the supplemental—

That is the supplemental appropriations—

repealing the two-decade-old ban on offshore oil and gas drilling would be successful, resulting in the necessity of having to produce 60 votes on the Senate floor to strip the repeal.

And so for that reason, the markup in the Senate Appropriations Committee on two important bills that fund the government was canceled.

I will say that not only does this statement contradict claims of the majority about why the markup was canceled, it also crystallizes exactly why the last 9 days in the Senate have resulted in absolutely nothing. The majority is afraid of allowing the Senate to vote on increasing American production. They are afraid to let that happen because a vote just might yield results.

We have spent 9 days debating this bill. During this time, we could have

considered dozens of amendments, just as we did on the energy legislation in 2005 and 2007, and without a doubt, because the majority leader has taken sole control over the process, we have been held to zero votes. So zero votes, I say to my fellow Americans, cannot yield results. When you have no votes, you cannot accomplish anything. That means you cannot add to the offshore reserve that can be made available for oil and gas production. It remains as is, no matter how much is there, no matter how much we could end up drilling for so the American people could look out and say: By producing our own, we don't have to waste all our money sending it overseas, and the price might come down.

My last observation before I yield to my good friends is that I continue to hear comments from the other side that say we should not be drilling because all we say is drill, drill, drill, and that is the only thing, and we don't need to do that; we need alternatives.

We can have all the alternatives we would like—and I am surely in favor—but we are going to be using crude oil or something much like crude oil for at least a generation—that means 20 years minimum—because we cannot get off crude oil any faster. The oil products we use for our cars, our trucks, and our airplanes we cannot change over fast enough, so we have to use oil. And if we don't produce more of our own, we all know what we are going to do is buy from others and continue to send the money overseas.

It is not just drilling because we want to drill, drill, drill; it is drilling because we don't have enough oil. And if we find more, we import less. That should be good, and the American people sense it is good. That is why so many of them have said let's open the offshore for drilling.

I yield the floor.

The PRESIDING OFFICER. The Senator from Kansas is recognized.

Mr. BROWNBACK. Madam President, I would like to first thank my colleague from New Mexico and ask him a question, because this will be the last year he is serving in this body. He has served in it for many years, very distinguished. It has been my pleasure to get to know him. Senator DOMENICI can be irascible sometimes, but he is always fair. I find he will get on both sides, depending on which way he makes the call.

I just saw this, too, that we are not having this Appropriations Committee markup. I am on that committee. I am a relatively new member. Senator ALLARD is on it, and Senator DOMENICI has served on it in a distinguished capacity for many years.

This is really striking. I have not seen this take place. I have not been in the Senate that long, but I wonder if my colleague has seen that sort of move taking place to stop a major issue that is confronting the American public?

Mr. DOMENICI. Madam President, I have not seen such a thing. In fact, I

have said—not as direct as this, but I have said that in 36 years being a Senator, through thick and thin and bills I have managed, bills I have amended, whatever kinds, I have never seen anything where such a simple proposition—can we open lands that we own so they can be drilled, yes or no—I have never seen where it takes 10 days and they waste 10 days of time and still say no. I have never heard of that. Yet the majority, the leader of the Appropriations Committee says in the Appropriations Committee there are enough votes to end the offshore hindrance that has been there, it says, for two decades or three decades. If the amendments do that, they are awfully scared, right? Maybe that is why we didn't get the vote.

I think it is other things. I don't think Members on that side wanted to vote, win or lose. They didn't want to vote. Now the American people can judge. That is how I see it. They can judge what happened and why.

Mr. ALLARD. Madam President, I wonder if I might ask the Senator from Kansas to yield because I would like to add additional remarks.

Mr. BROWNBACK. Yes.

Mr. ALLARD. I think the Senator from New Mexico, Mr. DOMENICI, has done a fabulous job with the energy issue, not just this year when it is fashionable—and this is the big issue—but he has devoted his whole legislative career to energy, making it available, how we can use research and technology to meet the energy needs of this country. He is recognized not only by me but nearly all Members of this Senate for his hard work on energy. We all should appreciate that work.

I join in the chorus of those who have congratulated Senator DOMENICI on a distinguished career. His dedication to energy—I cannot think of another subject one could pick up that would have more of a long-term impact on this country, whether we are talking about economic security, whether we are talking about military security, or whether we are just talking about a secure home where one can rely on utilities and everything to have a comfortable lifestyle in this country. The Senator needs to be recognized for that. It is a pleasure for me to do so, as I have served on several committees now with him. He is very articulate on this subject, and he does a great job.

Mr. DOMENICI. Madam President, I thank the Senator from Colorado, and I will add one supplement to it because he knows this and maybe we will just say it together here. I did devote 10 years, with three or four experts, to seeing if we could bring nuclear power back to life in America, instead of leaving it dead, for others to use it as we sit around having invented it and wondering what is happening. I did work on it for 10 years, and then when we did our big bill, we put in provisions that brought it back to life. That does make you feel good. You don't do that alone.

We never had a single vote, I say to my friend from Colorado, not one vote was taken on any of the bills to try to negate the provisions we put in for nuclear power. One would have thought 5 years ago it would be the most contentious issue we could have brought to the floor. In that big Energy bill, there was a whole chapter on nuclear power. Nobody sought to amend it, change it, anything. That was really a credit to the Senators who worked so hard on nuclear power, and the Senator was one of them. Senator ALLARD has always said he has been proud of it. I don't know about the Senator from Kansas, but I assume so. He has a good brain, and if you have a good brain and you are a reasonable legislator, you couldn't be against nuclear. You just had to be one of these fringe people against everything, scared because we had an accident once.

If you are scared because you had an accident once, you would not get up in the morning. That is what the doctor told my mother. She didn't want me to get out of bed because I had a bad knee. The doctor said: The best thing to do if you don't want him to get hurt is you be his maid. He can stay in bed, and you can serve him food for 25 years. Of course, he won't amount to anything. And that is true.

I am talking on. It is getting close to the end of the day.

I yield the floor.

Mr. BROWNBACK. Madam President, I thank my colleague from New Mexico. I note that when the nuclear industry comes back, I hope one of the first powerplants has "Pete Domenici" written over the archway going into it.

We have an excellent nuclear powerplant in Kansas called Wolf Creek. My colleague recognizes this. It has been in operation for 25 years. It had huge protests before it got built. People were protesting the train that carried some of the main core elements into this spot. It has been operating efficiently, cleanly. It doesn't put off CO₂. It was a huge investment that has been fantastic for our whole State. And it was a capital expense. It was expensive on the capital side of it, substantially so, but, boy, does it run well. It has been good to see. And if we need to bring that back, we need to bring it back on a cost-efficient basis, but that was one of our key elements on moving this forward and moving our car fleet with more electricity. But we are going to need that base power generation, and we want it clean, and here is a good spot to do it.

Mr. DOMENICI. There are 16 applications to the Nuclear Regulatory Commission as of the day before yesterday—16—for new nuclear powerplants; in some cases, two plants at one site, both construction and design applications. We had zero the day we adopted the new Energy bill. For once it seems as if we did something right; doesn't it?

Mr. BROWNBACK. I agree.

Madam President, I join my colleagues from New Mexico and Colorado

in talking about the energy issue, and I particularly want to associate myself with the comments of the Senator from New Mexico, who responded that we are not just focusing on drill, drill, drill. The point of the matter is two numbers. Those two numbers are 25 and 3. Twenty-five percent of the world's oil is consumed by the United States, and we produce 3 percent.

Now, how long can we operate that way?

You can say, as my colleague from New Mexico has pointed out: Well, OK, we are going to get off oil. We want some alternative. Lord knows, I want an alternative. I want more ethanol, which is produced in my State. I want it produced out of cellulose. The problem is, if we turned off oil tomorrow, we are not in a position to produce enough of that or virtually anything else. We are going to need to use oil for some period of time, and that 25 and 3 ratio doesn't work—our consuming 25 percent and producing 3 percent—when we could produce probably a good 50 percent more. Who knows what the actual number is. We know it is much higher than what it currently is.

For every dollar we are not spending on oil here, we are spending it somewhere else. They are building these huge indoor sea complexes in Dubai in the Middle East and lavish buildings. They are building islands, whole islands, beautifully designed like a palm tree. That takes huge amounts of money.

You sit there for just 2 minutes, and you think: Where is all that money coming from, I wonder? It is coming from our consumers' pocketbooks when people are pulling up at the gas station and paying 100 bucks or more for gas to fill up. Hopefully, there are people who have vehicles that are using substantially less than that, but the point is, it is a huge transfer of wealth from here to there, and it doesn't have to take place when we can produce it here.

I would rather that money be going to Kansas or Colorado to work on their oil shale or to Alaska or to offshore areas but certainly working here. We have a Federal deficit that is taking place. What if instead of us shipping \$500 billion overseas for oil, we were spending that money here. Then 20 percent comes into our Federal coffers. That is the general figure. I think that is a bit high, but it is about that right now. So you have \$100 billion coming here in tax revenues. It is just common sense.

My dad farms, and I have been talking with him about this issue. He is paying a lot for diesel fuel because he runs the tractors on diesel, and he is paying more than he used to. He is saying: Why aren't we doing this here? And I have a hard time explaining to him why we are not doing it here, when we could do it here, when we have the capacity, the ability, and the technology in the market.

I say: Well, some people don't want us to.

Well, why?

Well, they are scared of what is going to take place in the environment, even though we can do it environmentally sound. Someone is going to be doing it somewhere else. Are they going to do it more environmentally sound than us? I don't think so. I know they are not going to in some of the places I have seen around the world. The U.S. standards are the highest in the world.

So I would plead with my colleagues that drilling is part of the answer. It is clearly part of the answer when our numbers are 25 and 3; when we use 25 percent of the world's oil and produce 3 percent of it. We have to get our numbers up. It helps to balance the trade, it helps our deficit, it helps our people, and it spends it here at home.

That is why I continue to join my colleagues in voting that we stay on energy instead of going to other issues. I would like to solve some of these other issues as well, as would my colleagues on the Senate floor. I want to deal with them. I want to deal with all these issues. But when you pass up the biggest issue that is confronting most Americans, and you don't deal with it, and for 9 days you don't deal with it when you could be, we are just simply saying: Let's deal with the biggest one here, and then we will be happy to deal with these other issues. We need to deal with these other things, but not until you deal with the biggest one. If we don't deal with it now, are we going to deal with it this year? I don't think so. I don't think that will happen. We are not going to get more time, nor will we have more political will the closer it gets to the election.

So now is the time, now is the place, now is when the American people want us to deal with this matter. So I join my colleagues in continuing to vote this way; that we take up these amendments to increase production in the United States.

Mr. DOMENICI. Will the Senator yield for a question?

Mr. BROWNBACK. I will be happy to yield to the Senator from New Mexico.

Mr. DOMENICI. Before I leave, I want to say to the Senator from Colorado, who is standing here patiently, that he might recall that the Senator from New Mexico went up and visited Colorado and Utah to see the oil shale before we had the big bill, where we put everything together.

Mr. ALLARD. I do remember.

Mr. DOMENICI. I was prompted to do that by you, to find out why we weren't doing anything with that shale. We found out that we didn't have any leasing laws that permitted it. I recall it was at your instigation that we put the first laws in the energy impact bill, the big bill, allowing leases for research and development. That is what has brought the development they are all worried about. It is a research and development lease.

Now they don't want to have any, as you put it, rules or regulations, so they can stop it dead after we got a good

start. We understood that Shell Oil was ready to try a new process. They were going to spend more than a few billion dollars on it, and we found that out and said: Well, we ought to at least give them a chance. And we did, thanks to you. But now they won't let us vote on getting rid of the moratorium, so that is dead in the water too—that great big resource.

So I thank you.

Mr. ALLARD. Well, I thank the Senator from New Mexico for his gracious remarks and, again, it is a statement of his statesmanship to actually go and visit the site and find out what is going on. That is why he makes such a great legislator in the Senate.

I am with my colleagues. I am sick and tired of delays. It is time for us to move ahead. I have a chart: There have been six attempts by the Democrats to change the subject from \$4-a-gallon gas, all while people are suffering at the gas pump and we are having dramatic adverse effects on our economy. We are getting ready for the school year, and school districts are struggling with how they are going to get fuel for the school buses. We have farmers and ranchers starting to put up their crops, and they are wondering how they are going to get money to pay for fuel, which is a major cost. It just doesn't balance out for us.

So I am very concerned that we have had these six attempts to move off of \$4-a-gallon gas when it is such a vital issue. I can't think of another issue since I have been here that has had this profound an impact on people's lives. We shouldn't be delaying or stopping this matter.

There have been other subtle attempts on the other side, even if we move forward, to delay the development of energy, and let me cite a couple of examples.

One is the offshore drilling provisions, which we have in our Gas Price Reduction Act on the Republican side, where we look at the offshore drilling—the deep ocean drilling. We have had Members stand here on the Senate floor and say: Well, I am all in favor of that, but we haven't gone ahead and done the seismographic studies to figure out where our deposits are.

Well, we have been trying for years, mostly through Senator DOMENICI's efforts, to try to get the money to do the seismographic studies so we know how much and where those deposits are. But there is delay before we actually get to it.

So Members will stand up and say: Well, I am all for offshore drilling, but we need to do the studies. Well, they won't support the studies and the money to get it done. Let's take oil shale, for example. What we need to do is to put the regulations in place so that when the technology is developed and we are ready to move forward with development, we can do that in a phased process. But, no, we are not going to let the regulations go forward, which ends up being an additional

delay when the technology is ready to go.

So I am hoping—and I want to thank the Senator from New Hampshire, who had proposed the amendment I had made in the Appropriations Committee a little earlier this afternoon—it was objected to on the floor—where we said, let's move ahead with rules and regulations. Then in the amendment it says that we will delay development until 2011 because the technology for development won't be in place any sooner than that. So that was acceptable. The Department of the Interior has got the rules and regulations. They are out there for public comment, but that is all the further they can go.

If we continue what we have been doing year after year, we have stopped the development of oil shale dead in its tracks. Even worse than that, when it is ready for development, we will have delayed it that much more because we haven't done the things up front that will allow the oil companies to begin to look at what their lease agreements might be, as the Senator mentioned from his visit, or what the royalty payments might be or what the remediation issues may be when they move in with oil shale.

I happen to think the technology we are developing in Colorado is environmentally friendly, and it is not a mining operation. You freeze out an area of the ground, you heat out the middle of it, and you get a high-quality fuel out of there which will help us meet our energy needs. The hydrocarbons we get out of the ground, I think all of us realize these are nonrenewable resources. At some point in time, we are going to have to do something else other than just rely on those. But right now they are the bridge. They are our bridge to renewable energies.

I have heard comments on the Senate floor against the Republicans; that all we are interested in is drill, drill, drill. Republicans, to a person, believe that we need to use our hydrocarbons to bridge, and they understand we need the new technology. We are not saying exclude anything. On the other side they are saying: We will just go with renewables. We will let \$4 a gallon stand. Who cares. Let it go to \$5. Let it keep going to \$7.50, even to \$10 a gallon. We don't care because the high cost of gasoline will encourage conservation.

I think there are other ways we can encourage conservation, and I think a lot of it is happening today. But that is certainly not the way to do it because it has such a dramatic adverse impact on our economy, and it has an adverse impact on the security of this country.

Both my colleague from Kansas and New Mexico talked about how all of our dollars are going overseas, more than \$700 billion a year going overseas to support the economies of our adversaries. They are the ones who don't support what we are trying to do: to spread democracy around the world. They would like to see us go away.

So I think we need to take a serious look at our alternative energies, and we need to act now to do something to increase hydrocarbons and do something to reduce the price of gas at the gas pump.

There is one area of the economy that I don't think we have talked much about, and that is the trucking industry. Talk about renewables. What is going to provide the energy for trucks? What renewables do we have for trucks? I know some trucking companies are looking forward to going to propane to help a little bit, but there is not much substitute out there on renewables for the diesel engine right now. The diesel engine is what we use in trains, in trucking, in farming, and it is not going to be an easy solution for us to come up with an alternative fuel for diesel. We need to do what we can to hold down the cost of those kinds of fuels because that new technology is going to take a while to develop. We can't just shut it off today and expect our economy to function when it is such a vital part of what is happening in this country.

Mr. DOMENICI. Will the Senator yield?

Mr. ALLARD. I will be glad to yield.

Mr. DOMENICI. I note that you just used a word a minute ago—"bridge." I think you have heard me speak of the bridge. You see, the bridge is how you are going to get from where you are now, with an economy that is using hydrocarbons to move itself, to do all kinds of things; how we are going to get from there to an economy that has no more of that. That is a bridge.

Most interesting, the bridge is going to be crude oil because the only way you can get there is to stay alive, to have an economy, to produce, to get things done. And to get across that bridge you have to have crude oil because there is nothing else to get you there. You cannot put everything in parking lots and in abeyance until you find what is on the other side of the bridge.

The truth is, we have to produce crude oil for perhaps a decade. You said 10, 15, 20 years. That is my guess. Even if all these things work, the automobile where you can turn it on with a switch, everything that we can do, we are still going to be, what I say, stuck in the mud—the oil mud.

Whether people like it or not, Americans have it right. They are saying drill some more, they are not saying drill less. Six months ago, everybody was afraid of the word. Now they are not afraid of it because people understand if you have more of that stuff called oil you might pay less. Costs might come down.

I thank the Senator for his understanding, and I am pleased to be with him.

Mr. BROWNBACK. If my colleague from Colorado will yield as well?

Mr. ALLARD. I yield to the Senator from Kansas.

Mr. BROWNBACK. There is another bridge I would like to talk about, and

that is the continuing resolution. I wish to point out to my colleagues these are annual limitations on drilling offshore, in the oil shale. These are annual things put in, these limitations. There is a building coalition and consensus of people saying I don't want those limitations put on this year's appropriations. We do a continuing resolution as a bridge. I am warning my colleagues if this doesn't get voted on and dealt with, I think you are going to see people starting to say: I am not willing to put that into that bridge funding into next year.

I hope we can work this out on something on offshore drilling, on oil shale development of rules, before we get to that continuing resolution piece where this would normally, or often, be put in. People are saying I do not want that in this financing bill for the Government, the continuing resolution.

Mr. ALLARD. I thank the Senator from Kansas for his support. I couldn't agree more with him. It is time we stop these tactics that are causing the price of gas to get so high. Obviously, before the summer break, it doesn't look like we are going to have an opportunity to deal with the issue of bringing down the price of gas. Come September, we are going to have to do something more dramatic than what we have at this point. If it means we have to stop the continuing resolution with moratorium language in it, I think at that point in time we may have to make a strong stand—at that particular point in time. I predict we are not going to see that much of a decrease in the cost of gasoline and diesel fuel at the gas pump.

I thank the Senator from Kansas for his comments and for his support. We talked about how various aspects of the economy are being impacted by the high price of gas. I was at a press conference earlier. We had representatives speak on how the poor are getting adversely impacted, more than any other part of the population in the United States, because of the high cost of fuel. We had a member from the Congress of Racial Equality. We had Bishop Harry Jackson, who talked about the High Impact Leadership Coalition. We heard from the All Nations Pentecostal Church of God in Christ talk about how the poor they were dealing with were being so impacted by the high cost of fuel. We had a number of people from all aspects of life, including veterans. We had also consumer groups. We had the Farm Bureau and we had Americans for American Energy, all there at that press conference, talking about how letting the price of fuel get so high was actually a war on the poor. I thought that was a rather dramatic way of putting it.

We need to think a little bit about the fact, if we allow the price of gas to get high like this, there is a lower income section of our society that is going to be dramatically impacted because they do not have the reserve capacity to pick up the costs of fuel that is impacting their lives.

We need to act now. We should not be putting it off. I have been disappointed that we have not been able, as Republicans, to put our amendments forward on the floor. The majority leader has changed his view—we will go up to four, we will let in some amendments—and then all of a sudden we are at none. We are back to the none right now.

We need to move forward. I see my time is expiring.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey is recognized.

Mr. MENENDEZ. Madam President, I ask unanimous consent I be recognized for 5 minutes at this time, that Senator LEAHY be recognized immediately following me for 10 minutes, and the remainder of the time be given to Senator DORGAN.

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

HIGHER EDUCATION OPPORTUNITY ACT

Mr. MENENDEZ. Madam President, I rise to speak in support of the Higher Education Opportunity Act.

There is no doubt in my mind that I would not be speaking here today if it were not for the kind of assistance we will be voting on today.

I would not have been able to go from the small tenement apartment I grew up in to the halls of the United States Senate if it were not for our Federal Government's commitment to educating our young people, no matter what neighborhood they grow up in, no matter how much money their parents make, no matter what their ethnicity or the color of their skin.

I was the first person in my family to attend college, and then law school, thanks to Pell Grants and Perkins loans. The fact that I could get a quality education and was willing to work hard-work meant that the American promise was real for me. And I believe that providing every child with the same opportunities I had—so they can achieve their God-given potential—should be the unalienable birthright of every American.

Supporting our children's future isn't just a social responsibility, it is an economic necessity. Just a few decades ago, workers could find a good paying job and comfortably raise a family on the strength of their high school diploma. But times have changed.

If we are going to stay on the apex of the curve of innovation, if we are going to be the economic power we were in the 20th century going forward into the 21st century—a century that increasingly belongs to those who innovate—we have to do all we can to educate our children and prepare them to compete.

Unfortunately, we are in danger of falling behind. At the same time we are seeing higher education become increasingly more important, we are seeing it become increasingly less affordable.

We are seeing students pass up the opportunity to go on for a higher degree, because they are so pressured to pay their bills today that they can't

focus on what is best for them tomorrow. We are seeing so many students who do go to college leave with two pieces of paper that they will carry for the rest of their lives—their diploma in one hand, and the bill for their tuition loans in the other. What we need now is a brainpower stimulus package: a brainpower stimulus package that will make college more accessible and more affordable so that higher education is not reserved only for the wealthy; a brainpower stimulus package that will improve and modernize our Nation's colleges and universities so they will remain the greatest and most distinguished in the world; a brainpower stimulus package that will protect students from unscrupulous lenders and ensure they are getting the best deals possible when they invest in their education with private loans; and a brainpower stimulus package that will close the achievement gap, because in this great Nation, the darkness of your skin should not diminish the brightness of your future.

The package we pass must honor and respect our soldiers and their families and provide them with the same opportunity and promise that they have given so much to defend.

Today we have the opportunity, and the responsibility, to make education a national priority and commit ourselves to accepting nothing less than greatness from our educational system. The Higher Education Opportunity Act would take enormous strides to accomplish many of these goals by increasing Government assistance for students, families, and institutions of higher learning. Allow me to take a moment to point out some crucial aspects of this bill.

Recognizing the dramatic increases in tuition over the years, this bill would increase Pell Grants and Perkins Loans would also permit low-income students to receive Pell Grants all year round, so they can afford to stay in school and earn their diplomas quicker. As tuition costs continue to skyrocket, we need to do everything we can to ensure that every child has the ability to soar to the highest heights of achievement.

In the wake of the recent student lending scandal, we must protect our students from deceptive loans that often leave them mired in debt even before they receive their diploma. This bill would establish strong standards to prevent schools from playing favorites with lenders due to expensive gifts they were given and ensure students are given the best rates possible.

This bill would work to narrow the achievement gap between Caucasians and minorities by investing in Minority Serving Institutions, Hispanic Serving Institutions, and enhancing vital programs such as TRIO and GEAR-UP.

It would reauthorize funding for Historically Black Colleges and Universities and Predominantly Black Institutions and expand their masters pro-

grams, by providing \$500,000 per year in mandatory funding to each of these institutions for 6 years.

This bill would also honor the dedication and commitment of our armed forces and their families by helping servicemembers, veterans, and their families attend and pay for college by providing interest-free deferral on student loans while servicemembers are on active duty and in-State tuition rates if they are not stationed in their home State.

Finally, it would establish new college scholarships of up to \$5,000 for children and family members of servicemembers who have died since 9/11.

When one of our brave servicemembers gives their life in defense of our country, they are not the only ones sacrificing—rather their sons and daughters; husband and wife; and often mother and father have also given the most precious thing in their lives for our country. Like their cherished loved one, they deserve more than anybody the opportunity and promise that makes this country so great and worth defending and sacrificing for.

Our Nation faces great challenges to meet the demands of global innovation and competition, but as I true with all great challenges, we also have a great opportunity—an opportunity to invest in our most important resource: our children; an opportunity to spur our economy and develop new, innovative industries that create high paying jobs that cannot be outsourced; and an opportunity to prepare our students and strengthen our economy so America remains a leader in the world—not just during the onset of the 20 century, but throughout it.

A nation that is united in its purpose can answer that challenge, as we have so many times throughout our history. Just as an entire generation before us was once inspired to dream new dreams of reaching space and landing a man on the moon, so must we set our sights to the heavens and be the next great generation of leaders and innovators.

The time has come to make a robust, national commitment to the education of our youth at all levels, from kindergarten through graduate school, from technological institutes in our inner cities to centers of agricultural research in the heartland.

New generations of doctors and lawyers, artists and engineers, captains of industry and commanders of our Armed Forces, are depending on what we do here today.

This legislation has been in the works for a long time. We are a little late on the assignment, but we can still get an "A" for finally taking the time to turn it in.

I certainly hope our colleagues on the other side of the aisle will allow us to make this happen today.

I yield the floor and yield the remainder of any time I may have to Senator LEAHY.

Mr. LEAHY. Madam President, I thank the distinguished Senator from New Jersey. I wish to discuss two matters that involve the Senate Judiciary Committee.

The PRESIDING OFFICER. The Senator from Vermont is recognized.

IMMUNITY

Mr. LEAHY. Madam President, today the Federal court evaluating the contempt charges against former White House Counsel Harriet Miers made a very significant ruling. The court's ruling is a complete rejection of the Bush administration's unprecedented and unfounded blanket claim of executive privilege and immunity. The Court's ruling is a rebuke of this White House's arrogant coverup and stonewalling, an arrogant coverup designed to shield from public view the inappropriate and even illegal actions of this administration. It is also a reaffirmation of the principle of separate, coequal branches of our Government, something that has guided our Republic since its inception and something this administration has tried to ignore by making its best efforts to accrue unchecked Executive power.

I commend Judge Bates. He is a former prosecutor, a Republican appointed by President Bush. I commend Speaker PELOSI and Chairman CONYERS for their steadfastness in pressing this matter.

I have long pointed out this administration's claims of executive privilege and immunity, which White House officials have used to justify refusing even to show up when the Congress has subpoenaed them, are wrong. Last November, in the Senate Judiciary Committee, I issued a ruling that the White House's privilege and immunity claims were not legally valid to excuse Karl Rove and White House Chief of Staff Josh Bolten from appearing, testifying and producing documents related to the Judiciary Committee's investigations into the unprecedented firing and manipulation of U.S. attorneys. Mr. Rove and Mr. Bolten's continued non-compliance with the committee's subpoenas, even after my ruling, led the committee to vote to hold them in contempt of Congress. Even with that, they have put themselves above the law by refusing to appear and testify.

This week the House Judiciary Committee also cited Mr. Rove for contempt. They had previously cited Ms. Miers for her failure to appear, as well as Mr. Bolten.

It is long past time for senior administration officials to abide by the law and appear before Congress to offer testimony, testimony that is compelled by subpoena. This administration places themselves above the law. What the court said is none of us is above the law, not even the President of the United States, and especially not the people who work for and take orders from the President of the United States. They are not above the law. I commend the court for making that clear.

In fact, the ruling by Judge Bates could not have been more plain. He wrote:

[T]he Executive's current claim of absolute immunity from compelled Congressional process for senior Presidential aides is without any support in the case law.

I will be sending letters to Karl Rove's lawyer and the White House counsel to schedule Mr. Rove's and Mr. Bolten's long-overdue appearances before the Senate Judiciary Committee. In fact, Judge Bates explained why the Bush-Cheney administration's blanket immunity claims were an unjustified encroachment upon the constitutional powers of Congress. The judge wrote:

[I]f the Executive's absolute immunity argument were to prevail, Congress could be left with no recourse to obtain information that is plainly not subject to any colorable claim of executive privilege.

This result, which the court concluded was "unacceptable," would be that the "Executive's proposed absolute immunity would thus deprive Congress of even non-privileged information."

Many of us have said that this is an administration that considers themselves above the law, that the law applies to everybody except them. Well, the court has said the law applies to them just as it does to all other Americans. Despite the administration's attempts at every turn to short circuit Congress—even the courts—from being able to evaluate the executive privilege and immunity claims, Judge Bates's concurrence in these principles is a significant milestone.

I will be sending a letter today to Attorney General Mukasey. I am going to ask when he intends to withdraw the erroneous Office of Legal Council opinion from Stephen Bradbury relied upon by the White House to justify its non-compliance with congressional subpoenas since that opinion has been repudiated by a court and the court has said that this administration, the Attorney General, the White House—all have to abide by the law. In addition, I intend to ask the Attorney General whether the court decision will cause them to reevaluate the Department's memoranda and opinions that have supported overbroad and unsubstantiated executive privilege claims not only in the investigation of the firing and manipulation of the U.S. attorneys but also in other matters, such as the claims used to block Congress when investigating warrantless wiretapping, or the leak of the name of undercover CIA agent Valerie Plame for political retribution, or even White House interference in the Environmental Protection Agency's decisionmaking to protect corporations at the expense of Americans' health.

The court's decision undercuts the White House's blanket claims in all of these matters. The judge wrote that:

Clear precedent and persuasive policy reasons confirm that the executive cannot be the judge of its own privilege.

That is why we have asked for over a year for the White House to provide us

with the specific legal basis for those claims and their validity. What the White House has said is they do not have to obey the law. They can break the law, they are above the law, and when they are asked: What do you base that on? What is it that says you are above the law and the people who work for you are above the law? their answer is: Because we say so. That is it. They do not point to any statute, they do not point to any case law, they do not point to anything except their own arrogance in stonewalling the people of this country who want to know what they are doing. That is not the way to have a nation of laws. You cannot have one person decide the law will apply to you, the law will apply to me, the law will apply to everybody in this Chamber but will not apply to the President or the people who work for him.

I will continue to ask whether the White House's continued assertion of executive privilege in this matter means the President takes responsibility for the decision to fire well-performing prosecutors. To date, after more than a year and a half, he has not done so. Instead, he seeks to have it both ways: Well, "mistakes were made"—by others, of course, yet somehow, executive privilege still applies.

The White House's other blanket assertion says there is no wrongdoing in the firings. We have asked: What was the basis for that? They provide none. If the White House has information that led the President and others to discount the evidence of wrongdoing the investigating committees have gathered so far, that should be produced. Otherwise, we have to conclude they do not have any and it does not exist.

To the contrary, the Judiciary Committee's investigation which led to the resignation of the Attorney General, the entire senior leadership of the Justice Department, and several high-ranking White House political officials has uncovered grave threats to the independence of law enforcement from political manipulation in the highest political ranks in the White House, including Karl Rove. The evidence shows that senior officials were apparently focused on the political impact of Federal prosecutions and whether Federal prosecutors were doing enough to bring partisan voter fraud and corruption cases. It has long been apparent that the reasons given for these firings were contrived as part of a cover up.

The tragic and corrupt politicization of Federal law enforcement by this administration is wrong. Reports released by the Justice Department's Inspector General and Office of Professional Responsibility, the latest just this week, have shown the reach of the political operatives of this administration, infecting the hiring for career prosecutors and immigration judges with improper and illegal political loyalty tests designed to embed "loyal Bushies" throughout the Department. So far, neither the Justice Department

nor the White House has taken responsibility. Apparently, the White House intends its excuses that “mistakes were made” and that there were just a “few bad apples” to suffice. What we have uncovered is a widespread effort described by the Department’s own Inspector General as “systemic”, one that involved the highest ranking office holders at the Justice Department funneling White House loyalists into career positions.

The White House’s response to the Senate Judiciary Committee’s subpoenas has been to assert blanket claims of executive privilege and novel claims of absolute immunity to block current and former officials from complying. Based on these claims, neither Mr. Rove nor Mr. Bolten even appeared before the Committee to respond to the subpoenas. Now, a court has said that they must.

The effects of the White House’s assertions of privilege and immunity have been unmistakable, amounting to the withholding of critical evidence related to the congressional investigation. And all along they have contended that their blanket claim of privilege cannot be tested but must be accepted by the Congress as the last word. Today’s ruling from Judge Bates is a resounding rejection of this White House’s attempt to thwart accountability and a reaffirmation of Congress’s ability to conduct oversight and the right of the American people to learn the truth about their government.

The PRESIDING OFFICER. The Senator from North Dakota is recognized.

ENERGY

Mr. DORGAN. Madam President, those of us who serve in the Senate serve in a political system. John F. Kennedy used to say that every mother hopes a child might grow up to be President as long as they do not have to be active in politics. But, of course, politics is the process within which we make decisions—a very honorable process. But it is not new to the political system to hear evidence of false claims. In fact, it is a time-honored tradition in politics to hear at least some people in striped pants stand up and make all kinds of false claims.

It has reached, I must say, some new heights on the floor of the Senate in the last couple of weeks. As I was listening to some of these things in the Senate, particularly on energy and some of the claims that have been made, I was thinking about when I was a little boy and the carnival would come to my small town of 300 people. You can imagine the size of a carnival that would come to a town of 300 and actually pitch a tent.

One of the things I remember about a carnival coming to town is it had a sideshow. And the sideshow in every carnival, I suppose, is the same. They paint the canvas on the sideshow with unbelievably bright paintings, and then they have a barker, a carnival barker, and they say: Come in here and see the

woman with two heads; come in here and see the world’s fastest man; come in and see the sideshow and see the man born with an alligator’s tail. And my eyes were like dinner plates, thinking, boy this is going to be something. And none of that was in there. I mean, it was, you know, these big old claims.

Well, let me talk a little about big old claims that are not true here in the Senate. We have been hearing them now for 2 weeks.

We have an energy problem. It is a significant problem. The price of oil and gas doubled in a year, bouncing up to \$120, \$140 a barrel. The price of gasoline—\$4, \$4.50 a gallon—doubled in a year.

So our colleagues on the minority side come to the floor of the Senate. They have this voice track. It goes over and over and over; it is called looping. They say: Do you know what the problem is? We know what the problem is: The Democrats will not let anybody drill.

Well, it is an interesting discussion but not true. It reminds me of Will Rogers, who said: It is not what he knows that bothers me, it is what he says he knows for sure that just ain’t so.

It is not true that people on this side of the Senate Chamber do not want anybody to drill. It is simply not true. I have brought out chart after chart showing so much that is open for drilling. In fact, I was one of four Senators who helped open what is called lease 181 in the Gulf of Mexico, 8 million acres. Four of us—myself, Senator DOMENICI, Senator BINGAMAN, and Senator TALENT from Missouri—introduced a bill saying: Let’s open 8 million acres in the Gulf of Mexico that has substantial oil and natural gas deposits. Let’s open that. You know what, we did it, in a bipartisan manner. And 2 years later, there is not a bit of activity on that 8 million acres.

Our colleagues rush over to the floor of the Senate and say: Well, the Democrats are at fault. They will not let you drill.

It is not true. There are many areas that are open for drilling, and we have supported that. Oh, I do not support a goofy proposition that is ricocheting around here that says: You know what, let’s go to the Outer Continental Shelf, which belongs to all of America and which is not yet open, and let’s let Governors of States decide whether it should be opened. I mean, that stands goofiness on its head. The Outer Continental Shelf belongs to all of the American people. That does not belong to a State. That does not belong to a Governor. That is an absurd proposition.

So they come to floor of the Senate with their chart, and it says: Produce more, use less. But you know what the problem is: the actions do not match the words. Let me describe what I mean by that.

Let me say that I support producing more. I am fine with drilling holes. I am fine with finding oil and gas. But

our colleagues have this mindset of yesterday forever. Every 10 or 15 years, they shuffle into this Chamber, sort of slouched over with their hands in their pockets, saying: Let’s drill some more. That is just yesterday forever.

I am for drilling, but what we ought to be doing is other things to change the mix, to change our energy future. You know, almost 65 percent of the oil we use comes from off our shore, from the Saudis, Kuwait, Iraq, Venezuela. That makes us enormously vulnerable. We need something that is game changing, that means different kinds of energy.

Yes, let’s produce more, then let’s produce different energy, and let’s conserve more as well. But when you talk about the issue of production, it is not just drilling a hole for oil. That is what our colleagues believe. Production is also taking energy from the wind and producing electricity. Production is taking energy from the Sun and producing electricity. Production is the biofuels from corn or cellulose to produce gasoline and ethanol. Production is biomass and geothermal. Production is all of that.

Now, eight times in a little over a year we have had votes on the floor of the Senate to extend the tax incentives for renewable energy. Eight times, those who come to the floor with their little charts talking about producing more, eight times they have said: No, we will not support it. Now, let me tell those who listen to this why they will not support it—because it costs some money in the short term to provide tax incentives to get people to invest in renewable energy.

We ought to do renewable energy in a big way. This ought to be game changing. It ought to make us much less dependent on the Saudis and Kuwaitis and others. You do that, it seems to me, by changing the energy mix.

My colleagues do not support that on the other side of the aisle. Do you know why? Because it costs money to provide tax incentives. So we pay for that. We are deep in debt in this country, but we pay for it because it ought to be paid for in the bill we have offered. So my colleagues vote against it.

Let me describe why. One of our pay-fors to help provide these tax incentives for renewable energy is to shut down this unbelievable tax break that exists by which hedge fund managers can take their billions of dollars and move them through tax shelters overseas and avoid paying taxes to the United States of America. My colleagues oppose closing that loophole. They stand with the ability to move hedge fund income overseas to shelter it so they do not have to pay taxes. That is unbelievable. I mean, part of the process in this Chamber, at least, is: Who do you stand for? How on Earth do you want to go home and say: You know what, I decided to vote eight times against incentivizing substantial additional production of renewable energy, energy from the wind, from the

Sun and so on, to make us less dependent on the Saudis. I voted against that because I demand and insist that hedge fund managers have a right to run their income through the Cayman Islands and avoid paying U.S. taxes.

Get a chart. If you want to get a chart, print that up in a chart and take it to the Rotary Club and say: Here is who I stand with. Here is what I stand for. Explain that at home.

How on Earth do you get by with that? I do not understand it at all. You bring a chart to the floor and say "produce more." Well, let me tell you how you produce more—the renewable energy production tax credit.

Let me tell you what we have done in this country. We said a long time ago, 1916: If you go looking for oil and gas, we like that. We want you to find oil and gas because we have an economy that needs it. So you go drilling, good for you; we give you robust permanent tax incentives. We have done that for nearly a century. Here is what we did for people who tried to do new technologies that take energy from the wind and the Sun and so on—a production tax credit for renewable energy.

In 1992, we said: We will give you tax incentives to expand renewable energy, kind of shallow tax incentives. By the way, they are going to be short term, so they will expire. We extended them five times for a short term. We let them expire three times. It was stutter, stop, start, stutter, stop. It was an unbelievably pathetic approach.

Some of us believe we ought to go 10 years and say: Here is where America is headed. You want to join us, we are going to be here for 10 years trying to develop America's renewable energy so we can become less dependent on oil from Saudi Arabia and elsewhere.

That is what we ought to be doing. But my colleagues from the minority come to floor of the Senate and have opposed it all along the way. They have opposed it eight times. In fact, the people who oppose this have come to the floor of the Senate and said: We need more electric-drive vehicles. We need to move toward plug-in hybrid vehicles. You bet we do. That means substantial investment in battery technology. That is in the bill, by the way, that you voted against. That means substantial investment in renewables. If you are going to drive electric vehicles, you are going to have to have electricity.

They vote against that, vote against all of this, and then come to the floor and say: We need the product of this to do what we want to do to drive electric vehicles. It is unbelievable.

I have described this probably 20 times in the Senate. Perhaps some get tired of it, but we are trying to do something here. We have been stopped, which is frustrating. It is the easiest thing in the world to stop progress. The minority has demonstrated that now for 2 weeks. I have described Mark Twain when he was asked if he would engage in a debate once. He said: Sure,

I would be happy to engage in a debate, as long as I can take the negative side. They said: No one has told you the subject of the debate. Mark Twain said: The subject doesn't matter. The negative side will require no preparation.

It doesn't require any skill or preparation to take the negative side of anything. So for 2 weeks we have tried to pass legislation to wring the speculation out of the oil futures market. Seventy-one percent of that market is now controlled by speculators who don't want a thing to do with oil. They wouldn't lift a quart of oil. They want to trade paper and make money. We are trying to shut down excess speculation. What we have found is our colleagues, when the question is, who do you stand with, they say: We will stand with the oil speculators. We will block that.

Eight times we bring a bill to the floor that says, let's at least provide incentives to try to change the plan at this point and begin substantially increasing the use of renewable energy. Eight times our colleagues have voted against that.

Let me go through what this would have provided, what we tried to do: a renewable energy production tax credit, solar and fuel cell investment tax credits, clean renewable energy tax credit bonds, tax incentives for plug-in electric drive vehicles. The list goes on and on, all things we should be doing. Eight times we have lost the vote to proceed because the minority, which says they support all of this, has decided they don't want to close the a loophole that allows hedge fund managers to run their incomes through the Cayman Islands and other tax havens in order to avoid paying taxes. We close the loophole to help pay for all of this, and our colleagues have an apoplectic seizure. You can't do that, they say.

I don't understand. It is beyond me that they believe it is going to work to come to the floor of the Senate and make a claim that is a false claim that somehow the majority party doesn't support drilling. Of course we do.

Let me describe it from a parochial standpoint. The biggest drilling play in America right now is in eastern Montana and western North Dakota. The U.S. Geological Survey did an assessment at my request. The U.S. Geological Survey and I announced about 3 months ago that that is the largest assessment of recoverable oil ever made in the lower 48 States; 3.6 billion barrels to 4.3 billion barrels of oil using today's technology are going to be recoverable. We have up to 75 drilling rigs active right now, drilling a well about every 30 or 35 days, moving every 30 or 35 days to a new well site. It is the biggest oil play in our country. I fully support that. It makes a lot of sense. I was the one who got the U.S. Geological Survey to do the assessment. I was the one who helped get lease 181 opened up, 8 million acres in the gulf.

It doesn't wash with me or my colleagues to have people come to the

floor with their little charts talking about this side doesn't support production. Of course we do. But production by drilling a hole searching for black gold called oil is not the only way to produce energy. We are never going to get out of this fix of needing 65 percent of the oil we use from the Saudis and others, unless we change the game completely. That means completely changing our energy future.

I have described often our situation. We have this big old planet that circles the Sun. We share it with about 6.6 billion people. We stick straws in the planet and suck oil out, about 85 million barrels a day, and 21 million barrels is destined for here because we need one-fourth of all the oil produced on the planet. One-fourth of the oil coming out of this planet every day has to come to this country because we have a prodigious appetite for oil. The fact is, we need to continue to use oil, and will. But we need to find ways to change our energy mix in the future. The only conceivable way to do that is to begin substantial research dollars and to pass these kinds of tax incentives to move toward other kinds of energy use, solar, geothermal, wind, and so on. You can add up all the money we spend on this sort of thing to change our energy future and make this country less dependent and more secure, and it's equivalent to what the Pentagon spends in 40 days. That makes no sense.

If we are going to invest in this country's future, we have to pass legislation such as this. We can't have a Senate in which we have people who fashion themselves as human brake pads coming over here to stop everything just because they want to support hedge fund managers who want to wash their U.S. income through foreign subsidiaries and avoid taxes. That is not a sustainable policy, to continue protecting tax avoidance and stopping investment in renewable energy.

This country can have a pretty terrific future, but we face big challenges. We are not going to solve or address this country's challenges unless we think in very different ways.

I understand there will be some perfectly content for this Congress to adjourn or leave town and go on the August break having done nothing. I will be one of those who is not content. It makes no sense that there are those out there with projects on the shelf right now for new wind energy farms, for solar energy applications, for geothermal and biofuels, all of the other renewables, and they are not going to go ahead unless they have some notion that this country will extend the tax incentives for that renewable energy. On eight separate occasions, the minority has come to the floor of the Senate and said, when asked, will you extend these tax incentives, they have said: No, no, no, eight times. That is not in this country's interest.

UNANIMOUS CONSENT AGREEMENT—H.R. 4137

On behalf of the majority leader, I ask unanimous consent that at 5:30

today, the Senate proceed to the conference report to accompany H.R. 4137, the College Opportunity and Affordability Act, and that there be 130 minutes for debate divided as follows: 50 minutes under the control of Senator MIKULSKI or her designee, 30 minutes each under the control of Senators ENZI and ALEXANDER or their designees, and 20 minutes under the control of Senator COBURN; that upon the use or yielding back of time, the Senate proceed to a vote on adoption of the conference report, without further intervening action or debate. I note for the Record that this agreement has been cleared on both sides of the aisle.

The PRESIDING OFFICER (Mr. NELSON of Florida). Without objection, it is so ordered.

Mr. DORGAN. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Ms. KLOBUCHAR. I ask unanimous consent that the order for the quorum call be rescinded.

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

CONSUMER PRODUCT SAFETY IMPROVEMENT ACT

Ms. KLOBUCHAR. Mr. President, I know this is the Republican portion of the time, but until a Republican arrives, I will briefly say for 1 minute that I am very pleased the Consumer Product Safety Improvement Act of 2008 is going to be coming through the Senate. We saw over 28 million toys recalled in 2007. The Consumer Product Safety Commission is a shadow of its former self. This legislation is long overdue. It was a bipartisan effort. Many of us worked on this very hard, including the Presiding Officer. I am pleased we are able to get an agreement on what the Wall Street Journal has called the most significant consumer product legislation in 16 years. It is particularly important to my State where we had a 4-year-old boy die when swallowing a lead charm. It was the 99-percent lead, made in China. It should never have been in his hands. The lead in that charm went into his bloodstream over a period of time, in fact over a period of days. I was very proud that our staff, Kate Nilan and Tamara Fucile, was able to work on that provision and work with the committee. That is now the first provision in the bill.

I thank the conference committee, under the leadership of Senators INOUE and PRYOR, and all the conferees who worked on this in the House and Senate.

I yield the floor.

The PRESIDING OFFICER. The Senator from Mississippi.

APPROPRIATIONS LEGISLATION

Mr. COCHRAN. Mr. President, 2 weeks ago today, the Committee on Appropriations marked up three fiscal year 2009 appropriations bills. Those bills would provide funding for programs ranging from agricultural re-

search to veterans' health care and from foreign aid to the infrastructure that supports our men and women in uniform in our Armed Forces. While some members of the committee had concerns about the overall spending levels in those bills or individual provisions within them, the committee reported the measures by broad bipartisan votes. Those votes reflected the committee's collective belief that it has a fundamental responsibility each year to draft, debate, and report to the Senate its spending recommendations for the day-to-day operations of our Government.

The markup on July 17 was the committee's fourth markup of the year to consider fiscal year 2009 bills. The bills reported at that meeting brought to nine the total number of fiscal year 2009 bills approved by the committee. There was every expectation the committee would complete action on the remaining three bills in July, as Chairman BYRD had publicly indicated. It was also expected the committee would consider a second supplemental bill.

Despite complete inaction on appropriations measures in the other body and low expectations for timely enactment of the fiscal year 2009 bills, the committee was fulfilling its responsibility to make recommendations to the Senate and moving toward completion of the only portion of the appropriations process under its direct control.

So I give Chairman BYRD credit for getting the committee as far as he did, given the dim prospects for floor action. The Senate deserves to at least see the committee bills before making a judgment about whether it will allocate time to consider them.

Unfortunately, progress in the committee came to an abrupt halt last week. The chairman announced the committee would not meet to consider the remaining fiscal year 2009 bills and would not meet to consider a second supplemental. At the time, the reasons given for the cancellation were not clear. It was clear, however—and has been explicitly admitted since—that further markups were canceled because the majority did not wish to discuss, debate or vote on amendments relating to domestic energy production.

It is virtually unprecedented in our committee to cancel a markup to avoid a vote. The amendments that likely would have been offered in the committee are completely germane to the appropriations process. The appropriations bills in place for fiscal year 2008 contain at least two provisions that prohibit the use of funds for certain purposes and thereby inhibit the development of American energy resources.

One of those provisions is a moratorium on further development of oil and gas on the Outer Continental Shelf. The other prohibits the issuance of regulations that would govern the development of our extensive domestic oil shale resources. Both of these matters would have been directly relevant to a fiscal year 2008 supplemental. It is also

likely that one or both of these provisions would have been continued in the fiscal year 2009 Interior and related agencies appropriations bill, and as such would have been subject to consideration by the committee.

Nobody is playing political games in wanting to offer these amendments. Members interested in offering these amendments had several opportunities to present them during markups of the other appropriations bills but withheld from doing so on the promise that the committee would meet to consider the appropriate bills. I thought this was the responsible thing to do, but perhaps I was wrong.

Members are entitled to their own views about whether the moratorium on Outer Continental Shelf development should be continued. The same goes for oil shale production. But at a time when energy prices are dramatically affecting our economy and challenging the budgets of families across America, I do not think we as a Congress are entitled simply to sweep the issue under the rug—or attempt to—because it is inconvenient. We are not entitled to continue the moratoria for another year as part of a long-term continuing resolution without so much as a debate or a vote.

In addition to increasing our domestic supply of energy, responsible development of the Outer Continental Shelf and of American oil shale will mean billions of dollars in royalties, rents, and bonuses that will be paid to States and the U.S. Treasury—money that otherwise would be paid to foreign governments, many of which have policies that are in opposition to U.S. interests.

Responsible development of new areas of the Outer Continental Shelf and of American oil shale would not solve our energy problems overnight, but no one is claiming it will. But if we take action now, perhaps we can avoid a debate 10 years from now in which we try to adopt quick fixes or overcome our failure to even vote on these matters today.

When last week's markup was canceled, all of the Republican members of the committee signed a letter to Chairman BYRD to express our disappointment and asked that he reconsider. I ask unanimous consent that a copy of that letter be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
COMMITTEE ON APPROPRIATIONS.
Washington, DC, July 22, 2008.

Hon. SENATOR ROBERT C. BYRD,
Chairman, Committee on Appropriations, U.S. Senate.

CHAIRMAN BYRD: We are profoundly disappointed by the cancellation of this week's scheduled markup of the Fiscal Year 2009 Interior and Legislative Branch appropriations bills, and the second supplemental appropriations bill for Fiscal Year 2008. It is readily apparent that the markup was canceled entirely due to the majority's unwillingness to consider and vote on amendments relating to domestic energy production.

The enactment of appropriations bills in recent years has often involved departures

from the regular order. Our Committee, however, has a proud tradition of successfully conducting that part of the appropriations process that is under our direct control, i.e. the timely consideration and markup of appropriations bills. You have been steadfast this year in insisting that the Committee continue in this fashion, for which we applaud you. We are therefore surprised at today's turn of events.

Energy prices are an issue of singular importance to people across the country. The American people are looking to their elected representatives in Congress to offer bold new policies that will help reduce our dependence on foreign oil by developing more domestic energy resources, and by reducing the amount of energy we consume. We must act on all fronts. The solution to our current problems will not come from any single policy, or from any single committee. The Committee on Appropriations, however, has an important role to play.

The Fiscal Year 2008 Interior, Environment, and Related Agencies Appropriations Act contained provisions that prohibit the production of oil and gas from large portions of the Outer Continental Shelf, and that prohibit the issuance of regulations that are necessary for the responsible development of America's vast oil shale resources in the Rocky Mountain west. It is likely that the chairman's mark of the Fiscal Year 2009 Interior bill would have contained one or both of these provisions. As such, it would have been timely and entirely appropriate for the Committee to meet to consider the merits of continuing these provisions in Fiscal Year 2009, and to consider whether the provisions should be modified or repealed in Fiscal Year 2008. Members of the Committee might well have other energy-related amendments that they wish to be considered.

We urge you to reconsider your decision so that the Committee can meet its responsibility to consider all of the appropriations bills, and also do its part to help address the energy challenges that face our country.

Sincerely,

Ted Stevens; Thad Cochran; Arlen Specter; Pete V. Domenici; Mitch McConnell; Judd Gregg; Robert F. Bennett; Richard C. Shelby; Larry E. Craig; Christopher S. Bond; Kay Bailey Hutchison; Sam Brownback; Wayne Allard; Lamar Alexander.

Mr. COCHRAN. It is now obvious we will go out of session having not finished our work as a committee, having not met to consider appropriations bills that deal directly with the most pressing issues facing American families today.

When we return in September, it is highly unlikely the committee will act on the remaining fiscal year 2009 bills or the second supplemental. Both the majority leader and the Speaker have indicated we will consider a second supplemental bill in September, but it is hard to imagine there will be enough time to act on that measure in committee. That is a shame.

Yesterday, Chairman BYRD issued a press release outlining what would have been in the chairman's mark of the supplemental had the committee met to consider it. He outlined a bill that would appropriate some \$24 billion to respond to natural disasters, to improve American infrastructure, and for other purposes.

The chairman included a number of items I had requested that are impor-

tant in my State of Mississippi in our ongoing efforts to recover from Hurricane Katrina. He included a number of other items in response to requests by other members on both sides of the aisle.

While there will justifiably be concern about the total cost of this proposal and some of its component parts, in my view, it is a measure worthy of consideration in the Appropriations Committee.

But a press release is not a markup. It is not a draft of a committee bill. No Senator can amend a press release. No Senator can see the legislative language that would implement the spending described in the release, and no Senator can know what provisions might be included in the bill but not mentioned in the press release.

I am the ranking member of the committee, and I do not know these things. If I thought we would return in September and hold a markup of the bill, giving the Senate time to debate it fully, perhaps I would be less concerned. But we know time is short once we return. Based on what we have witnessed on the floor in recent months, I have little confidence Senators will be allowed freely to offer amendments to the supplemental if it is taken straight to the floor.

I wish to reiterate that Chairman BYRD has done an admirable job of trying to uphold the committee's responsibilities and prerogatives in the face of these circumstances. We both share the view that our committee has an important and fundamental responsibility to write and put forth bills that support the basic operations of our Nation's Government. As a Congress, however, we are getting into some very bad habits as it pertains to consideration of these bills.

We are completely abandoning efforts to move the regular appropriations bills across the House and Senate floors, something which has nothing to do with filibusters. Nobody filibustered the fiscal year 2008 bills that were brought to the Senate floor. When we do manage to pass appropriations measures, the differences are resolved not by an open meeting of a conference committee but, usually, in closed-door negotiations, followed by an exchange of messages between the House and Senate. Now, apparently, we are starting to cancel committee markups based on an unwillingness to take votes on difficult issues. They may be entirely germane.

So I regret these trends for the sake of our committee that is struggling to maintain its tradition of bipartisan cooperation and action. I regret it for the sake of millions of Americans who will simply not know why the Senate cannot manage to take votes and process its legislation and its appropriations bills in a straightforward and open manner. I regret the way we are letting things slide now into an unusual procedure that does not reflect credit on the Senate.

The PRESIDING OFFICER. The Senator from Utah.

ENERGY

Mr. BENNETT. Mr. President, we are about to adjourn for the August recess without having passed a single piece of legislation addressing the energy crisis or the most important issue, which is the concern over rising gasoline prices.

I attended the Fourth of July parade in my home State. In Utah, there is also a 24th of July parade celebrating the anniversary of the time when the first Pioneer settlers came into the valley. In both parades, I had things shouted at me. Politicians have that experience. Usually, we hope the things that are shouted at us are complimentary. In this case, the things I had shouted at me in the parades were: "Why aren't you drilling? Why aren't you producing more American oil? Drill now." I said: We are discussing it. We are trying to do that. We are trying to get something done.

If there were a parade scheduled now, I would have to go back and say: The Senate would not let us vote on any of the proposals to increase the supply of American oil. There are proposals coming in the form of letters from Senators to the President of the United States saying: Will you please go to Saudi Arabia and beg them to produce some more oil? There are suggestions that somehow we should sue Saudi Arabia or members of OPEC to get them to produce more oil. But we are not even allowed the opportunity to vote on proposals to produce more oil in the United States.

A lot of my constituents are not aware that at one point, not too distant in the past, America produced more oil than any other country in the world and controlled the pricing power over oil. We could affect the world price by opening more wells in east Texas. But in the 1970s, that pricing power left our shores and was transferred from the Texas Railroad Commission to the Saudi royal family. Now we are in the posture of begging the Saudi royal family to produce more oil when we have the capacity to bring that pricing power back to the United States by producing more here.

I wish to talk specifically about oil shale because I understand there has been an exchange on the floor about oil shale earlier, with the junior Senator from Colorado saying we are not ready, the technology is not finished, and, therefore, we should maintain the congressionally ordered moratorium on the Department of the Interior from promulgating the rules under which leases could be granted on public land.

Now, let's look at that argument for a minute.

The Department of the Interior has released draft rules. We know what they want to do. They have been prepared to do this, and are prepared to do it today. They cannot turn those draft rules into firm rules as long as the Democrat moratorium is in place. So

when we wanted to lift that moratorium—we tried to in the Appropriations Committee—we were denied on a straight party-line vote. The Republican leader tried to lift that moratorium here. We were denied in a unanimous consent request.

So let's ask ourselves: What are those rules? The best analogy to help people understand what those rules are is to talk about a fishing license. If you want to catch fish, you have to get a fishing license. You go in and you pay for it and it is for a specified period of time. Now, there is no guarantee the fish will respond to your efforts to catch them. There is only an opportunity to go forward with it.

Mr. President, I ask unanimous consent that I be allowed 2 additional minutes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. BENNETT. All we are talking about, with respect to the rules of the Department of the Interior, is let's give companies a fishing license. If the technology is not ready, the companies will know that. They will find that out very rapidly. If the technology doesn't work, the marketplace will prove that it doesn't work, and companies won't invest in it.

This is not a government subsidy for oil shale. This is not even a government support of oil shale. This is simply a fishing license to say: Go see if you can find some fish or, in this case, go see if you can find some oil. If you can, and you can produce it at an economically acceptable price and in an environmentally friendly manner, then go ahead.

But in this body we are saying: No, we won't even let you look for it. We won't even let you move forward to try to find out if it will work.

The Senator from Colorado said: We are not ready. I would say to him: We are in Utah. We have a program going forward in Utah on State land that shows every indication of producing oil by the end of this year. The reason they can't produce large amounts of oil is that we don't have enough State land to produce on a larger scale. If you are going to produce large quantities, you have to allow development on public lands, but there is a moratorium in place that says: We won't even let you look at these lands.

The easiest thing we could have done this week in Congress would have been to lift the moratorium. The least we could have done would have been to let the Department of the Interior implement the rules and give companies an opportunity to look at the Federal lands to see if they want to get a fishing license to catch some fish or, in this case, oil. That is all we are asking for, but it has been objected to repeatedly and repeatedly.

If I march in a parade again, I am going to have a hard time explaining to anybody why the Senate won't allow us to do that.

HIGHER EDUCATION OPPORTUNITY ACT—CONFERENCE REPORT

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to the conference report on H.R. 4137, which the clerk will report.

The legislative clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 4137), to amend and extend the Higher Education Act of 1965, and for other purposes, having met, have agreed that the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment, and the Senate agree to the same, signed by a majority of the conferees on the part of both Houses.

The PRESIDING OFFICER. The Senate will proceed to the consideration of the conference report.

(The conference report is printed in the proceedings of the House in the RECORD of July 30, 2008.)

The PRESIDING OFFICER. Under the previous order, there will be 130 minutes of debate: 50 minutes under the control of the Senator from Maryland, 30 minutes each under the control of Senator ENZI of Wyoming and Senator ALEXANDER of Tennessee, and 20 minutes under the control of Senator COBURN of Oklahoma.

The Senator from Maryland is recognized.

Ms. MIKULSKI. Thank you very much, Mr. President.

It is a great honor for me to be able to bring to the floor of the Senate the higher education conference report for the Health, Education, and Labor Committee. I bring this bill to the Senate on behalf of Senator KENNEDY.

What I wish colleagues to know is that this bill is truly a bipartisan agreement. It was led by Senator KENNEDY and Senator ENZI, the ranking member, our colleague from Wyoming, who worked tirelessly. This bill has been a work in progress for more than 5 years.

Early this summer, as Senator KENNEDY advanced this bill, we are all aware that he received some pretty surprising news. As he went into his own treatment regime, he called me and asked me to take over the conference report. I viewed it as an honor, I viewed it as a privilege, and I view it as an honor and privilege today.

Before I go into describing the bill and presenting it, I again wish to thank Senator ENZI for his work with Senator KENNEDY and his collegial and civil attitude in working with me to move this bill.

As I get ready to present this to the Senate, however, I have a letter from Senator KENNEDY. I have been in touch with Senator KENNEDY on a regular basis, receiving his advice, his guidance, his caution, and his jocular wit. I know he is watching us as we begin this debate today. This is a short statement he asked me to read to his colleagues:

I'm pleased to express my strong support for final passage of the Higher Education Op-

portunity Act of 2008. This legislation builds on key measures we've approved this Congress to increase college aid and make loans more available for students. This bill goes even further to assure that a college education is affordable and accessible to our citizens.

This legislation comes at a time when students and families need more help than ever to deal with the rising cost of college. Average costs at public colleges are more than \$13,000 today, and \$32,000 at private colleges. Each year 780,000 qualified students don't attend a four-year college because they can't afford it.

Our bill takes major steps to expand college access and affordability. It holds colleges accountable for rising costs requiring the top five percent of colleges with the greatest cost increases to submit detailed reports to the Secretary of Education on why their costs have risen, and what they will do to hold costs down. It simplifies the complex student aid application process by replacing the seven-page Free Application for Federal Student Aid with a two-page "EZ-FAFSA." It also expands aid for our neediest students by enabling them to receive Pell Grants year-round for the first time.

The legislation also responds to the ethical scandals in the student loan industry, which the Committee documented in investigations last year. It bans lenders from offering gifts to college officials, and requires college to adopt strict codes of conduct on student loans.

I'm particularly proud of provisions that help students with disabilities and veterans.

It enables students with intellectual disabilities who attend postsecondary transition programs to receive Pell Grants for the first time, and provides support for colleges to expand these programs.

The bill helps service members by enabling them to defer payments on their student loans—interest-free—while they're on active duty. It also allows service members and their families to receive in-state tuition rates for college when they move to a new state, and enables them to re-enroll in college without delay when their service is complete.

This bill creates a lasting legacy for students and families, and it wouldn't have been possible without the bipartisan cooperation of the members of the HELP Committee and the House Committee on Education and Labor. I commend our Ranking Member, Senator Enzi, and Chairman Miller and Ranking Member McKeon in the House for their strong support. I'm especially grateful to my friend, Senator Mikulski, for her impressive work in resolving some of the most difficult issues in this bill.

We can be proud that with passage of the Higher Education Opportunity Act, we're meeting our responsibility to help all our citizens obtain a higher education. By improving their lives, we also strengthen our nation and our future. I urge all my colleagues to support this needed legislation.

I ask unanimous consent that a longer statement by Senator KENNEDY be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

SENATOR EDWARD M. KENNEDY, HIGHER EDUCATION OPPORTUNITY ACT OF 2008

From our earliest days as a nation, education has been the mainstay of our democracy and the engine of the American dream. Our Founders knew that an educated citizenry would strengthen the nation and build the values and character that make us Americans. They believed in the power of