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Senate

The Senate met at 10 a.m. and was called to order by the Honorable SHELDON WHITEHOUSE, a Senator from the State of Rhode Island.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Almighty God, who has made and preserved us as a nation, guide our lawmakers through this day by Your higher wisdom. Take from them all that stains their lives or keeps them from intimacy with You. Lead them to a fresh dedication to serve and to choose the harder right. In the living of their days, may faith replace fear, truth conquer falsehood, justice triumph over greed, love prevail over hate, and peace abide with all humanity.

We pray in the Redeemer's Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable SHELDON WHITEHOUSE led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. BYRD).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, January 9, 2009.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable SHELDON WHITEHOUSE, a Senator from the State of Rhode Island, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mr. WHITEHOUSE thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Mr. President, following the remarks, if there be any, from the leaders, there will be a period of morning business, with Senators allowed to speak for up to 10 minutes each.

MEASURES PLACED ON THE CALENDAR—S. 181 AND S. 182

Mr. REID. Mr. President, it is my understanding there are two bills at the desk due for a second reading.

The ACTING PRESIDENT pro tempore. The clerk will report the bills by title.

The legislative clerk read as follows:

A bill (S. 181) to amend title VII of the Civil Rights Act of 1964 and the Age Discrimination in Employment Act of 1967, and to modify the operation of the Americans with Disabilities Act of 1990 and the Rehabilitation Act of 1973, to clarify that a discriminatory compensation decision or other practice that is unlawful under such Acts occurs each time compensation is paid pursuant to the discriminatory compensation decision or other practice, and for other purposes.

A bill (S. 182) to amend the Fair Labor Standards Act of 1938 to provide more effective remedies to victims of discrimination in the payment of wages on the basis of sex, and for other purposes.

Mr. REID. Mr. President, I object to any further proceedings with respect to these bills en bloc.

The ACTING PRESIDENT pro tempore. Objection is heard.

The bills will be placed on the calendar.

Mr. REID. I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. 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 ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

DESIGNATING CERTAIN LAND COMPONENTS OF THE NATIONAL WILDERNESS PRESERVATION SYSTEM—MOTION TO PROCEED

Mr. REID. Mr. President, I will now ask that we move to S. 22, order No. 13. I move we proceed to S. 22.

The ACTING PRESIDENT pro tempore. The motion is pending.

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

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DORGAN. I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. DORGAN. I ask unanimous consent to speak in morning business for up to 40 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ECONOMIC STIMULUS

Mr. DORGAN. Mr. President, we have learned this morning that the unemployment rate has gone to 7.2 percent. Percentages don't mean much to a household in which one spouse comes home and says: Honey, I lost my job. We have seen now more than 2.5 million people lose their jobs in the last 12 months. We face a very severe and deep financial crisis. There is no question

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

about that. There has not been a debate in the Senate about whether there is a problem. This is probably the first area of agreement. There is a big problem with this economy.

The question is, What do we do about it? What can give people confidence that we can pull this economy out of the ditch and try to provide for growth and opportunity and expansion once again?

It is interesting. I read in the newspaper yesterday that the New York Yankees offered a pitcher $22 million a year to pitch for the next 8 years. So not all of the economy is in deep trouble, apparently. There is at least one baseball team and one pitcher smiling today. But even as we read those kinds of stories, many American families are worried about losing their jobs and their homes, concerned about what the future holds. I wanted to talk about that today.

All of us understand the economic engine of America has stalled. All of us understand the mechanics of starting an engine. If the engine of the ship of state is stalled, I am all for hooking up jumper cables and trying to start it. That is the discussion we had in our caucus for 2 hours yesterday—about what kind of emergency actions can jump-start the economy, what kind of jumper cables or hand crank or whatever effort one wants to make will help get the economy up and running again. The point I made yesterday was, that is important to do, and I support it. But we ought to focus like a laser if we are going to spend money we don't have to put together an emergency plan for some sort of economic recovery. That means we are going to borrow money. If we are going to borrow money at a time of escalating substantial Federal deficits, I want every single penny to go toward creating a job that will put somebody back on the payroll and give their family hope for the future.

This is all about building confidence. But even as we do that, if we ignore the fundamental requirement to rewire this engine, then we have missed the boat. By rewiring, I mean this financial system has collapsed. The biggest names in finance have collapsed. They have been the recipient of hundreds of billions of dollars of Federal help. We have to rewire the whole thing. If we don't rewire that system and make basic fundamental reforms, we will not restore confidence in the American people about the financial system going forward. That means accountability looking back and accountability looking ahead.

It means making certain we end what we have seen created in recent years—a house of cards. I have the house on top because this starts with an unbelievable scandal in the mortgage industry, subprime lending, and so on. I know we read in the papers about Mr. Madoff having absconded with $50 billion of investor money by building a Ponzi scheme. The tongue and groove of all of the rest of this fits and is no different than the Ponzi scheme of Mr. Madoff. It was brokers, mortgage bankers, investment banks and hedge funds. It was collateralized debt. It was securitized instruments. It was exotic structured financial instruments created for one purpose: to give everybody a lot of money as they all wallowed in the creek. So the fact is, we have to fix it.

Everybody is talking about jump-starting economy, putting people back to work. I am all in favor of doing that, but I want to make certain we rewire this system. I want to talk a little about what needs to be done.

Let me say also that people who created this wreck, the people who steered this country into the ditch, are not going to be the ones who show up with an ambulance. They will not be the ones we will turn to for advice on how to fix it. That is just a fact. My great worry is we have already authorized $700 billion for the Treasury Department's Troubled Asset Relief Program. Isn't it interesting that the title of that program has nothing to do with what is happening? I didn't vote for it because I didn't think those who requested it had the foggiest idea what they were going to do with it. The request came from the Secretary of the Treasury saying: I need $700 billion in emergency money, and I need it in 3 days. Here is a three-page bill to do it. That made no sense. He wanted to relieve financial institutions of troubled assets.

Why did they have all these troubled assets? Because they were greedy and dumb, buying things that now in retrospect had very little value and very big risk. So we ended up with the biggest financial institutions in the country having massive amounts of assets on their balance sheets that have lost value.

So the Treasury Secretary said: Give me $700 billion of taxpayer money so I can go buy those bad assets and relieve those poor companies of these failed assets. So the Congress voted for $700 billion, $350 billion of which was made available right away.

The Treasury Secretary then decided: I really don't want to do that at all. I don't want to buy troubled assets, despite the fact that is in the name of the program. What I would like to do is provide capital for big banking institutions so they can expand lending because that is the circulatory system of our economy. We need to expand lending.

So a rather substantial amount of money was given to the biggest financial institutions, $125 billion in one tranche to nine of the big financial institutions. It was essentially no-strings-attached money. The money was provided to those financial institutions without saying to them: By the way, you have to use this to expand lending in order to deal with the credit freeze. There were no restrictions that said: If you take this money, you can't then give it out in executive bonuses. In fact, we now have a report from December of last year on the Troubled Asset Relief Program by the GAO. It says:

> The standard agreement between Treasury and the participating institutions does not require that these institutions either track or report how they plan to use or do use this money.

Isn't that unbelievable? We gave all this money to the biggest banks, and there is no requirement that they track or report on how they plan to use or do use the money? Then when a number of them were asked what they did with the money by the GAO, many executives of those companies said: Well, money is fungible. They don't intend to track or report what they did with that capital.

That is unbelievable to me. This is apparently some sort of no-accountability Government. There is nothing I am aware of, of course, in the U.S. Constitution that decides this is the way that representative Government ought to perform.

But when the Treasury Secretary came to the Congress, along with the Chairman of the Federal Serve Board—talk about secrecy, by the way, that is another institution that has another story attached to it—but they came to the Congress—the two of them; the head of the Fed and the Treasury Secretary—and here are the kinds of things we heard from them: We need oversight. We need protection. We need transparency. I want it. We all want it.

Well, the administration the Treasury Secretary works for—after he told us that—has failed. This is a Washington Post report: The administration has failed to establish sufficient oversight over its $700 billion program and must move rapidly to guarantee that banks are complying with the limits on conflict of interest, lavish executive compensation. So they say, yes, we agree. Give us the money. There will be oversight. And we discover: Well, there is no oversight at all.

The Federal Reserve Board, they are refusing to identify the recipients of almost $2 trillion of assistance backed emergency loans from American taxpayers. They refuse to identify the troubled assets they are accepting as collateral. The Federal Reserve opened it window for the first time in history to noninsured banks. They have all kinds of programs now to move money out. I understand there is an urgency here, but I do not understand why the American taxpayers are told: By the way, you are the guarantor of a lot of these debts, you are going to pick up the pieces, and you are going to pay for it, but we are not going to tell you what it is we are doing. Mr. President, $2 trillion of emergency loans for troubled assets and they say: You don't deserve to know. We are not going to tell you.

In fact, Bloomberg, the news organization, had to sue the Federal government to try to get details about the

total has gone out in terms of guarantees and capital which, by the way, is over $8 trillion. It does not mean we are going to lose all that. My point is, why should a news organization have to sue the Government in order to give the American people some information about how much they are on the hook for with all of this emergency activity?

About $8.5 trillion is what we have discovered as a result of Bloomberg and the work of some other enterprising reporters. It certainly is not the work of a Federal agency that has come to the Congress to say: Oh, by the way, here is exactly what you need to know. In fact, just the opposite has happened. The Federal Reserve program has about $5.5 trillion now they have engaged. I understand that is an organization that prints money, but I also understand that organization, in the end stage, is an organization created by the U.S. Congress, and any liabilities existing there are liabilities of the American people. The FDIC program is $1.5 trillion; the Treasury Department, $1.1 trillion; and Federal housing, $300 billion. That is, at this point, a compilation of about $8.5 trillion of liability that exists out there.

Now, I want to make a couple points before I try to describe what has happened and what I think should happen.

This has been a consumer-driven economy. It is not surprising. I brought to the floor of the Congress one day a whole stack of letters. At that point, I had a 12-year-old son, and the Diners Club had written to my son offering him a credit card, preapproved, suggesting perhaps a trip to Europe would be in line. So I brought that and probably a dozen or two dozen other solicitations to my children from credit card companies—from MasterCard and Visa and Diners Club and American Express—all of them writing to my kids. Obviously, they had no idea whose kids they were or how old they were. They were just names in some sort of a name bank. They were writing to them to say: Here is a preapproved credit card for you. Go have a good time.

What has happened all across this country is they are wallpapering college campuses with credit cards. It is unbelievable. On most college campuses, many kids don't have a job. They are going to school. Yet credit card companies understand that is the best place to go find a customer.

So there are credit cards all around, wallpapering the entire country with credit card solicitations. In fact, if you have another card, get rid of it. Bring it to us. We will charge you zero interest for 3 months. We don't tell you, by the way, if you have a little problem one month, we are going to jack your rate up to 25 percent or whatever it is they are doing these days in rates and fees.

The fact is, that dramatic runup in the last couple of decades in credit card debt has been unbelievable, and that is what has been supporting a substantial amount of the consumption.

In addition, about $300 to $350 billion a year has been supporting additional American consumption because of the increase in home values which, of course, represents that huge bubble that was created in home values. That allowed people to believe they had more money because their home was more valuable and they could borrow against the home, and that contributed another $350 billion to the economy. But it was a substantial amount of consumer initiative coming from credit card debt and from home values that they could borrow against which it turns out were illusory increases in home values because those values have now collapsed.

My point is that our consumer-driven economy was driven by, in some cases, fumes that are not going to be around in the future, and we are not going to be able to replicate that to build a new economy with that same kind of debt consumer-driven initiative.

As you know, about at that point, oh, 8, 10 years ago, as the bubble began to develop in home values, there was this issue of thinking that everybody could make a lot of money by developing new and exotic mortgages for homes and putting people into their homes who probably could not buy a home or finding people who were in existing homes and saying to them: You are paying way too much. So what happened was, a huge industry developed in this country. Even as they were securitizing credit card debt and selling it back upstream, they began to develop a new industry to finance homes, and then found a way to securtize those home mortgages and sell those back upstream as well.

This is what we began to see in this country. Everybody saw it. All you had to do was watch your television set and you saw the commercial come across. This was Countrywide, which was the biggest bank: Do you have less than perfect credit? Do you have late mortgage payments? Have you been denied by other lenders? Call us.

The biggest mortgage company in the country said: Are you a bad person because you can't pay your bills? Are you a bad credit risk? Do you have lots of trouble? Are you buying things you can't pay for? Hey, I tell you what, we have a deal for you. Come. We will give you a loan. That is Countrywide.

By the way, this company failed and has been purchased by someone else. But the head of this company, Mr. Mozilo, was given the Horatio Alger award as one of the best executives in America, and from what I can tell, he it appears to have walked away with about $200 million. So even though his company is gone and he does not have the job he had, he certainly cannot be weeping, or if he is, he is wiping his tears with $200 million of cold cash.

So it was not just Countrywide. Millenia Mortgage—again, we saw all these. This was not some dark secret: Twelve months no mortgage payment. That's right. We will give you the money to make your first 12 payments on your home. Just call in 7 days. We will pay it for you. Our loan program could reduce your current monthly payment by 50 percent and allow you to make no payments for the first 12 months. Just call us. Pretty enticing, right? You want a home, you want a mortgage, you don't want to make a payment for a year. No problem. Just call us up.

ZoomCredit. ZoomCredit says in their advertisement: Credit approval is seconds away. Get on the fast track at ZoomCredit. At the speed of light, ZoomCredit will preapprove you for a car loan, a home loan, or a credit card. Even if your credit is in the tank, ZoomCredit is like money in the bank. ZoomCredit specializes in credit repair, and debt consolidation, too. Bankruptcy, slow credit, no credit—who cares?

Can you imagine a company that says: I have a new model. We are so proud of our company, we actually specialize in giving credit to people who don't deserve it?

Now, does one wonder—when companies such as this sprang up all over the country—why our economy is in a wreck, why we have experienced this economy being driven into the ditch by a lot of bad people? Three mortgage companies—and, oh, by the way, just in case you are wondering, is it over? No.

This is from the Internet: Low-doc loans and no-doc loans. What does that mean? It means if you go to the Internet, you can still find a company that says, just as the others did: We have a new financial instrument for you that is really intriguing—no documentation of your income. That is right. We will loan you money without you having to document your income to us. Does that sound ignorant? It does to me. But we will charge you a higher interest rate in exchange for your deciding not to document your income. No-doc loans: no doc, no payments for the first 12 months. And, oh, by the way, when you do first start making payments, you don't have to make any payments on principal, just interest. If that is not good enough, we will give you a no-doc loan, no payments for 12 months, no principal, and you don't have to pay all the interest because we will wrap the principal and some of the interest on the back side. Does anybody wonder why we had a financial wreck?

So we had all these companies put out this sort of Ponzi scheme. Yes, Madoff is apparently a pretty awful guy because he ran a Ponzi scheme of $50 billion, it appears to me. This was all a Ponzi scheme as well, and everybody was involved in it.

So these mortgage companies put people in these mortgages called subprime mortgages, and then the broker made a lot of money because the broker was able to get people into these mortgages. And I did not mention, they put prepayment penalties into the mortgages so you could not pay it off early or you had a big penalty? Then they wrapped it into a big

security. They put all of them together, like you put a snowball together, in a big security—that is called securitization—and then you sell it. So you sell it to perhaps an intermediary or perhaps you sell it to a Wall Street firm that takes a look at it and says: That is pretty good. That has a high rate of return because you have prepayment penalties and all these things, and the interest rates were really low, but they reset in 3 years to be really high. What a good deal. So I am going to buy these securities.

Everybody is buying securities like hogs in a trough. The brokers are making money. The mortgage company is making massive amounts of money. The people who are securitizing it are making money. The big investment banks are making money. In fact, the current Secretary of the Treasury—his firm and four other firms came to the Securities and Exchange Commission one day in 2004 and said: What we need you to provide is some relaxation for us so we can take on more debt to buy more of these kinds of securitized instruments and make more money.

In the basement, deep in the bowels of the Securities and Exchange Commission, after a hearing, by unanimous vote, the SEC, for the company that was headed by the current Treasury Secretary and four other of the largest investment banks, said: It is OK. We will allow you to take some of this money you set aside in the event of failure of your assets—the reserves—and you can take some of those reserves and use them now to make more money by these investments. That meant some of those firms went from 12 times leverage to 30 times leverage.

Isn't that unbelievable? They were all fat and happy, making money left and right. And then the whole thing crashed. That financial scandal, this subprime scandal, took this country right to the edge of a cliff. It was not just this, but it was led by this, and it was especially this.

At the same time all of this carnival of greed was going on in this country—at the same time we were spending, in budget policy—President Bush leading the charge; and Congress, Republicans and Democrats, a part of it—spending in fiscal policy way beyond our means, $600 billion a year. Oh, I know the reported budget deficit was $400 billion last year. It was not $400 billion. What your deficit really is is what you had to borrow for the year. That was over $600 billion. So we were $600 billion out of balance in fiscal policy, and that is going to be over $1 trillion this year.

Then add to that a trade problem of $700-plus billion a year, consuming 3 percent more than you produce every year—year after year after year—and then energy prices on a roller coaster. Oil runs way up to $147 a barrel in day trading, just like that, and then collapses right back down, and now goes back up because of the circumstances in the Middle East between Israel and the Palestinians. Then health care is busting everybody's budget—the family budget, the business budget, the Government budget. All of those together is an almost perfect storm.

So the question is, What do we do about all that because this economy is a mess? It is in very serious trouble, and the one thing that unites me and the smartest economist or the most prescient business mind in this country is that neither of us have ever been here before. We are walking in woods that have no maps. We do not know. None of us know exactly how you are going to move people out of this situation, how you move this country. I taught economics in college ever so briefly but I do know this: This is not about charts and bar graphs, and it is not about supply demand curves. It is all about confidence. Will we see the restoration of confidence? Because if people are confident about the future, they do things that manifest that confidence. If they are confident about themselves and their jobs, they buy a suit, they buy a car, buy a home, take a trip; they do the things that expand America's economy. If they are not confident, they do exactly the opposite. They defer the purchase. They decide not to take the trip, not to buy the car. That is the contractional side of the business cycle, but this is much more than a business cycle. Still, confidence is at the root of our opportunity to put this country back on track.

I have great hope for this country, but I wish to say this again. I have described some of the unbelievable circumstances of the carnival of greed that has led us into this economic trap, and if we don't address both sides of this issue—first, to try to jump start this engine of ours and rewire it at the same time—but if we don't at the same time, then, make those in this kind of financial industry accountable for past actions and for future actions, we will not in any way give the American people confidence about the future.

So the question of what do you do in addition to a recovery package or stimulus program—which I will speak about in a moment—the question of what you do in addition to that leads me to the discussion I had with my colleagues last evening. I said we must revisit unbelievably bad decisions and judgments that have been made in the last 10 and 15 years. For example, in 1999, the Financial Modernization Act was passed by this Congress; financial modernization to help create the large financial holding companies, to take away the Glass-Steagall Act—abolish the very act that was put together following the Great Depression that said: You have to separate banking interests from risk interests. You have to separate securities and you have to separate real estate. That was Glass-Steagall. You have to keep them separate. In 1999, this Congress, in legislation called Gramm-Leach-Bliley, after Senator Phil Gramm from Texas, said: You know what. We have to do something that modernizes our financial system. We have to get rid of Glass-Steagall. We have to create big bank holding companies. We have to allow that to be the case, and we have to allow banks to merge with real estate, with insurance, with securities.

Now, I was one of eight Senators to vote no. On the floor of the Senate, here is what I said in 1999: This bill will, in my judgment, raise the likelihood of future massive taxpayer bailouts.

I regret I was right.

It will fuel consolidation and mergers in the banking and financial services and it will be done at the expense of the American people.

I said at the same time in that debate: I say to people who own banks—talking about the folks who pushed this—and, by the way, this was pushed because one large bank wanted to merge with one large insurance company and they couldn't do it because the law wouldn't allow it. What is the response? We will go get the law changed. It wasn't just this Congress; it was President Clinton and his advisers—some of whom, by the way, are going to work in this new administration. They said all of this is good. We are going to modernize the system. I thought it was nuts. Three years before this, I had written a cover story for the Washington Monthly Magazine, talking about derivatives and what I had previously described as securities sold upstream by the big mortgage companies, and the title of my cover story, in 1994, I believe it was, in Washington Monthly Magazine: ''Very Risky Business.'' From that time, I have introduced five pieces of legislation to require the regulation of derivatives and to prohibit banks from trading on derivatives on their own proprietary accounts but to no avail because there were too many people who believed we need to modernize the system—meaning, they said, take away the restrictions that were put in place after the Great Depression. Take away the restrictions that prohibited banks from engaging with real estate and securities and other things that were risky. Well, they succeeded. I failed in stopping it. The fact is, it is what set up this unbelievable, spectacular financial collapse in this country. The question is: Now what?

I am going to introduce some legislation today, and I wish to talk about, specifically, the requirements of the legislation. I am not willing—as I was not willing last fall on the $700 billion proposal—I am not willing to advance assistance proposals unless the American people are protected. I am going to introduce the Taxpayer Protection Act that does four things that are tough, certain, and require accountability. I don't know whether there is the support or the stomach to pass this kind of legislation, but I will not be advancing support for additional taxpayers' money until and unless we have some assurance that these things are done. First of all, establishing a Financial Market Investigation and Reform Commission.

Back at the end of the Roaring Twenties, which, by the way, the history books will certainly compare the era of the Roaring Twenties with the Gay Nineties and the unbelievable excess and greed—but at the end of the twenties and early thirties, the Congress put together a committee that investigated and subpoenaed and brought people here to find out what happened, who did it, how did it happen, and what do we do to stop it from ever happening again. That needs to be done again. There ought to be a select committee of the Congress doing that right now, and I hope we will do that. Some will say: Well, we have existing authorizing committees in the Congress that can do that. The fact is they are not going to do it. They have never done it and will not do it. If we don't put together those kinds of committees or commissions here and now and issue subpoenas and discover what happened, we will not know how to prevent it from happening again. We need to establish that reform commission to investigate and then propose reforms. That is the rewiring portion of what I described.

Second: I want all emergency economic assistance programs, including the troubled asset relief program—the $700 billion that I didn't vote for, but others did—to have oversight, accountability, and transparency. That needs to be required for all of that. There is no oversight for $7.8 trillion in emergency economic assistance at this point that has been issued by the Federal Reserve Board. No oversight at all. None. The same requirements in the TARP program ought to be applied to every other bailout by the Fed or by the Treasury or others providing similar help.

Third: we should make conditions imposed on one company receiving emergency economic aid applicable to all companies, and that is limits on executive compensation, prohibiting bonuses and golden parachutes, and payment of dividends and private aircraft ownership, and more. We should require those private entities receiving the emergency economic assistance to be subject to audit, provide detailed monthly reports, tell us: What did you do with that money? Is that money advancing the economic interests of this country to put this country back on track?

Finally, we should create a Taxpayer Protection Prosecution Task Force to investigate and prosecute financial fraud cases and other violations of laws that contributed to the collapse of this country's economy.

It is unbelievable to me that a couple things conspired at the same time. One, Congress passes the Financial Modernization Act, which was a complete disaster for this country. Two years later, President Bush came to town and hired a bunch of folks who were supposed to be regulators who, actually, in some cases, boasted: We don't intend to regulate. We want to be willfully blind. That combination has injured this country in a very significant way.

Our country's financial markets—the Wall Street Journal said in an article by Arthur Levitt on October 23—are in their darkest hours in 76 years. We are in this situation because of an adherence to a deregulatory approach. Our regulatory system failed.

I know there are people I serve with who think regulation is a four-letter word. It is essential. The free market must, in certain areas, have proper regulatory authority.

Alan Greenspan, who bears a significant part of this responsibility as then chairman of the Fed, here is what he says now: I made a mistake in presuming that the self-interests of organizations—specifically banks and others—were best capable of protecting their own shareholders and their equity. What he was saying, if I translate this to English, he was saying: I believed in self-regulation, or I believed in no one regulating because they will self-regulate.

I come from a small town and a small school. I graduated in a high school class of nine. That wouldn't pass a laugh test in second grade. Just let them all go and they will do what is in the country's best interests? That is unbelievable to me.

So we have a lot of work to do. The banking system after 1999 evolved so that we had a lot of banks that were considered too big to fail, but they weren't big enough to regulate, apparently. Too big to fail, which means that if they get in trouble, we are the ones who are going to pick up the costs. We bear the burden. We will be responsible. But they are not big enough to regulate, so they get the best of all worlds. They get taxpayer protection with no requirements, no accountability. This is just a few of them.

Let me make an aside. Even as I have described on the floor of the Senate in the past, some of the same firms that, by the way, require bailouts are firms that have been so irresponsible in other areas. Yes, I am upset about the way these mortgages were put out. I am upset about the greed and the avarice and all the money people were making; one guy making $20 million a year and his buddy making $30 million a year, running one of the biggest investment banks into the ground, by the way. One of the biggest bailouts has been of one of the biggest investment banks. To my knowledge, nobody lost their jobs, nobody parked their airplanes.

Wachovia Bank. Wachovia Bank went sour, so they had to be purchased, but it wasn't just because they were involved in toxic assets. Wachovia Bank—it is a culture apparently here. They had bought a German sewer system. You might ask the question: Why would an American bank buy the sewer system of a German city? Because they like sewers? Because they have a sewer department in the bank? Because they have special knowledge of sewers? No. They bought a German city's sewer system and leased it right back to the city because you are not going to dig up the sewer pipes of a German city, right? Why would you want to own it in a German city? Because you can lease it right back. It is a big scam because you can reduce your U.S. tax bill to the U.S. Government by hundreds of million of dollars.

I shouldn't pick on Wachovia because there are plenty of others who did it. This happens to be a convenient case. A big old bank buying a sewer system of a German city so they can avoid paying U.S. taxes. By the way, the same company got in trouble with bad assets; part of the whole scam in terms of what happened with the scandal of the subprime system that steered this country into the ditch.

Now, let me say that this issue of President-elect Obama proposing to us a stimulus program or economic recovery program is a very important issue for us to consider. I am a chairman of one of the subcommittees on appropriations. We are working on my portion of this effort to find out what could we invest in, in what some call ''shovel ready jobs'' that will put people to work immediately. There are water programs, highways, bridges, schools, things we can do that will put people to work and do it immediately, put people back on payrolls. At the end of that expenditure, you have better schools, better roads, better bridges, and water projects that will enhance life. So those are the right things to do. But we all know there are plenty of people who have proposals that have nothing to do with putting people back to work. I am very concerned about that.

I am also concerned about the tax side of this. We are talking about 40 percent of this proposal representing the tax side. I think there are some things we can do in the tax system to encourage investment which encourages employment. Here are some of the proposals I have made: $250,000 expensing for small business equipment so we encourage the decisions to make or buy or build equipment right now. That puts people to work. So there are some things on the tax side that I think make some sense, but I worry about 40 percent on the tax cut side. No one is going to have a problem saying: Yes, give us a tax cut. Everybody likes that.

But the proposition on the expenditure side, a whole lot of folks are coming in with projects that have nothing to do with creating jobs. I don't want to be part of that. Money is going to be borrowed in any event. We need to get this right. I am willing to participate, and I am willing to support the kinds of investments that will put people back to work and create an asset for our country—better roads, better bridges, better schools, water projects that we need for the future. I am willing to do all that if it puts people back to work. But we ought to be looking

with a laser at what is it that will put people on payrolls to try to jump-start the economy.

Even if we do that, if we don't rewire this system and do the financial reform I described in the legislation I am introducing today, we are not going to succeed because the people will not be confident about the future.

We have to fix what has helped cause this scandal, and that includes fixing a trade system where we consume 3 percent more per year than we produce, fixing a trade system where we have $700 billion a year trade deficit, fixing a fiscal policy budget situation that is way out of balance. We have to do all those things.

I would not be able to come to work in the morning if I were not hopeful. I still have great hope for this country. I am an optimist. Yes, I want to look back and hold people accountable. I want subpoenas, and I want to prosecute wrongdoing. I want to do all those things with respect to this financial scandal. I think it is big. I think a whole lot of folks took the $30 million, and they are at home and they are wiping their tears with American currency while a lot of other people have lost their homes and their jobs. I want us to investigate. I want accountability looking back, and I want accountability going forward. All of that is very important to me. But I do want to say this: I am somebody inspired by the ability of this country to recover and to ask the American people to be a part of something bigger than themselves and to come together and do things that will pull up this country, lift this country.

The other day, I was reading a news report of a guy, and I was so inspired by it. It is so typically American of somebody out there—way out there thinking: I can do this. I read about a guy named Ken Mink. I don't know Ken Mink from a cord of wood.

Ken Mink comes into the house one night and says to his wife: Honey, it is back.

She said: What is back?

He is 73 years old.

Honey it is back.

What is back?

My shot.

He had been out shooting baskets in the backyard.

My shot—I am shooting baskets. I am not missing any.

He had been a college basketball player, and because of a prank, he got kicked out of college. At the age of 73, he is shooting baskets in his backyard and says: Honey, it is back.

So he sat down and wrote applications to college. A junior college said: Yes, we will give you a shot; you can come to school here and try out for the basketball team. At the age of 73, Ken Mink played basketball with a junior college team just a month ago and made two free throws. He was the oldest man, I think, by 42 years to ever score a point in a college basketball game. Isn't that wonderful? It is so inspiring that people don't know what they can't do.

As an aside, my Uncle Harold is 88 years old, and he is training for the Senior Olympics because he qualified to go to San Francisco to run in the 100-meter dash. He runs it in under 19 seconds, by the way, at age 88. My aunt thinks he had a stroke, she thinks he has gone crazy because he runs all over the country running races. My uncle is 88 and can run faster than most people his age and has 100 medals. I am inspired by my Uncle Harold and by Ken Mink, and I am inspired by people who don't know what they can't do.

I hope in the coming days when we talk about all the ingredients of all the issues, the proposals that are complicated and difficult, I hope all of us will understand, if we ask the American people to be a part of something bigger than themselves, to help this country recover and put this country back on track. You go back over two centuries of history, and there is not much this country cannot do. There is just not much America cannot do. This is a country that rolls up its sleeves and has great hope for the future.

I know my colleague from Oklahoma is here to speak. I appreciate his forbearance. I will be back Monday to talk some more about these issues.

There is no social program in this country as important as a good job that pays well. The reason I say that is the root of giving people hope about the future is to have opportunities for the American people to find a good-paying job, keep a job that has some benefits, to give them an opportunity to take care of their families. That is where we start.

I hope in the coming days, as we discuss and work on these issues, we will have the opportunity to call on what is the best in this country rather than the worst and come together and do what we can to restore to America the kinds of opportunities we have always felt will exist for our children.

I yield the floor.

The PRESIDING OFFICER (Mr. WEBB). The Senator from Oklahoma.

Mr. COBURN. Mr. President, I ask unanimous consent to speak in morning business, the time I might consume not to exceed 1 hour.

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

Mr. COBURN. Mr. President, let me give some praise to my chairman of one of my committees. He hit right on the nose. Confidence is what the American people need to see. We have great resources in this country, and I am not talking materially. The resource we have that is the most bountiful and most productive and strongest and made of steel is the American people. When we get together, united as a nation, there is not anything we cannot accomplish.

I appreciate his words very much. I also appreciate some of his wisdom and foresight we heard today. I am hopeful that in the months and years to come, we can continue to work and we can draw on that American spirit which he so directly outlined, which is what makes us unique and allows us to come from behind and accomplish the things in front of us. I thank him for his words.

I wish to spend a few minutes—we are going to have several votes between now and next week over the Bingaman lands bill. I thought we ought to spend some time today to do that since I know we won't want to come in early on Sunday. I wish to talk about procedure for a moment so we can understand.

We are going to be here on Sunday not because we have to but because the majority leader has decided that we will. There are other things we can be accomplishing. And goodness knows, the problems in front of this country require extra effort on our part. We are going to have a $10 billion to $12 billion bill in front of us again that will have no amendments available to it and very limited discussion. As a matter of fact, I think I am the only one who has discussed anything on this bill thus far, and we probably will not see a lot of discussion.

There are a lot of issues we need to address, and my colleague, Senator DORGAN, just outlined the most important of them; that is, confidence, how do we reestablish confidence in this country. It is my position that we are not going to reestablish confidence in the country until we reestablish confidence in this institution.

Since July 16, the Republicans have had one amendment allowed on the floor of the Senate. In the last 6 months, one amendment—that was September 10. In 6 months of legislation, we have had one amendment allowed to the minority side to express the views for greater than 50 percent of the American people.

If the Senate is about anything, it is about the ability to debate and amend the interests of the American people. What we have seen over the past 6 months is that the rights of Americans have been taken away in terms of discussion, debate, and amendment of the very large issues that are in front of us.

My position on this bill—which the American people should know is a hodgepodge of a ton of bills; it is not just all lands bills—is about priority. It is about reestablishing confidence. It is about doing the most important things that are of the highest priority for our country and not doing the things that are of the lowest priority even though it may make us look extremely good back home.

Some will contend this is just an authorization bill, that it doesn't spend any money whatsoever, that it will have to be appropriated. I remind them there is mandatory spending in this bill, so there is actual spending involved.

Also—and I won't do this, but I am prepared to do so if I need to—I will

offer into the RECORD the press releases of everybody talking about all the money that is going to be spent because of this bill. You cannot be on the Senate floor saying this does not spend any money and at the same time send a press release out telling your constituency that you just passed a bill that will spend money that will do something because you are actually creating a false expectation if you don't expect to appropriate the money.

So let's be clear about why we cannot afford to pass this bill. It has to do with a whole lot of things. One is we cannot continue to operate the Senate where there are no amendments for the minority because what it does is it cuts off the voice of over half the American public, by populations that are represented by the minority. But there are other greater reasons.

We have a $10.6 trillion debt at this point. We are going to have a $1.8 trillion deficit next year. That is $1.2 trillion as a minimum estimate by CBO, which does not include the $160 billion we will steal from Social Security and will not include half of the money that is coming in a stimulus package. If you take 300 million Americans and divide them by $1.8 trillion, what you get is $6,000 per man, woman, and child that we are going to run in the red next year, real dollars, real loss in the future, and we are going to have to pay that back sometime. The people in this room, the Members of the Senate are not ever going to be attached the cost of the price to pay that back.

Last year, we paid $230 billion in interest alone. That is about $900 per man, woman, and child in this country—$860, actually—that we are paying in interest, which is going to double over the next 4 years. So not only are we going to run a $6,000 deficit, we are going to run another $800 in interest costs that are going to take away the potential of families across this country who are struggling, and that is what we are going to put into their future.

So when my colleague talks about confidence, what I want the American people to see is us working on the real problems that are at hand, not problems that are not real or are not a priority.

We offered several amendments. We were told we were getting no amendments to this bill. I am going to spend some time going through those amendments because I think a lot of them make sense. I am also going to spend the majority of my time talking about the main reason I oppose this bill.

If you will recall, back in the summer we were paying $4 for gasoline. We saw oil at $146 a barrel, which is now around $40. And the assumption of this bill is we will never see high oil and gas prices again. The very time to be fixing our future energy needs is now, not when there is a crisis again.

What this bill does is essentially take 1.3 trillion barrels of oil in this country and say: You can never touch it. That is 1.3 trillion barrels that we will never, ever—regardless of our technology, regardless of whether we can do it totally without any impact whatsoever on the environment, we will never be able to touch it under the auspices of this bill. It takes 9.3 trillion cubic feet of known natural gas that is in proven reserves right now, enough to fuel this country for 2½ years, and it says: You cannot touch that; you can never touch it. And then another couple hundred trillion cubic feet that are known to exist, with the technology that is here today.

Why would we do that? We just went through a big problem, and because we are in an economic cycle, we are seeing the only benefit of that is lower energy costs. Yet through this bill, we are going to tie the hands of our children for available energy.

This is not about whether you believe in global warming or CO_2 as an anthropogenic gas because even if I agreed with that 100 percent, and everybody would agree with it, we are going to take 20 years to transition away from hydrocarbons. Every dollar we send out of this country for the purchase of energy is part of that $700 billion my colleague, Senator DORGAN, just noted as one of our big structural financial problems. So why would we pass a bill that is going to eliminate our ability to achieve some greater level of energy independence?

Another area of why I oppose this bill: property rights are—should be—pristine in this country, and this bill adds 15 new heritage areas, and the Federal Park Service will then fund those who are against the development of the land around it or in it, against the homeowners, the landowners who are actually part of it, through zoning. Even though several of the individual bills in this bill put a prohibition on eminent domain, the vast majority of the bill has no prohibition on eminent domain.

One of the rights fought for, one of the foundational principles of this country, is property, the right to have and hold property and be free, as long as you are not endangering somebody else with that property. Yet we are going to step all over that with this bill. Five separate property rights groups who recognize this is a protected guarantee under the Constitution have come out supporting the defeat of this bill because it tramples on property rights.

Finally, one of the reasons I am opposing the bill is the fiscal nature of what it does. It sets in motion $12 billion ad infinitum over the next 5 years—year by year by year by year—that we are going to spend, and it is going to go into the mix of priorities that are not a priority. Now, there are some things in this bill, I will admit, 20 or 30 items, that should go through here. But the vast majority of the bills in this mega bill are not a priority for this country. They are not a priority whatsoever right now considering the condition in which we find ourselves. So as we contemplate this bill, I believe it demonstrates that we are more interested in looking good at home than fixing the real problems that are facing the country.

So let me for a moment summarize the bill and highlight some of the things that are in it, and then ask the American people to answer this question: Should we add four new National Parks at a time when we have a $9 billion backlog in maintaining the parks we have today? We can't even take care of the parks we have today. We have 10 million gallons of raw sewage in Yellowstone, in the Grand Tetons, which seeped out because we didn't maintain the pipelines. We have a $700 million backlog on The National Mall; in Lake Mead, NV, a $258 million backlog.

We are not addressing any of the backlogs whatsoever. Yet we are creating greater responsibilities for the National Park Service and the resources they have today. In a declining discretionary budget, because of the fiscal nature in which we find ourselves, we are going to make worse and worse this situation. We are going to create 10 new heritage areas and study 15 others.

Now, remember what happens when we create a new heritage area. We create the inability to ever extract minerals, oil, gas, timber, and other resources. We are saying: Off limits and, by the way, if you like to enjoy the outdoors—maybe you want to go hunting or maybe you want to ride a three-wheeler or four-wheeler or a motorcycle—that may not be available to you. It may be limited.

There are 19 separate provisions in this bill that directly withdraw Federal land from mineral leases, such as oil and gas and geothermal. Nineteen specific. That doesn't have anything to do with the undergirding statutes in terms of the National Park Service, the Bureau of Land Management, and heritage areas that will eliminate the opportunity for exploration of energy and make us more energy independent.

There are 130-plus bills in this legislation, 1,300 pages, that was introduced two nights ago. I will tell you, other than my staff and probably the committee staff, nobody in this body has looked at it—1,300 pages. It is going to get passed out through the body next week, and the vast majority of the Senators and their staffs will have never taken a look at it, at a time when we should be about building confidence not undermining it.

We have 1.2 million acres in one small area of Wyoming that in the 1960s, 1970s, and 1980s contained the greatest and largest and most powerful pressurized source of natural gas the country had ever seen. As a matter of fact, we didn't have the technology to handle it, so we capped it. It eliminates any additional leasing. It sets it up so those people who have a lease will have a lawsuit filed against them. It will never be developed. It will never be developed because the cost of fighting the

lawsuits will be greater than the benefit of developing the natural gas. The companies that developed that came from Oklahoma. We now have the technology to handle that. It is a proven reserve.

We have 92 new scenic rivers in this bill. Now, I am all for scenic rivers, but we should understand the consequences of a scenic river designation. What does it mean? There will be no power lines across it, there will be no transmission lines, there will be no natural gas pipelines, water pipelines, or slurry lines that can cross a scenic river. What we know, with our desire to use alternative energy, especially in terms of the Southwest for solar and in my part of the country on up through the wind corridor, is that we are going to have to develop transmission lines, probably up to 40,000 miles of transmission lines, and we are going to double the cost of developing those lines because we would not be able to cross a scenic river. There is a prohibition in this bill.

We will eliminate the ability to take the natural gas that is available in abundance in Alaska today, in proven known quantities, and the pipeline that is scheduled to come down to the greater 48 will be tripped up by these designations. Again, another way to shoot ourselves in the foot when energy independence ought to be part of our goal.

The people who want to do the things in these bills are highly motivated for good reasons, but the judgment is suspect at the time in which we find ourselves. We find ourselves dependent on energy and in a financial mess. Yet we are going to make both of those problems worse with this bill.

Today, in this country, we have 108 million acres of developed land. Now, that is cities, that is manufacturing sites, that is towns, and that is highways. That is all of it. We have 109 million acres right now of wilderness designation already, which is twice what was ever thought about being accomplished when the wilderness designation was first started in the 1950s and early 1960s. Then the Government owns another 656 million acres of land. So we are not only robbing the future from our children because we have been fiscally irresponsible, we are robbing their future potential to make decisions about independence and freedom in the future because we are going to be totally indebted in the 20 years that we transition from a carbon-based economy to a noncarbon-based economy. We are going to make that extremely painful, much more difficult, and extremely more expensive.

Let me talk about why the National Park Service is overburdened for a minute and the things we ought to be doing. We have in Hawaii the USS Arizona Memorial. Now, 1,117 Americans died on that ship. The visitors' center—and if you have ever been there, you go out on a boat to the visitors' center—is sinking. The maintenance backlog is about $33 million. What are we going to do? What should we be doing? Creating these new ones or should we take care of the memorial for the USS *Arizona*? Which one is a priority? Should we maintain what we have or should we do something and say we did it through a press release, even though we are probably not going to have the money to do much of this, and create a false sense of expectation with the American people?

The Gettysburg National Battlefield has a $29 million backlog; the Statue of Liberty Park, a $197 million backlog right now. Remember when Lee Iacocca helped to raise funds for the Statue of Liberty in 1976, and we did all that. That is the last time we have done any regular maintenance. So we have let it fall down. We haven't been responsible. We haven't put the money there. As a matter of fact, today President-elect Obama, in a press conference, asked for ideas as to how to spend money that will actually create jobs and create an investment. Well, I can tell you how I would spend the money. Let's fix up our parks, let's fix up The Mall, let's take care of the $29 million backlog we have on some of the greatest treasures we have in this country before we add to the maintenance headaches of the National Park Service by creating new National Parks. That is a way we could actually create some jobs and invest our money; things we are going to have to invest in someday anyway.

The Grand Canyon National Park has a $299 million backlog. These aren't my numbers, these are National Park Service numbers. And there is the National Mall, as I talked about earlier.

What is in this bill that doesn't make sense just from a commonsense standpoint, maybe something we should do at the right time? How about spending $5 million to compensate ranchers for losses from gray wolves that we reintroduced into the wild? We put them back in there, and now we are going to pay ranchers for the cattle they lost to them. We repopulated a species that is now overgrowing its habitat and coming onto private lands, and our answer to that is, well, we will just pay the losses.

Do we have the money to waste $5 million paying for cattle losses from wild wolves? We might at some point in time. I hardly think we have the money to do that right now. The ranchers aren't going broke. There is no question it is an irritation and a cost to them, but I am not sure the Federal Government ought to be responsible for the cost.

What about the coyotes in Oklahoma that kill our sheep and our chickens? Should we compensate the chicken farmers and the sheep farmers for the coyotes that kill their livestock?

How about $1 billion and counting on the San Joaqin River project to make sure we restore 500 salmon? You heard me right—$1 billion is going to be spent over the next 10 years, and then money after that, to make sure we restore at least 500 salmon. How does that fit with our priorities? It may be something that we ultimately ought to do. How is it that we should do that now? Why should we even be thinking about doing that? How does that fit with any air of common sense?

How about building a road to 800 residents, after we provided a hovercraft to get there? One hundred environmental groups are against building this road through a very pristine area. We do have access another way. Yet we are going to do that, and we are going to spend $2 million per mile over 17 miles, building a one-lane road that many times is not going to be accessible in the winter, through some of the greatest pristine areas that we have. Therefore, 100 environmental groups are adamantly opposed to including this in this bill. You can understand why they think that might not make sense for protecting such pristine land.

This is my favorite: $3.5 million to the city of St. Augustine, FL, to plan—just to plan—for a birthday party 16 years from now for the 450th birthday of St. Augustine, FL. Does that restore confidence in the Senate, that we would say we are going to spend $3.5 million on a city that has been having a birthday party every year? Yet we are going to put another $3.5 million into the kitty to plan for a big one? There is no doubt we should recognize the historic significance of the longest lived settlement in this country at 450 years. But the question is, in today's economic climate, is that something we should be doing? Who out there without a job today would agree that we should do such a thing?

How about spending a quarter of a million dollars to go down to the Virgin Islands to study whether Alexander Hamilton's old home down there ought to be made into a park? Is that a priority now? What would a quarter of a million dollars do for somebody who is unemployed right now? How many mortgages would it get people out from behind who are in arrears? How many people would not default if we could leverage $250,000 to them? We have our priorities messed up.

The reason there is a lack of confidence in the Congress, with an approval rating of 9 percent, is because it is deserved.

There is also $12 million for us to build a new greenhouse for orchids for the Arboretum. We may need to do that. There is no question we should preserve the things that mark our heritage. But is now the time to build a new greenhouse in Maryland to grow orchids? Is it the time? What can we do with that $12 million? Who could we help with that $12 million? Could we use it in a better, more efficient way so that the American people would benefit? If we are going to spend $12 million, couldn't we spend it in a better way?

My State has Route 66 all through it. We have all these tourism things that are in this bill. Now is not the time for

us to be working with grants to promote Route 66 in Oklahoma. Now is the time to be putting that money to work on something that is going to create a job or save a foreclosure or absolutely make a difference in somebody's life, not an aesthetic benefit of the past. We need to start thinking about the benefits of the future.

I talked about the Wyoming range. It will be disputed by the Wyoming Senators, but the fact that the Bureau of Land Management used the latest geologic data and their study uses one that is 2 years old and makes the assumption that all land in Wyoming is the same would refute some of my statistics. But all of the geological engineers in this country and all the oil and gas exploration would remind us of the tremendous loss we are going to achieve by cordoning all that off and not making it available.

I talked about the wilderness designations. I am not against, necessarily, new wilderness designations as long as we limit their impact on property rights. But we do not. As a matter of fact, they directly impact property rights. They directly limit individual property rights. So as we add wilderness areas and zoning requirements within them, we take away the right of the landowner because we fund a specialized group through the National Park Service to change the property rights to the disadvantage of the property owner. People who have no ownership in it will decide what the property's zoning rules will be because they will be funded by the Federal Government. If you are opposed to that, you are disadvantaged because the Government is going to send dollars to your opponent, so we attack property rights at the very basic level. Not only do we challenge them, we take your own money and support your opponent on what you can and cannot do with your own property.

I love scenic rivers. We have the Illinois River in Oklahoma. It is a beautiful, pristine river. It has had some tributary problems, but we actively worked and cleaned it up and it is markedly improving every day. It is a real pleasure.

Should every river in America be a scenic river? And, if it is, how are we going to cross them with utility lines, power transmission lines, natural gas lines, coal slurry lines, bridges, roads? How are we going to do that? We can't. Yet the goal of some is to make everything, every river, a scenic river. Now is not the time for us to do that because it will limit our ability to achieve greater energy independence.

Those are not just threats. A 2001 lawsuit was filed against the U.S. Forest Service for failure to protect wild and scenic rivers in Arizona because a transmission line was coming across a 30-yard segment of it. Guess what happened. We didn't build the transmission line, so power was not made available.

As we think about wind energy and solar energy, especially in the Southwest in the wind corridor, it will do us no good to put windmills out there if we do not have a way to send that energy somewhere else. Yet with this bill there are multiple instances, over 50 instances, where we are going to block our ability to send transmitted power to other areas of the country.

In 2002, on scenic rivers, the lawsuit was won that said within the collection territory of the Los Padres National Forest in California we will not ever permit oil, gas, or mineral development within the river corridor. What happens if we can drill from outside? What if we can send a line 20 miles from the outside? What we are doing is we are saying no matter what the technology you ever develop, no matter how you ever attempt to make us energy independent, it is never going to be OK; we are never going to allow it.

If you look at what this bill does in terms of geothermal—this is the potential geothermal source of energy. It is clean, renewable in this country. We markedly go after some of the most potent areas of geothermal availability in this bill. We say you can't use them. We can use geothermal—clean, alternative energy. But because we want to look good, because we want to say we did something, we changed that.

Just so we might all be informed about how much land the Government actually owns, as you can see in the Western States, in Alaska, the vast majority of the land is owned by the Government. But that is not nearly as significant as what is happening with this bill because large portions of what is not owned by the Government now is very difficult to develop because when we try to get a permit for extraction of minerals, geothermal, gas, coal, or oil, it is hit with lawsuit after lawsuit.

Now, in addition to these high percentages, nearly 50 percent, we are adding all these other things on top of it, the vast majority of which are moving to the west. It makes no common sense, no matter whether you are an avid global warming enthusiast or you are an energy explorer, if we want to stay warm in the winter, it doesn't make sense to anybody.

Mr. President, 29 percent of all the land in this country is owned by the Federal Government. We are markedly increasing that by 2.2 million acres in this bill. We are going to threaten property rights. We are going to use eminent domain. We are going to use very sophisticated and poised sleight-of-hand zoning requirements to change land that is not owned by the Federal Government—to change the ability of the owner of that land to use that land if we pass this bill.

There are about 40 of the bills in this bill that we don't have any problem with. They make sense; they don't cost a lot of money; they accomplish some of the things that are a priority. Let me spend a minute, if I might, just talking about the amendments we were going to offer had we had the ability to offer them. I note again, since July 16 the minority has had the opportunity to offer one amendment in this body, one amendment. In the greatest deliberative body in the world, the minority has had the opportunity to offer one amendment.

One amendment we wanted to offer that I thought made sense: ''No funds can be made available . . . to establish a new unit of the National Park System or National Wilderness Preservation System, a new National Heritage Area . . . new Wild and Scenic Rivers, new wilderness areas . . . until the Secretary of the Interior certifies that the maintenance backlog at the Statue of Liberty National Monument, Grand Canyon National Park, Yellowstone National Park, Glacier National Park, Gettysburg National Park, Antietam National Battlefield, the National Mall'' in Washington, are up to date.

Why wouldn't we want to take care of what we have now before we add to it?

The Grand Canyon cannot even keep its trails open right now, or employees, due to lack of funding. There are 10 million gallons of raw sewage in Yellowstone. The Pearl Harbor USS Arizona Memorial is sinking. The manager of the Glacier National Park declared his park bankrupt—the manager. His words: ''We are bankrupt.''

At Gettysburg the number of employees has gone down. Their ability to maintain that significant monument to the history of us coming back together through war, through the results of ending that war and the tremendous number of lives that were lost on that day, General Pickett's charge—the fact is, we are ignoring them. According to some, the National Mall has now become a national disgrace because it is not maintained. We are going to see some of the great difficulties with that when we swear in our next President, with the tremendous burden being placed on it.

ELEANOR HOLMES NORTON, the delegate from DC, said we should be ashamed of what the average Mall visitor sees. It is not a priority. We made it politically expedient. We made looking good at home a priority. We have not taken care of our national treasures.

The second amendment we offered, having been through this crush of energy price escalation, what we did was to prohibit new restrictions on American exploration and production—new restrictions; have not changed any of the old ones; we just said: Let's not put any more roadblocks in the way right now until we have a cogent energy policy that does not put us at the mercy of the nations that would like to see us destroyed. That is all we said: Let's not hurt ourselves any worse.

But let me show you what occurs in this bill 19 times. Here is what it says:

Subject to valid existing rights, all Federal land within this proposed area is withdrawn from all forms of entry, appropriation or disposal under the public land laws (in other words, we can never sell it) location, entry

and patent under the mining laws, or disposition under all laws relating to mineral or geothermal leasing.

It says that 19 times. What we have done is we have completely excluded any ability to get any energy. The ability for us to solve our energy problems over the next 20 years is being tremendously hampered by this bill. That does not include the 2.2 million acres that are added to the wilderness area.

Amendment 3 to strike the Wyoming Range leasing withdrawal provision—if we can extract natural gas and oil and do it in a totally clean, environmentally friendly way and we know we have 300 million barrels of oil and 8.8 trillion cubic feet, probably closer to 15 trillion cubic feet of proven reserves now, why would we take that away? Why would we do that? Tell me how it makes sense to tell OPEC: Keep doing what you have been doing through the years because we know we have some oil, but we are never going to touch it. In the fields around this Wyoming Range, we know there are another 30 trillion cubic feet of natural gas.

Locking the resources away is not a partisan issue. My colleague from Louisiana, Senator LANDRIEU, claims this bill is moving us backward, not forward.

Amendment 4 was to strike the $1 billion and counting for 500 salmon.

Amendment 5 was to not spend $3.5 million on a birthday party for St. Augustine, FL, even though it is not directed at—Florida beat Oklahoma last night. It is kind of hard for me to offer that today thinking that is just revenge, but I wrote this long before we lost that game.

Cut the $200,000 for a tropical botanical garden in Hawaii. Should we be spending $200,000 on a tropical botanical garden right now? I mean, does it make sense to anybody in America, when we are going to have a $1.8 trillion deficit, that we just throw $200,000 out there for a botanical garden? Is that a priority? I am not suggesting that we abandon everything, but what I am suggesting is that we ought to be about priorities, and I cannot see that as a priority at this time.

How about a cave institute in New Mexico to receive unlimited Federal funding, an authorization that puts no limits on this funding. What happened is this used to be a Federal program, but it could not take private money. So they took it and made it to where it was a private program, hoping to get matching money from Federal grants. Well, they were not successful in getting matching money for Federal grants, so now we are going back and saying it is going to be a Federal program and it gets all the Federal money it wants. Is it a priority for us to have a cave institute right now? I do not think it is a priority.

An amendment to limit Federal employees from using eminent domain to take away the private property rights of American citizens. We either have a right or we do not. But the more we take away property rights, it is not going to be long before we lose other rights. Simple, straightforward amendment, vote it up or down, but at least let the American people see where you stand on property rights for them.

How about an amendment, very straightforward—the Federal Government does not know what it has and what it does not have. How about an annual report detailing the amount of Federal property the Federal Government owns and the cost of Government land ownership to taxpayers. As an aside, we do know the Federal Government is currently holding about $20 billion worth of property that is costing them about $4 billion a year to maintain that they do not want but we can't sell. And last year, property disposal legislation failed to go through this body, even though it costs us $4 billion a year. Common sense.

How about to make sure we can always have a hunting preserve in this country, to limit the restriction on hunting activities as far as the land use on Federal lands with reason, control. We have lots of Federal lands that are overpopulated with species that need to be thinned. Yet we limit the ability of sportsmen to address that.

There were several others. We do not expect to get all of those amendments or the rights for those. As a matter of fact, if the record is right, if you look at what the last 6 months have been, the minority will get one amendment over the next 6 months. We represent over half the population of this country in the greatest deliberative body in the world.

So how are we to rebuild confidence in this country? Is it by packaging 134 bills together and ramming them through because everybody has something in it? Even though some of them may be very much a priority, the rest of them do not have and do not pass the priority test. Is that what we are about? Is that going to build confidence in this country? Is that going to restore the American people's confidence that we are up to the task of attending to the very real and practical, severe needs of this country at this time? Is this something President-elect Obama would say: This is the first thing I want you to pass out of the Senate in terms of a priority. It would not even pass his smell test.

My hope is that we go forward, but that as we go forward, we do it in a way that the American people would like to see us do. The goal is not to delay, the goal is to make the point that we ought to have an option to amend and debate bills. These bills got here because they were trying to be passed without any debate, with no amendment, passed by a procedure called unanimous consent.

It is important that the American people know what that is. Unanimous consent is where a bill comes to both cloakrooms, whether it has gone through committee or not, and it is said, can we pass this bill? Well, the problem is, I read the bills and I put a test on them: Are they a priority? Are they a necessity? Are they something that lessens our debt? Are they within the role that has been granted to us under the enumerated powers of the Constitution as something we ought to be doing? If they are not, I am not trying to stop the bill; all I am saying is, bring it to the floor and let's have some debate and amendments on it. And what we have seen is that there is something wrong if you won't, in the dark of night, let bills go through that the American people never hear anything about. Well, the American people need to hear about it all. This stuff all needs to be online.

There needs to be 30 Senators here today debating this. Instead, we are not. And we are going to let status quo, poor priority, lead us down the path to where we do not have the courage to do what is necessary to fix what is wrong in our country. And this is symbolic of what is wrong, is that we do what is politically expedient rather than what is in the best long-term interests of our country.

I have already readily admitted there are several, maybe 60 bills I have no problem with; I think they are a priority. But when they are packaged together, that takes away property rights, that eliminates our ability to be independent in terms of energy in the future, and that blocks the ability to take alternative forms of energy and create transmission lines so that we can use it somewhere after we produce it. I am going to stand up every time—every time. As a Senator representing 3.8 million people from Oklahoma, that voice is going to be heard; it is not going to be stifled. It may not have an amendment, but it is going to be heard. This country is worth us fighting for. And this is not worth our priority at this time. At the dilatory state we find ourselves in, we ought to be about bigger and better things that really impact people both in the long run and short run and get us out of the problems we are in.

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

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

Mr. INHOFE. I ask unanimous consent to speak in morning business for whatever time I shall consume.

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

CLIMATE CHANGE

Mr. INHOFE. Mr. President, yesterday I spent over an hour on the floor talking about a report that we put together that is pretty incredible, the numbers of scientists coming forth now who were always on the other side, or 10 years ago were on the other side of

this issue and at that time were agreeing with former Vice President Gore in saying that manmade gases, anthropogenic gases, CO_2 and such were the major causes of global warming. Now these scientists are coming over in droves, even individuals who are leading riots in the streets throughout the world talking about having to do something or we are all going to die. I spent more time than I should have on it because it deserved the time. But I had to read a lot of the stuff. I know you go to sleep when you think about things like this, and it does get to be heavy lifting. What I am trying to say is, we need to view this with a fresh look because so many things have happened.

It is going to be difficult for many of my colleagues whom I deeply respect who crawled way out on the limb saying it is manmade gases and we will have to have expensive cap-and-trade solutions to the problem; they now are facing a very liberal constituency that is saying: Wait a minute. Now we have the White House, the House, and the Senate. We have everybody lined up on this issue, as if it is a done deal, a fait accompli; we are now expecting you to come forward.

This is totally ignoring the fact that everything has changed from what it was before. Last year we had the Lieberman-Warner bill. Let's go back further than that. Let's go back to the original Kyoto Treaty. Quite frankly, way back 7 years or so ago, when I became chairman of the Environment and Public Works Committee, all we ever heard was that manmade gases were causing global warming and, therefore, we have to do something about it.

Frankly, when the Kyoto Treaty was first suggested, I was one who thought it must be true because that is all we heard in the media. When I became chairman, I knew that I would have an impact on the decisions that were made that would concern global warming. I thought at that time it was something we should address.

Then the Wharton School of Economics came out with the Wharton Econometric Survey. This was something that was pretty well done, and it is still out there. In fact, I have a Web site, epw.senate.gov. If you access that, you can see this in more detail than you probably really want. If you are not a believer in the cost of this issue, then you would want to do that. The Wharton Econometric Survey asked: What would it cost the United States if we were to ratify the Kyoto Treaty and live by its emission requirements? They came to the conclusion that it would be in the range of between $300 to $330 billion a year. I always hesitate to use figures such as that because it is hard for people to conceive how that affects them. What I normally do is take the number of families in America who file tax returns, and then I do the division. That $330 billion a year it would cost us to comply with the treaty comes out to be almost $3,000 a family. We are talking about something that is big. This is huge.

After looking at that, I thought: If it is going to cost that much, let's be sure the science is real and it is there. After looking at it, we found that the science was not there. Even though you had the appearance of it being there because the National Academy of Sciences and the United Nations all said the science was there, the Intergovernmental Panel on Climate Change, something started by the United Nations—I hasten to say I have never been much of a fan of the United Nations to start with. Maybe I am a little bit biased in this analysis. When they put together the Intergovernmental Panel on Climate Change, they did so for the purpose of trying to do something to force the whole world to be involved and say: This is a world problem that we will have to correct.

This is just a suspicion I have. Every once in a while the United Nations comes out with something that totally contradicts our interests. My good friend from Alabama and several of us put together resolutions. These resolutions say we will withhold 20 percent of our dues to the United Nations unless they reverse their position. The United Nations doesn't like that. They would like not to have to answer to anyone. Consequently, if they could ever get in a situation of global taxation, which is what they have openly been promoting for many years, they would be in a position not to be accountable to anyone.

This is kind of what happened. So this was the Kyoto Treaty.

Fastforward then to 2003 and 2005 when we had two bills, the first of which was McCain-Lieberman. Those bills were also cap and trade. Cap and trade costs about the same amount of money. This is very interesting. You will hear a lot of people during the next few months say: We want some kind of controls on CO_2. But we are not going to do it in a way that will cost a lot of money. We will have offsets. The bottom line is, it is going to cost about the same $300 billion regardless of what scheme we adopt and how we massage it.

I have to say, there has been an awakening in the last few years. In 2005 there were only two Senators who came to the floor and helped me. I was the one, as chairman of the Environment and Public Works Committee, who was charged with fighting this issue. It was on the floor of the Senate for 5 days, 10 hours a day. That is 50 hours. We only had about 3 hours of other Senators coming to assist me. Now fastforward to 2008. That was the Warner-Lieberman bill. We had 25 Senators, including the Senator in the Chamber presently from Alabama, who came down to assist in this debate. That is a huge difference. We resoundingly defeated that bill, mostly on the economic arguments, not on the scientific arguments.

When we started the debate, I said: I don't believe the science is there. Evidence is showing that it is not there. But let's assume for purposes of this debate that the science is there, that manmade gases, anthropogenic gases, CO_2, methane, are all responsible for climate change and for increasing the temperature or global warming. Let's assume that. So the debate started, and we talked about the economics of the issue. Even assuming the science is there, we defeated that by a huge margin. In fact, BARBARA BOXER was handling the Democratic side. They only had 37 Democrats committed for final passage. That is a big change from 2005.

Now we have something where everybody is assuming that it is going to pass because the Democrats have control of everything. They have the White House, the House, and the Senate. I remind them not to get too arrogant because we went through the same thing, or they went through the same thing in 1992, and things turned out pretty well after that.

If you look at where the attitudes of people are right now, that we are going to be passing something, I wouldn't get too far ahead. What we are trying to do and what I did yesterday—and I took far too long in doing it—was talk about the size of the tax and the fact that the tax is going to be a regressive one.

I have to say also that I was one of the few people who actively opposed the $700 billion bailout. Again, when we relate that to each family that files a tax return, it is about $5,000 a family. That was giving an unelected bureaucrat the sole control over $700 billion. One of the things I don't like about that, not only was it the wrong thing to do, but that also got people changing their thinking as to these large numbers. Now that $300 billion a year that it would cost us, if we had a cap-and-trade policy, doesn't seem nearly that big. But it would be, and it would be regressive.

The argument on the other side is, you may be right in the regressive nature of a tax because everybody has to buy energy. Everybody has to buy gasoline and heat their homes, so a larger percentage of the expendable income of someone who is in a lower income is going to be far greater than it would have been otherwise, but we can take care of that by redistribution of wealth toward low-income consumers. They have actually said that. That sounds a little bit un-American to me. Keep in mind, if we are talking about redistributing wealth, somebody has to create wealth before it can be redistributed. Right now—and we are looking at the figures going around now—there will not be a lot of wealth to redistribute, if we get to that point.

Anyway, that was the main argument I was using yesterday and have used up through the last 7 years. I have had occasion to give 13 rather lengthy floor speeches on the science on global warming. What I did yesterday was use this report that we put together of the 650 very top international scientists who refute all the arguments used

heretofore. I would like to concentrate for a moment on some of the left-of-center scientists, environmentalists, and activists we are talking about, the so-called consensus.

The Huffington Post is a left-leaning publication. We all understand that. Harold Ambler was demanding an apology from Al Gore for promoting unfounded global warming fears. The Huffington Post article accused Gore of selling ''the biggest whopper ever sold to the public'' in American history.

We see a former Greenpeace member who was in Finland. His name is Jarl Ahlbeck. He says there has been little or no global warming since 1995. This is interesting. Everyone is talking about global warming. We are in a cooling spell now. It has been that way since the turn of the century. Nobody argues that. I am sure that upset a lot of people, the promoters, because it is kind of hard to be talking about some very expensive scheme to fight global warming when we are going through global cooling.

Nonetheless, we have all types of people, and I cited a long list of them, who say we are in the middle of this cooling period right now.

Going into the liberal side or the left-leaning scientists, one of them is Martin Hertzberg, a meteorologist with a Ph.D. in physical chemistry. He said:

> As a scientist and life-long liberal Democrat, I find the constant regurgitation of the anecdotal fear mongering clap-trap about human-caused global warming to be a disservice to science.

You have some of the punishment that has been covered in this report. They talk about how they no longer can get grants from various organizations, whether it is the Heinz Foundation or others, unless they go along with their philosophy.

The other argument that has come up that we want to use and make sure everybody understands is, even if you are a believer that manmade gases cause climate change, global warming, the things we are looking at now and the things we looked at after Kyoto, Kyoto actually made more sense than some of the bills I have been talking about that happened in 2003 and 2005 and 2008 because that would single out the United States and say: This is what we are going to do regardless of what they do in China and Mexico and India and other countries.

So, obviously, if we did it, and we had this punitive tax arrangement, that would drive our manufacturing base overseas to places where they wouldn't have this heavy expense. Consequently, it would be going to countries such as Mexico and China where they have almost no restrictions on their emissions. It would have a net increase on the amount of CO_2 going into the atmosphere.

As to the manual we have with over 650 scientists, I would like to suggest to you that you compare that to the IPCC reports. The IPCC—that is the United Nations Intergovernmental Panel on Climate Change—report is called a Summary for Policymakers. We never saw the report. We just see the summary. That was put together by 52 scientists who are pretty much owned by the politicians who are wanting to come to these conclusions.

So if you canvas the scientists now in Canada who came out with a report just recently—51,000 Canadian scientists—68 percent of them disagree that global warming is a science that is settled. At the same time, you have the same percentage—and this came from the International Geological Congress which just had their meeting in Norway—an overwhelming number of the scientists were skeptical. Two-thirds of the presenters and question askers were hostile and even dismissive of the U.N. IPCC report. So the same two-thirds keeps reappearing in terms of what the scientists are saying about this issue.

Now, yesterday, I did not get into this, but if you look at those scientists who are on the left side, Dr. Robert Giegengack, the former chair of the Department of Earth and Environmental Science at the University of Pennsylvania, actually was a strong Gore supporter in the 2000 election. He now states that global warming does not even qualify as 1 of the top 10 environmental problems facing the world. This is not me or any other Senator talking. This is one of the far left leaning environmental scientists.

With Alexander Cockburn it is the same situation. He is a maverick journalist who leans left on almost all topics. He lambasted the alleged global warming consensus on a political Web site called counterpunch.org, arguing that there is no evidence that humans are causing the rise in global temperature. This gets to the intimidation factor. He said:

> I have been treated as if I have committed intellectual blasphemy.

Alexander Cockburn stated:

> This turn to climate catastrophism is tied into the decline of the left, and the decline of the left's optimistic vision of altering the economic nature of things through a political program.

I guess what he is saying is, these intellectuals, any of these scientists who were formerly on the far left side who have come over—as most of them now have; more than 50 percent of them have—are beat up pretty badly by the scientific community, or at least by the National Academy of Scientists.

Another left-leaning individual is Denis Rancourt, professor of physics and an environmental science researcher at the University of Ottawa. He stated that the global warming campaign does a disservice to the environmental movement by beating this drum. He is a big environmentalist. When, obviously, the science is not there, it is doing a great disservice, and I think that is right.

Then you get into the three I like the best. Dr. Claude Allegre is a socialist. He is one of the top French scientists. He is the one who was marching in the streets with Al Gore 10, 15 years ago. Claude Allegre is recognized by everyone. He has now totally reversed his position. He was the top guy in France. With Dr. David Bellamy from the UK, it is the same situation. He was on the far left side of this issue. He has come around.

I have all the quotes by these individuals. There is not enough time to read them. The same thing is true with Nir Shaviv. Nir Shaviv was a scientist in Israel who is now quite outspoken in his opinion that the science just flat is not there.

Ecologist Dr. Patrick Moore, he was a founder of Greenpeace and has now joined the ranks of the dissenters. He said:

> It is clear the contention that human-induced CO_2 emissions and rising CO_2 levels in the global atmosphere are the cause of the present global warming trend is a hypothesis that has not yet been elevated to the level of a proven theory.

So this goes on and on and goes over many of these areas. I think even some of the mainstream media has begun to take notice of this issue. An article in Politico noted the other day—that is a paper we are all familiar with in the Senate—that a ''growing accumulation'' of science is challenging warming fears, and added that the ''science behind global warming may still be too shaky to warrant cap-and-trade legislation.''

Canada's National Post, which is always promoting cap and trade, is now saying ''the number of climate change skeptics is growing rapidly.''

So I leave with three thoughts: First of all, the left is now abandoning the whole global warming fear concept, and we have all the names. I can recall when we had our 2-hour session with former Vice President Al Gore, and I never saw any sweat coming off his forehead until we started talking about people such as Claude Allegre, David Bellamy, and Nir Shaviv, who were always on his side before.

Second is the cost. If you do not want to use my $300 billion-a-year tax increase figure, use the figure that was used in the Boxer-Lieberman-Warner bill last year. It was $6.7 trillion.

The third thing to keep in mind has to do with Kyoto. It would have been bad enough, but for us to do it unilaterally would really be a very bad idea.

I would suggest people go to a Web site. I have the Web site: epw.senate.gov/minority. ''EPW'' stands for Environment and Public Works—epw.senate.gov/minority. I have a lot of documentation there for anyone who might be interested in the truth, not that that always produces a lot of interest around here.

BAILOUT AND JOBS

Lastly, Mr. President, I want to go into one other thing unrelated, and I do not want to use too much time because others want to speak.

I have said—I do not think it is unfair, at least in my mind—that as to

this whole idea of the $700 billion bailout, 75 percent of the House and the Senate supported this legislation. Let's keep in mind that was to give an unelected bureaucrat the power to do with the first half of the $700 billion anything he wanted to do.

In fact, when Secretary Paulson—he actually said at one time: I promise this is going to be used to buy damaged assets. Well, we found out that, obviously, 3 our 4 minutes after he received the money, it did not go to that. I have heard, and just this past Wednesday an economist gave a presentation, that if we had used that for the intended purpose, it might have had an effect. They contend this did not have any effect at all on what has happened.

So with the concern that several of us have, I would only like to say that it has fallen on deaf ears. But I have been trying to get Members of this body to understand—I am talking about Democrats and Republicans; we have some Democrats, such as BERNIE SANDERS, who do understand this—and that is, the concept of giving the money to an unelected bureaucrat is wrong.

This is something we can do now on the second half of the $350 billion that remains. They spent every cent of the first $350 billion. As to the second $350 billion, if we leave the law like it is today, they can come forward and say this: Well, I want to have the other $350 billion. I am going to spend it on this and this and this—and maybe not even talk about the whole amount. They may be very uncertain as to what he is going to use it for. But then the only way to stop that would be to pass a resolution of disapproval.

Now, it would be very difficult to pass a resolution of disapproval. In fact, for obvious procedural and other reasons, it could not be done. What I have proposed, in S. 64, is to make a modest change in that law, and instead of saying it is going to automatically pass unless a resolution of disapproval, in a 15-day period, is successfully passed, say that you have to come forward and show us what it is going to be, how you are going to spend the money.

I have been trying to get more sponsors on this legislation. As I say, I already have some Democratic sponsors, and I applaud them for having the courage to come out and say: We want accountability. We don't care who it is in the White House, we need to have accountability.

So as we get toward the bailout bill, the last thing I want to mention is something I have very strong feelings about, and that is this: The figures I have heard—and at this point I do not think anyone can intelligently say exactly what the bailout bill is going to be—we have heard figures batted around about $1.2 trillion, huge amounts of money. But the report I got from the President-elect's team, they talked about out of $1.2 trillion, only $25 billion in total investment would be on infrastructure. That is nothing, $25 billion out of $1.2 trillion.

Now, I would say this: My good friend, JIM OBERSTAR, over in the House of Representatives, with whom I served on the Transportation Committee for 8 years before coming over here, has come up with a much more ambitious portion of it.

Now, if we are going to spend money for a stimulus bill, let's spend money on something that will actually come up with some jobs. I am not saying I want to spend all this money, but if it is going to be spent anyway.

I do not want to play down the whole idea of tax relief. We all know—we have learned from experience—what can happen if tax relief is done in the right way. We all remember what Woodrow Wilson did after World War I. He decided to cut taxes because the war was over. He did not need them anymore, and he expected revenue to drop down. It did not. It increased.

A very smart President of the United States, in the 1960s, John Kennedy, said—this is an exact quote—we need more money for the Great Society programs, and the best way to increase revenue is to decrease marginal rates. So he decreased rates, and it increased revenue.

Remember in 1980, the total amount of money that was raised from marginal rates was $244 billion. In 1990, it was $466 billion. That was during the 10-year period that had the largest tax reductions in the history of this country.

So we know we can stimulate the economy. I fear that is not going to be that type of tax reduction if we just merely have a redistribution of wealth and give money to people who do not pay taxes. That is not going to do it. So I say that because if tax relief were done properly, I would not be standing here and saying we ought to have a larger percentage of this spent on infrastructure. We have huge critical needs in the United States on our infrastructure. We are in a position right now where we had passed the last authorization bill, and it was a $286 billion bill in 2005. That was the transportation reauthorization. We are going to do it again. But if we could get a running start and spend some of the money that is going to be spent anyway on providing jobs immediately, we have $80 billion ready to go right now for jobs, where we could have the spade in the dirt tomorrow.

Then we have the categoric exclusion projects that are out there in addition to this. Those are projects that do not increase capacity, do not increase the footprint, but just maintain some of the crumbling bridges and infrastructure that is out there. So all that can be done. I think Gary Ridley is the best director of highways anywhere in America. He is our highway director in Oklahoma. We have, just in our State, one billion dollars' worth ready to go right now. So this is what we want to do.

On Monday, I am going to elaborate a little more on our opportunities that we have for infrastructure. I have been ranked most of the time as the most conservative Member of the Senate, and yet I am a big spender in some areas. One is in national defense, but another certainly is in infrastructure. That is what we are supposed to be doing.

I think we have an opportunity to do what we are supposed to be doing and at the same time produce jobs, and that will be my intent. I plan to talk about this in more detail on Monday.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Briefly, Mr. President, I see the Senator from Hawaii is in the Chamber. I see he has some remarks, and I would be pleased to yield to him and would ask unanimous consent that I be recognized after he has full opportunity to make any remarks he desires.

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

The Senator from Hawaii.

Mr. AKAKA. Mr. President, I ask unanimous consent to speak as in morning business.

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

Mr. AKAKA. Mr. President, I thank my colleague for giving me this opportunity to speak at this time.

TRIBUTE TO SENATOR ROBERT BYRD

Mr. President, this year marks my 19th year in the Senate, a mere fraction of the time served by my esteemed colleague and good friend, Senator ROBERT BYRD, the Senator from West Virginia.

Senator BYRD has been a Senator as long as Hawaii has been a State—50 years. I rise here today to pay tribute to this great human being, this great man, this great Senator, who has served for those many years here for our country. His contributions are well documented, his influence legendary, and his grasp of history and knowledge about our democracy and our institutions is without equal.

It is my great honor to serve alongside the distinguished Senator BYRD. I consider him my Senate mentor. He has been a mentor for many of my colleagues. He has taught me much, both trivial and profound. For example, one of the first things he told me was to always wear my pin while at work. In the early years, it helped distinguish me from all the other people wearing suits at the Capitol. So as Senator BYRD can see, I learned that lesson well, and I do wear my pin every day. He also taught me the intricacies of presiding over the Senate. He said: Speak in sentences, and don't take any of your work with you to do while you are presiding. I have done that when I did preside. His point was respect for the Senate as an institution.

As I mentioned, I have learned a lot from Senator BYRD, but I chose to share with my colleagues those two

lessons, as simple they may seem, so they can appreciate how much he cares about his colleagues and the Senate. For him, no detail is too small and no challenge is too big.

Many know that Senator BYRD usually carries a copy of the U.S. Constitution in his pocket and frequently displays it to make a point. It is an appropriate place; it is close to his heart.

Senator BYRD, God bless you abundantly, and congratulations on 50 years of distinguished service to the people of West Virginia and the United States. Thank you for all you have done for me. I cherish your friendship and look forward to our continued work together on behalf of our great country.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama is recognized.

EROSION OF SENATE TRADITIONS

Mr. SESSIONS. Mr. President, I thank Senator AKAKA for his comments about the Senate and Senator BYRD, and I would share those. Certainly it is a good lead-in, I think, to the remarks and thoughts I wish to share right now.

In the Senate, individual Senators have traditionally had substantial powers to participate in the debate and to offer amendments to improve legislation. The Senate has been described as the saucer which allows the hot coffee to cool, and I think that is a good description.

I have been very concerned that Senator COBURN of Oklahoma, who has desired to offer just one or two amendments to legislation that is pending in the Senate before it becomes automatically passed into law, has systematically been denied that right and has been held up as someone who does not respect the body and is doing something wrong. I think that is a very bad analysis of the principled stands he takes. I think he is one of the finest Members of this Senate. He has the odd belief that a Senator should actually read the legislation, and if it can be improved and should be improved, a Senator has an obligation to offer an amendment to fix that, and he has done so. However, as we know, Senators have gotten into the habit of believing that if they have produced a piece of legislation and it is essentially a piece of legislation that a lot of people would agree ought to be passed without any debate and/or without, certainly, any amendments—and the majority leader, who I have to say is going to have to watch this and is going to lead continued activity in this area—to deny the fundamental right of Senators to debate and vote to improve legislation cannot continue without causing very serious disruption of the body because it changes the historical nature of it.

I participated in a bankruptcy bill. It was my subcommittee. We passed the bankruptcy bill. It took several weeks. It was an important piece of legislation. We had 39 votes asked for by the Democrats, who were in the minority. They got those votes, and eventually the bill passed with 83 or 87 votes, I have forgotten which. That is what this body is capable of doing and should do much more often.

Let me go back to what has happened here. Senator COBURN has objected to various pieces of legislation. They asked unanimous consent that the bill be passed without amendment and basically without debate. That is what the request is. Senator COBURN has said: Well, I have an amendment. I don't like section such-and-such. I don't approve of provisions in this bill that will restrict further our already restricted ability to produce oil and gas in America, for example or I don't want to see that become law or I think that expenditure in the bill is unacceptable and it ought to be eliminated or cut substantially or my constituents think this is not good policy for America, and I wish to at least be able to offer an amendment to it. Well, the powers that be are not comfortable with that. It has been done during Republican times, but it has gotten to the high-water mark now, where the leadership of the Senate systematically denies people the right to vote.

I was really taken aback that Senator COBURN has announced that not a single amendment has been voted on in this Senate since July. How can that be? It is unthinkable to me that that has been the case, but I can't remember any. I know they were able to ram through a $700 billion TARP financial bailout without an amendment. Unthinkable.

So I think the history, the integrity, the traditional role of the Senate is being eroded because leadership does not want votes. They don't want their members to have to take tough votes. That is what you hear. They want to pass bills quickly—let you have a little say and then pass the bill, but nobody really gets to try to offer amendments to make the bill better and anybody who insists on that is obstructing.

So basically what has happened in this body is that we now have a public lands bill that has attached to it some of what Senator COBURN has objected to, and they want to move the bill without any amendments. I don't think that is right.

Let me just say this about Senator COBURN: He is a medical doctor. He works extraordinarily hard. He is highly intelligent. He has been a successful businessman, an inventor, and one of the smartest Members of this body. He campaigned in his State that he was going to read the legislation that comes before this Senate and he would work to make it better. He committed to his people that he would work to control wasteful Washington spending. I think almost every Member of the Senate has said the same; the only difference is he does it with a tenacity and a courage and an analytical ability that few of us possess. He is willing to come down here and ruffle feathers by saying: I know, Senator, you love this bill and you think it is perfect, but I have a different view. I think this part of it ought to be fixed. I have an amendment, and I want a vote on it to see if my colleagues agree with me. We have gotten in the habit of denying this opportunity.

If anybody thinks this is such an insignificant matter—when we passed last fall, over my objection, the financial bailout, the $700 billion bailout, I think I can say without fear of contradiction it was the greatest expenditure in the history of the Republic or allocation of Federal money in the history of the Republic. Not one amendment was allowed. Blame it on President Bush. Blame it on President Bush, but the Democrats had the majority in the Senate. I didn't support it. I would have been delighted to stand with them to object to the breadth of this bill, the lack of control that was exercised over $700 billion in taxpayers' money. But Senator REID brought it up in a fashion that allowed no amendments, and they rammed it right through the great Senate of the United States, and we committed this country to $700 billion in expenditures and guarantees.

Well, how did it work out? Most economists now tell us that using that money to buy stock in banks, private banks, to buy stock—$100 billion-plus—in a big insurance company with taxpayers' money has not helped the economy. Had the money been spent on buying toxic assets, as promised, it might have worked. At least we would have been further along in the game. Why did that happen? Secretary Paulson told us he wanted to buy toxic assets. He told us he didn't want to buy stock. He was asked about that in the House committee. He said: No, I don't think we should buy stock. But one thing Secretary Paulson told the Congress—and I was stunned by it, really—he said it publicly and repeatedly: I want maximum flexibility to do what I think is necessary to fix this economy. That is what this Senate gave him. Within a week of getting $700 billion to buy toxic mortgages to try to stabilize the housing market, he was spending the money to buy stock in banks and insurance companies—directly contrary to what he said.

All I am saying to my colleagues is that the Senate is a great body. I am just commencing my third term. I remember when I first came up here and I attended a luncheon and they asked me to say something briefly. The words I recall saying were that I can think of no greater honor than to represent the people of Alabama in the greatest deliberative body in the history of the world. That is this Senate. But we are eroding that tradition, that heritage. If we can't have amendments, it can no longer be called the great U.S. Senate. I think Senator BYRD can't help but be uneasy about these trends in the Senate he has so loved and served for so long.

We ought to be appreciative of Senator COBURN from Oklahoma for taking

the time to study this legislation, to offer amendments to fix it and to make it better, and to serve in the classical manner of ''Mr. Smith Goes to Washington'' to serve the American people. We ought not create a freight train designed to run over him and to silence and muzzle him and to deny him the ability to offer amendments. That is what we are about.

There is no reason for us having to vote on Sunday except the majority leader has insisted on it and tried to blame Senator COBURN. If we are going to stay in session until Sunday, why are we not voting? Why don't we have some votes? What are they afraid of to have a vote? I am serious. What could be so fearful about casting votes? Isn't that what we were sent here to do? We know on every vote, we are going to make somebody unhappy. The Senate, since the founding of the Republic, has found it acceptable to vote. Why are we stopping voting now?

I want to be counted in his favor. I know the legislation before us today has a number of good provisions in it. I support some of them, and some of them I have worked hard to support and see they are in the legislation. I don't think it is a horrible piece of legislation. But just as a matter of procedure, we ought not to deny good Senators the right to offer amendments. I object to that procedure.

I believe we will have to confront this change in the procedures of the Senate because we are going to wake up and find it is not the same Senate we used to know.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. BINGAMAN. Mr. President, I wish to speak a few minutes in support of the motion to proceed to S. 22, the Omnibus Public Lands Management Act.

S. 22, which I introduced earlier this week, is a collection of over 160 bills. Primarily, they are bills that came out of our Committee on Energy and Natural Resources. The question before us is whether the Senate should proceed to consider the bill. I strongly believe we should, and that is the vote the majority leader has scheduled us to have on Sunday.

Although S. 22 itself is a new bill, the individual pieces of legislation contained in it and incorporated in it are not. This package includes 159 bills which were considered by our committee during the previous Congress. Several of the bills in the package have even been considered in one or more Congresses prior to the previous Congress.

Let me make the obvious point that needs to be understood by everyone paying attention to this issue. This is not a partisan bill. The bills in this package have been developed on a bipartisan basis. Last year, we developed this legislation hand in hand with Senator Domenici, who was at that time the ranking member of the Energy Committee. This year, we have worked with Senator MURKOWSKI, who is taking over as the ranking member of the Energy and Natural Resources Committee, to develop this legislation.

Almost all of the bills that were reported from our committee were reported on a unanimous vote. In cases where there was not a unanimous vote, we have made further modifications in some of those bills in an effort to address remaining concerns.

Collectively, the legislation that is before us or that we are going to vote on whether to proceed to is one of the most sweeping conservation laws that has been considered by the Senate in recent years. It will designate over 2 million acres of wilderness in nine different States. It will establish three new units of the National Park System, a new national monument, and three new national conservation areas. It will codify the Save America's Treasures and Preserve America historic preservation programs.

In addition, it will designate over 1,000 miles of new additions to the national wild and scenic river system, including several hundred miles in Wyoming that are dedicated to our late friend and colleague, Craig Thomas, and will help protect 1.2 million acres of the Wyoming range. This is in large part due to the leadership of Senator BARRASSO, who is on the Senate floor and intends to speak following my remarks.

The bill designates four new national scenic or national historic trails, enlarges the boundaries of several existing units of the National Park System, and establishes 10 new national heritage areas. It establishes in law the Bureau of Land Management's National Landscape Conservation System and the collection of national monuments and conservation areas that are administered by the BLM.

The package is not just about new designations. The bill authorizes numerous land exchanges and conveyances to help local communities throughout the West. It includes several provisions to improve land management, such as the Forest Landscape Restoration Act which will facilitate collaborative landscape-scale restoration to help reduce fire risk and fire costs and provide new forest product jobs.

Another example which is in my home State of New Mexico, the bill will reauthorize the Rio Puerco Management Committee. This committee has become one of the most effective collaborative land management efforts in the Southwest which, for more than 10 years, has helped to facilitate the restoration of the highly degraded Rio Puerco watershed, which is a major tributary leading into the Rio Grande.

This package incorporates 30 separate bills that, taken in their entirety, will have an unprecedented positive impact in helping address critical water resource needs on both the local and national level. It authorizes a range of studies to assist several communities conduct indepth reviews of local water supplies and evaluate the best ways to meet their future water challenges.

There are also approximately 18 specific authorizations for local and regional projects that enhance water use efficiencies, that address infrastructure that is in disrepair, that provide a sustainable supply of water to rural communities, and conserve water to promote environmental health and alleviate conflicts that arise under the Endangered Species Act.

The overall understanding of our critical water resources, including the impact of climate change on our water resources, is also promoted by provisions in this legislation.

Finally, I note that the bill will reduce the workload of water lawyers in the West by ratifying three extremely important water settlements in the States of California, Nevada, and New Mexico. These settlements, involving Indian tribes, agricultural and municipal water users, environmental interests, and the applicable States themselves, will resolve decades old litigation in a manner that is consistent with Federal responsibilities and with the broad support of diverse interests in each of these situations.

As most who are familiar with the history of western water can attest, it is a near impossible task to bring competing interests together to agree on long-term solutions. That has been achieved in this bill, and this bill ensures that the Federal Government will be a full partner to help implement reasonable solutions to complex water issues.

I think it is important to note the lengthy public process associated with many of the individual bills in this package. Many of these land and water bills began as an effort by local citizens to resolve important resource issues within their States. In many cases, local working groups were formed and discussion took place over a period of years, before a local consensus developed.

Following all of that, many of these proposals then spent additional years under consideration in Congress, often with further negotiations and modifications. In my opinion, this is exactly the way the legislative process should work, and this process reflects why there is such strong local support for many of these provisions.

Based on the action of our committee last Congress, there is also strong bipartisan support in the Senate for the bills in this package. I commend the majority leader for his commitment to pass this bill in such a timely manner, and I urge my colleagues to support the motion to proceed and, following that, passage of the legislation.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. BARRASSO. Mr. President, I come to the floor today to put into perspective some statements made by my

good friend from Oklahoma, and he made those with regard to the Wyoming Range Withdrawal Act. This is a bill that I introduced.

I am especially pleased to be giving this speech from this desk. People back home in Wyoming ask about the desk and whose desk do you have? As you know, after the election and the new swearing in of Senators, some of the desks switched around. Due to the generosity of Senator SHELBY—and I am very grateful to him—he has allowed me to have this desk because this is the desk of F.E. Warren, who was Wyoming's first Senator when we became a State in 1890. He took the oath of office, and he served for almost four decades. This is the desk he got when he came to the Senate on day one.

It is important to give this speech from this desk because we are talking about a part of Wyoming's past and a part of Wyoming's future that is very important, and it is the Wyoming range. Wyoming has a long history of getting it right when it comes to multiple use of the land. We have done it for 119 years that we have been a State, and we will continue to do it forever.

I am here to tell you and to tell the people of Wyoming, tell the people of America that I introduced this bill, the Wyoming Range Withdrawal Act, to fulfill a commitment I made to the people of Wyoming and to complete the work that was started by my good friend, Senator Craig Thomas. We lost Senator Thomas in 2007. At the time of his death, he was working on this bill. He had traveled the State. He had visited with people, listened to people. That is exactly what I did when I took the oath of office—having town meetings, traveling to all of the parts of the State, visiting, listening to people, and then working to try to improve the bill that is in front of us today as part of this lands package.

I am here to tell you that right now, today, there is oil and gas development going on in the Wyoming range. I have a picture of the Wyoming range, a beautiful part of western Wyoming. It means so much to so many people. There are certain places that are so special and so pristine that they need to be protected for future generations. But we do it right in Wyoming. We rely on multiple uses of the land.

This legislation we have heard about today seeks to protect from future oil and gas activity—let me say that again—from future oil and gas activity, lands in the Wyoming range that are not currently under lease. And there are lands in Wyoming that are currently under lease.

As we can see in this picture, it is still a very pristine, beautiful area, but some of this land is under lease for oil and gas development. The legislation in this lands package does not—does not—affect areas that have been currently leased for exploration. There are 18 oil and gas leases within the proposed withdrawal area. These leases cover over 70,000 acres. These leases are primarily located in areas that have some of the most significant potential, the most significant potential for mineral development. They represent valid existing rights, and they will not be canceled in any way by this bill. I repeat: These leases represent valid existing property rights and will not be canceled by this bill.

In addition, there are 35 oil and gas leases covering almost 45,000 additional acres that have been issued and are under protest or have been sold but not yet issued. The legislation does not cancel any of these areas which are being contested. There does exist an appropriate administrative process whereby the Bureau of Land Management, the U.S. Forest Service is evaluating these contested leases to determine their status. I repeat: This legislation today does not cancel any of these currently contested leases. Everyone should keep in mind that the acres currently leased or currently leased but under protest represent the area where the most promising reserves exist. This bill does not touch that.

Now, my colleague from Oklahoma stated that the legislation would take off the table 8.8 trillion cubic feet of recoverable natural gas and over 300 million barrels of recoverable oil. Well, let us first set aside whether those figures are accurate, and we will get to that in a minute. I reiterate: The areas believed to hold the majority of the oil and gas reserves are leased, those areas are leased, and those are valid existing rights and will not be changed by this piece of legislation. Now, regarding the figures. I have an updated estimate, an estimate of the reserves of the Wyoming Range that has been prepared by the U.S. Department of Interior, the U.S. Geological Survey, and this was prepared on June 19, 2008. I have shared these numbers with Members of the Senate.

Under the revised estimates, the best minds, the best geological thinking, they believe there is some natural gas potential in this area of 1.5 trillion cubic feet, not 8.8, and an oil potential of 5 million barrels, not 300 million barrels.

Mr. President, I ask unanimous consent to have printed in the RECORD, following my remarks, the USGS letter to the chairman of the Senate Committee on Energy and Natural Resources, Senator BINGAMAN, who earlier spoke.

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

(See exhibit 1.)

Mr. BARRASSO. Mr. President, these figures, particularly the estimated gas reserves, are still not a small amount, but they are significantly lower than the previously stated estimates and much smaller in size and in scope relative to other known gas reserves in the area of western Wyoming. Currently, in this area, there are 4,300 producing oil and gas wells in the three counties that are touched by this legislation. There is a proposal being considered for up to 4,339 additional wells that would not be affected by this legislation. There is production currently taking place in the Wyoming Range that will not be stopped by this legislation.

The people of Wyoming are doing their part to keep America's energy flowing. We in Wyoming are the largest net exporter of energy in the United States. We support development of our coal, of uranium, of oil, of gas, and of renewable resources—the electricity from wind. We have never been a State that has said: Not in my back yard. We are No. 1 in coal production in the country, we are No. 1 in uranium production in the country for nuclear power, and we are No. 2 in the country in production of onshore natural gas. The people of Wyoming continue to do their part.

We also recognize, through 119 years of statehood, that there must be a balance, a balance between helping the Nation meet its energy needs and maintaining the quality of life the people of Wyoming have come to enjoy. The Wyoming Range Withdrawal Act has bipartisan support throughout the State of Wyoming. The Governor of Wyoming, Governor Dave Freudenthal, a Democrat, came to Washington to testify at a hearing before the Senate Energy and Natural Resources Committee, and he spoke in favor of the bill. My colleague in the Senate, Senator MIKE ENZI, is a cosponsor of the bill. It truly is a bipartisan measure.

The Wyoming Range Withdrawal Act strikes the proper balance. I have come to the Senate floor today to put this bill in context with what is occurring on the ground in Wyoming, as well as what is occurring under the ground. My goal is to provide an accurate and a complete picture for the Senate and, much more importantly, for the American people.

EXHIBIT 1

U.S. DEPARTMENT OF THE INTERIOR,
U.S. GEOLOGICAL SURVEY,
Reston, VA.

Hon. JEFF BINGAMAN,
Chairman, Committee on Energy and Natural Resources, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter of May 27, 2008, and your request for U.S. Geological Survey (USGS) oil and gas resource information regarding the Wyoming Range Withdrawal Area (WRWA), outlined in S. 2229.

Based on the map your staff provided, the withdrawal area encompasses parts of two geological provinces assessed by the USGS—the Southwestern Wyoming Province and the Wyoming Thrust Belt Province. The USGS conducts assessments of the undiscovered, technically recoverable oil and gas resources of the entire geologically defined province.

To approximate the amount of the estimated resources underlying the proposed withdrawal area, we placed the map provided to us into a geographic information system (GIS), calculated the amount of WRWA area that overlaps the assessment units we had analyzed and assessed in the two geologic provinces, and calculated the percentage geographic area that the WRWA represents of each assessment unit. We then calculated a

first approximation of the potential undiscovered, technically recoverable oil and gas resources in this region by taking the mean estimates of each resource category and multiplying by the percent geographic area of each assessment unit. Results are as follows:

Mean oil potential in the WRWA is 5 million barrels.

Mean natural gas potential is 1.5 trillion cubic feet.

Mean natural gas liquids potential is 60 million barrels.

Please note that these GIS-analyzed estimates can only be considered approximations, for the following reasons: (1) The map provided to us of the WRWA was a general outline and therefore subject to error when calculating the geographic extent of the assessment units relative to the WRWA; and (2) a homogeneous distribution of oil and gas resources was assumed across each entire assessment unit.

For an overview of USGS mean estimates for undiscovered, technically recoverable natural gas resources for geologic provinces within in the United States and their relative sizes, please see the map at http://certmapper.cr.usgs.gov/data/noga00/natl/graphic/2007/total_gas_mean_07.pdf

Please let us know if you have any further questions or we can be of further help.

Sincerely,

MARK D. MYERS,
Director.

Mr. BARRASSO. Mr. 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. 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.

CLOTURE MOTION

Mr. REID. Mr. President, I send a cloture motion to the desk.

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

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the motion to proceed to S. 22, the Omnibus Public Land Management Act of 2009.

Harry Reid, Jon Tester, Daniel K. Inouye, Robert Menendez, Ken Salazar, Jeff Bingaman, Robert P. Casey, Jr., Mark L. Pryor, John F. Kerry, Richard Durbin, Ron Wyden, Dianne Feinstein, Ben Nelson, Evan Bayh, Thomas R. Carper, Carl Levin, Patrick J. Leahy.

Mr. REID. Mr. President, I ask unanimous consent that the vote on the motion to invoke cloture on the motion to proceed to S. 22 occur on Sunday, January 11, at 2 p.m., with the mandatory quorum waived, and that on Sunday, after the Senate convenes, the time until 2 p.m. be equally divided or controlled between the leaders or their designees.

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

RESIGNATION OF SENATOR JOSEPH R. BIDEN, JR.

The PRESIDING OFFICER. At this point, the Chair lays a communication before the Senate.

The legislative clerk read as follows:

Hon. RICHARD CHENEY,
President of the United States Senate, U.S. Capitol, Washington, DC.

DEAR MR. VICE PRESIDENT: I am resigning my seat in the United States Senate as the senior Senator from the State of Delaware to assume my duties as Vice President of the United States of America. My resignation is effective January 15, 2009, at 5 p.m.

Sincerely,

JOSEPH R. BIDEN, Jr.,
U.S. Senator.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. REID. Mr. President, what a sad but happy day it is to have that letter read before the world. JOE BIDEN, from the day I came to the Senate, was the most gracious, helpful person one could imagine. Having chosen him speaks volumes about Barack Obama. We will miss Senator BIDEN, with his many years in the Senate, but we look forward to his working arm in arm with Barack Obama for the next 8 years.

MORNING BUSINESS

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

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

SUDAN

Mr. FEINGOLD. Mr. President, today marks the 4-year anniversary of the signing of Sudan's Comprehensive Peace Agreement, which brought an end to the tragic north-south civil war that raged for over two decades; a war, frankly, that for a long time seemed virtually endless. We should keep the CPA in mind as we lament the horrific suffering that endures in eastern Congo, Darfur, Somalia, and Zimbabwe. I am hopeful that 2009 will be a year in which we make significant progress toward peace in all of these countries, and that the United States plays an active role in that progress. The CPA is a remarkable testament to the fact that transformation is possible in even the most seemingly intractable conflicts when there is political will. I am proud of the critical role the United States played in bringing about this historic agreement 4 years ago, and it is a testament to the hard work of Special Envoy Jack Danforth and the leadership of President Bush.

Nevertheless, the CPA is not merely about a piece of paper or a moment in history but a commitment to secure lasting peace throughout Sudan. Unfortunately, this process remains unfinished and increasingly fragile, as evidenced by the clashes that broke out in the oil-rich Abyei region last May. Several flashpoints in the states of South Kordofan, Jonglei, and Blue Nile remain highly volatile. There remain too many arms and armed actors in these areas that are capable of undermining the agreement. Both sides, anticipating future clashes, are spending increased resources to build up their militaries. It is not difficult to imagine a minor incident causing renewed fighting in these areas, which could quickly plunge the north and the south back into full-scale war. Such a scenario would not only be devastating for the Sudanese but could have dramatic repercussions for the wider region.

With elections under the CPA scheduled for this year, 2009 may well be a watershed year for Sudan. The United States must renew and intensify its support for the implementation of the CPA as part of a comprehensive strategy for Sudan. We must continue to demonstrate, both in terms of our diplomacy and resources, a commitment to rebuild southern Sudan's institutions, and support the approaching elections. Simultaneously, we must work with our international partners to ensure that the UN Mission in Sudan, UNMIS, is doing all it can to monitor and keep the peace in Sudan's flashpoints. I am confident that the Obama administration understands the importance of implementing the CPA and will bring bold leadership and a holistic vision to peace efforts in Sudan.

Finally, we cannot ignore how the continued violence and humanitarian crisis in Darfur is a deep stain on the vision of a peaceful Sudan. Efforts at peacebuilding in Sudan will prove futile without a workable political solution for Darfur. Too often in the past, we have made the mistake of focusing on one region of Sudan at the expense of others. This kind of piecemeal approach has proven limited, if not counterproductive at times. In this critical year ahead, we need a comprehensive approach that can pave the way for lasting peace and stability for all of Sudan. I look forward to working with my colleagues and the Obama administration to make that a reality.

ADDITIONAL STATEMENTS

TRIBUTE TO HELEN SUZMAN

● Mr. FEINGOLD. Mr. President, today I honor the life of South Africa's Helen Suzman, a champion of equality and rights for the people of South Africa who suffered under apartheid. For generations to come, her story will be an inspiration to people around the world who have the courage to speak out against injustice.

Helen Suzman dedicated her life and 36 years in South Africa's Parliament to fighting institutionalized racism in South Africa. Often she stood alone in defiance of her own Government as it systematically obstructed the rights and freedoms of the majority of South Africans. Particularly during the 13