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Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable TOM UDALL, a Senator from the State of New Mexico.

PRAYER

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

Let us pray.

Eternal God, known to us in countless ways and times without number, we turn to You that in Your light we might see light. As our lawmakers work, help them to see You in the common rounds and ordinary labors of their day. As they become aware of Your presence, may their lives experience the splendor and strength that You alone can give. Save them from pride and contention and lead them in Your way. Help them, Lord, to remember that You are still their refuge and strength and a very present help in the time of trouble. Send them forth to face this day armed with a faith that will not shrink though pressed by many a foe.

We pray in the Redeemer's Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable TOM UDALL 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 assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, May 6, 2009.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby

appoint the Honorable TOM UDALL, a Senator from the State of New Mexico, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mr. UDALL of New Mexico thereupon assumed the chair as Acting President pro tempore.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

RECOGNITION OF THE MAJORITY LEADER

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

SCHEDULE

Mr. REID. Mr. President, following leader remarks, there will be a period of morning business for up to an hour. The Republicans will control the first 30 minutes. Following morning business, the Senate will resume consideration of the Helping Families Save Their Homes Act. We will immediately proceed to a series of votes in relation to the remaining amendments. Currently we have nine amendments pending. We hope not all of the amendments will require a rollcall vote.

In addition, there may be a break in the voting sequence because Chairman BAUCUS, Senator GRASSLEY, and others have been invited to the White House. We may begin opening statements on the procurement bill during that time, while the White House meeting is taking place.

All votes following the first vote will be 10 minutes in duration. Senators are encouraged to remain near the Chamber during the series of votes.

Upon disposition of this legislation, the Senate will begin the consideration of S. 454, a bill to improve the organi-

zation and procedures of the Department of Defense for the acquisition of major weapons systems.

Mr. President, 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. MCCONNELL. 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.

RECOGNITION OF THE MINORITY LEADER

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

GUANTANAMO PLAN

Mr. MCCONNELL. Mr. President, it should be clear to everyone at this point that the administration got ahead of itself by announcing an arbitrary closing date for Guantanamo before it even drew up a list of safe alternatives. So I rise this morning to express my continuing concerns about the administration's apparent lack of a plan for detainees at this facility and to press the administration for answers on a number of important questions.

Over the past 2 weeks, I and others have asked the Attorney General to provide the American people with the assurance that closing Guantanamo will keep the American people as safe as Guantanamo has. We have asked a series of questions. So far these questions have gone unanswered. But the questions remain.

Which detainees will be released or transferred overseas?

How do we know these men will not return to the battlefield?

Will they be tried in American courts or will we use military commissions?

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



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Will any be sent to U.S. soil, even though the Senate voted against it 94 to 3?

Finally, what legal basis does the administration have to release trained terrorists into the U.S.?

Americans want answers. Unfortunately, the administration seems more comfortable discussing its plans for the inmates at Guantanamo with a European audience than it is discussing these details with Americans.

Senator SESSIONS wrote a letter to the Attorney General weeks before his trip to Europe asking about the legality of releasing trained terrorists into the U.S. He sent another one to the same effect on Monday. He still has not heard back.

During the same trip, Attorney General Holder talked specifics about Guantanamo with European leaders. He said that the administration has identified 30 detainees at Guantanamo who are ready for release and that he would "be reaching out to specific countries with specific detainees." And according to reports, the administration has presented at least one country with a list of detainees it would like that country to accept.

Americans want to know that on the issue of Guantanamo the administration is as concerned about safety as it is about symbolism. They are concerned about the administration's plans for releasing or transferring some of the most dangerous terrorists alive. They want to know that these terrorists will not end up back on the battlefield or in their backyards.

At the very least, they should know as much about the administration's plans for these men as our European critics do.

So this morning I would like to ask the Attorney General to provide Congress with any information he has provided to foreign governments about his plans for detainees at Guantanamo. If the administration will not relate its plans to the American people or their representatives in Congress, it should at least relate the details of its conversations on this issue with foreign leaders. This is not too much to ask.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to a period of morning business for up to 1 hour, with Senators permitted to speak for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the Republicans controlling the first half and the majority controlling the second half.

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

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

DOMESTIC ENERGY PRODUCTION

Mr. JOHANNIS. Mr. President, I rise today to discuss some of the energy issues currently facing the American economy. First among them is our dependence on foreign sources of energy.

Last summer, we all experienced the consequences of serving the foreign masters who control most of the oil we consume. In July, oil prices climbed to just under \$150 per barrel. Policymakers wrung their hands and scrambled while Americans tried to control their frustration. What did Americans see? They saw prices rising uncontrollably on the global petroleum market. That was especially painful for families. At the same time some at least started to realize that we have abundant reserves right here at home. But these reserves have been actively blocked by Federal policy for over 20 years.

Just how import dependent are we as a nation? Last year we imported about 4.7 billion barrels of oil. Based on an average price of \$100 per barrel, Americans shipped about \$470 billion overseas, nearly half a trillion dollars. That was just for calendar year 2008 alone.

We need to address this problem by expanding every domestic energy source in an environmentally responsible way. This strategy should include clean and renewable sources. I believe in that.

But one might ask: Why raise this issue now? That was last summer, and this year prices are down some. I raise this issue now to note to Nebraskans and to my Senate colleagues that even though prices have relented, our exposure to foreign oil markets has not changed. That alarms me, and it should alarm my colleagues.

I fear the American people are getting set up again. Unfortunately, United States policy on domestic sources of energy hasn't changed much. For too long our Federal policy on domestic energy sources has consisted of three words: No, no, and no. Unfortunately, since this administration has taken office, we have seen evidence of more of the same tired no, no, no policies. First the administration in February canceled 77 leases for natural gas development in the State of Utah. Can we turn our backs on a domestic resource as critical as this one? We know that natural gas is clean relative to other fossil fuels. We know demand for natural gas is only going to increase. We need look no further than the Capitol's own power plant. The Speaker of the House and her own majority leader announced on Friday that we will no longer burn coal to heat the Capitol complex buildings and water.

What is the alternative? It is natural gas. Most troubling, perhaps, we know that natural gas is not easily transported. So increasing demand trans-

lates very quickly into increased price where additional supply is not available. This is not only true for heating; it is especially true for fertilizer and other industrial uses of natural gas. Fertilizer affects my State immensely. For the good of our farmers, for the good of manufacturers, for the good of the Nation, we need to find more domestic sources of natural gas.

If the administration says no to Utah, what about energy exploration in the Outer Continental Shelf, known as the OCS? Since the early 1980s, there has been in place a Federal moratorium of one sort or another on exploration in the OCS. Essentially, most of the Federal waters of the Atlantic and California coasts were off limits to energy development. This is worth repeating. For more than 20 years, Federal policy blocked energy exploration in many of the OCS areas.

Finally, last year, in the face of \$4 gasoline and very angry constituents, the moratorium on OCS exploration was lifted. Unfortunately, it appears to have been a short-lived victory.

In February, the administration announced a delay in the rules for exploration and utilization of the natural gas and crude oil off our shores. The administration assures us that the delay is only to pave the way for "wise decisions." But to a savvy American public, it sounds like more of the same. It sounds like a policy of no, no, and no or at least delay, delay, delay some more, especially when they hear that the same script was used for oil shale leases. That is right. The administration in February also withdrew leases for research and development of oil shale on Federal lands in Colorado and Utah where our oil shale resources are equivalent to 800 billion barrels of oil.

The reason: According to the administration, the leases had "several flaws."

So what is the promise? The administration would offer a new round of oil shale leases for research and development. I will take the administration at its word but, again, it does sound like a broken record: Delay, delay, delay. So Americans, Nebraskans, and this Senator cannot be faulted for being a bit skeptical, for thinking that the most recent delays are simply more of the same. The day will return—unfortunately, perhaps in the not too distant future—when fuel prices will shoot up. Promises that the administration is doing everything it can may very well ring hollow. Americans will know that 77 leases for natural gas exploration were canceled. Americans will know that OCS and oil shale development and exploration was delayed again. Meanwhile their commutes are not getting any shorter. Their electricity bills are not going down. Fertilizer and food prices are continuing to increase.

There has been a lot of talk from the administration about ending our dependence on foreign oil. I welcome that. I want to be a partner in that.