

choice. They want choice of their doctor, their care, their coverage, and employment freedom—freedom to seek employment that is not dependent on whether an employer provides insurance coverage. This is particularly important in today's difficult economic times when Americans are uncertain about whether they will have a job tomorrow. Some, including the President, criticize this approach. However, the New York Times reported:

The Obama administration is signaling to Congress that the President would support taxing some employee health benefits.

While I appreciate the President's and the Democrats' new consideration of such a proposal, it is not acceptable to turn this into a tax-and-spend health care reform. Any new resources derived from changing the existing tax treatment of private health insurance should be devoted to a fairer and more efficient mechanism for Americans to acquire private insurance.

The United States spends over \$2.4 trillion on health care. Health insurance premiums continue to rise as employer-based family coverage increased and Medicare and Medicaid spent \$818 billion in 2008 and is projected to reach \$1.7 trillion by 2018.

I also want to mention something that should trouble every American and every Member of this Chamber.

Last week, I spoke about what the special interests were doing to derail much needed health reform dealing with prescription drugs, a reform that is very bipartisan. Any Member in this Chamber knows I work across the aisle on policies that are important to the American people. Health reform is one issue that fundamentally must be bipartisan.

All Americans are affected by what we do here, so we should be working in a bipartisan manner. It is with extreme regret that I read in "Roll Call" this morning about a meeting that Democratic staff was threatening—let me repeat—threatening Democratic lobbyists or the organizations they represent against meeting with Republicans and that attending meetings with Republicans "will be viewed as a hostile act."

This is outrageous. I hope the article is inaccurate. I hope the staff on the other side does not view health reform as a process they control by threats and hostilities. I hope we are above that.

Madam President, I ask unanimous consent to have printed in the RECORD the "Roll Call" article.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Roll Call, June 11, 2009]

BAUCUS AIDES WARN K STREET

(By David M. Drucker, Anna Palmer and Kate Ackley)

Top aides to Senate Finance Chairman Max Baucus (D-Mont.) called a last minute, pre-emptive strike on Wednesday with a group of prominent Democratic lobbyists, warning them to advise their clients not to attend a meeting with Senate Republicans set for Thursday.

Russell Sullivan, the top staffer on Finance, and Jon Selib, Baucus' chief of staff, met with a bloc of more than 20 contract lobbyists, including several former Baucus aides.

"They said, 'Republicans are having this meeting and you need to let all of your clients know if they have someone there, that will be viewed as a hostile act,'" said a Democratic lobbyist who attended the meeting.

"Going to the Republican meeting will say 'I'm interested in working with Republicans to stop health care reform,'" the lobbyists added.

Republican leaders have been meeting with health care stakeholders for months, with those sessions occurring "more frequently than once a month," according to a senior Senate GOP aide.

The stated purpose of Thursday's meeting, organized by Sen. John Thune (R-S.D.), is to discuss proposals for how to pay for health care reform.

But the underlying motivation for the get-together is to encourage health care lobbyists and stakeholders concerned about the Democrats' health care reform plans to speak out publicly.

"They need to speak up," one Senate Republican leadership aide said. "They need to help us help them."

Thune said Democrats are using threats and intimidation to keep unhappy stakeholders silent.

"If you don't engage on this thing, this train's leaving the station," Thune said. "If you want [Republicans] to have more influence, you've got to engage."

One longtime health care lobbyist agreed that the GOP frustration is spilling out of the Capitol and onto K Street.

"It is notable that Republicans are really finding their voice, and their level of frustration is building with the stakeholders' inability or refusal to speak out," this lobbyist said. "They're getting frustrated. Republicans are doing it themselves."

One senior Democratic source charged that Thune's meeting and the supposed motives behind it are in fact a smoke screen for killing health care reform altogether.

"While Democrats and many Republicans are working collaboratively to reform health care, a small group of Republicans appear all too eager to derail this promising, bipartisan effort," this source said. "It's politics as usual, it's disheartening and it's a shame."

Senate Republicans are opposed to plans by President Barack Obama and Congressional Democrats to implement a government-run, public plan option as a part of health care reform. They also are concerned with how Democrats plan to pay for reform.

Recognizing they don't have the votes to stop legislation on their own, Republicans are pushing their natural allies in the business community to help bring public pressure to bear as another way to influence the outcome.

Obama has set Oct. 15 as the deadline for approval of health care reform, and Democratic leaders in Congress are rushing to clear bills from their respective chambers by the end of July.

"Our effort has been to get these folks to speak their mind," one senior Senate Republican aide said.

After months of holding their tongues while inclusive, bipartisan negotiations continued in the Senate Finance and Health, Education, Labor and Pensions committees, the business community has now considered speaking out, given their displeasure with the HELP panel's reform bill, which was made public on Tuesday.

But with Baucus' office still warning dissenters that anyone who makes their opposi-

tion public could be permanently excluded from future negotiations, the groups representing businesses, health care providers, hospitals and similar stakeholders are still wavering on whether to voice their concerns publicly.

The lineup of lobbyists who attended the Wednesday session included a cast of Democratic insiders similar to that at previous meetings convened by Baucus' staff. The participants included: Jeff Forbes, a former Baucus chief of staff who lobbies at Cauthen Forbes & Williams; Jonathon Jones, a partner with Peck, Madigan, Jones & Stewart; Tarplin Strategies' Rich Tarplin, an assistant secretary at Health and Human Services in the Clinton administration; another former Baucus top aide, David Castagnetti, of Mehlman Vogel Castagnetti and OB-C Group founder Larry O'Brien.

Democratic sources noted Wednesday that Baucus is courting Republican support and remains committed to treating all stakeholders fairly.

On Wednesday, he met with Senate Minority Leader Mitch McConnell (R-Ky.) in the Capitol, part of a marathon day of bipartisan meetings that included a session with his GOP colleagues at the White House and discussions with Republican members of the Finance Committee.

"Chairman Baucus wants to continue to keep health care stakeholders informed of the progress on health reform," said the Senator's Finance Committee spokesman, Scott Mulhauser. "This is a lengthy, transformative process, and meetings like these are an essential part of the ongoing, bipartisan effort to continue to keep everyone at the table working together."

One lobbyist who attended the Wednesday meeting with Baucus' staff said that the message was more bipartisan. "They said they anticipate having a bipartisan bill and that the process is going well with Republicans," this lobbyist said. But, the lobbyist added, Baucus' team did warn, "If your clients attack the process or the product, it's going to be hard to work with you."

As for Baucus, he told reporters earlier this week that he was not aware of health care stakeholders being threatened by his staff to play ball with the Finance Committee-led negotiations or risk being blackballed from the process.

"I'm sure they can all say what they want to say," Baucus said, referring to GOP accusations that health care lobbyists have been subject to intimidations and threats. "It's news to me. I don't think so. I don't know of any."

Republican lobbyists said they have not felt any threats from their party.

"For a while, Republicans have cautioned industry to be careful about getting in bed with the administration or Kennedy or Baucus too early," said Janet Grissom, a lobbyist at Peck, Madigan, Jones & Stewart, who was once a top aide to McConnell.

Mr. MCCAIN. Madam President, I ask unanimous consent for 3 additional minutes.

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

#### DETAINEE PHOTOS

Mr. MCCAIN. Madam President, it appears the House Democrats, according to a "Roll Call" article this morning about the supplemental bill—I ask unanimous consent to have printed in the RECORD this morning's "Roll Call" article titled "Intraparty Fights Per-vade Agenda" concerning the war supplemental bill.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[Roll Call, June 11, 2009]

INTRAPARTY FIGHTS PERVADE AGENDA

(By Steven T. Dennis and Emily Pierce, Roll Call Staff)

Democratic leaders appeared to clear the way Wednesday for passage of a \$100 billion war supplemental, even as they worked furiously to repair internal rifts over health care and climate change legislation.

The war bill, which has swollen with items including a cash-for-clunkers incentive, will eliminate Senate language explicitly allowing President Barack Obama to keep photos of detainee abuse during the Bush administration confidential.

That language was included by the Senate and is backed by Obama and Republicans, but it has been a deal-breaker for House liberals like Financial Services Chairman Barney Frank (Mass.).

Frank and other Democrats who opposed the war bill originally, have committed to voting for it in order to help carry a \$108 billion package of loans to the International Monetary Fund, an Obama priority.

Assuming no Republican support, Democratic leaders need 18 of 51 anti-war Democrats to back the bill, a number that they appear likely to reach despite the continued opposition from leaders of the Congressional Progressive Caucus.

House Republican leaders had derided the IMF money as a “global bailout” and vowed to whip hard to defeat the supplemental with it included.

And even moderate House Republicans from auto industry states appeared unlikely to be won over by the inclusion of a cash-for-clunkers provision aimed at jump-starting the auto industry.

“That’s going to have no bearing on people’s votes on the bill,” Rep. Fred Upton (R-Mich.) said. “They’re not going to get hardly any Republican votes.”

The outcome of any Senate vote on the supplemental conference report remains uncertain, given that Sens. Joe Lieberman (ID-Conn.) and Lindsey Graham (R-S.C.) threatened to not only filibuster the bill, but also block other Senate business if the supplemental did not include their language barring disclosure of the detainee abuse photos.

One senior Senate Democratic aide said Lieberman and Graham’s threat to hold up the supplemental indefinitely was unlikely to last and predicted that Defense Secretary Robert Gates would likely pressure the two defense hawks to relent so that funding for the wars wouldn’t run out.

The trickier problem is what delay tactics Graham and Lieberman might use to stymie Senate action on other bills. The senior Senate Democratic aide acknowledged that Senate Majority Leader Harry Reid (D-Nev.) and Speaker Nancy Pelosi (D-Calif.) might have to come up with a plan for passing the language on some other bill that would be able to pass the House, but this aide noted that Obama has the strongest hand in getting Graham and Lieberman to stand down.

Senate Democratic aides said the language to close the prison at Guantanamo Bay, Cuba, was designed to satisfy the Obama administration’s need to transport terrorists for trial, as well as to ease, for the most part, Democrats’ fear of political repercussions from having detainees permanently housed in the United States.

The language would allow terrorists to be in the U.S. for trial only, which the senior Senate Democratic aide said would “give Obama some flexibility while also mollifying those that have NIMBY problems.”

But the supplemental has been largely a sideshow to the big push behind the scenes on health care, especially from the White House.

One House Democratic aide to a liberal lawmaker said left-leaning Members have been much more focused on health care reform and are generally happy with the direction negotiations on the issue are going.

“The debate is no longer whether there will be a public plan; it’s over what the public plan will look like,” the aide said.

Democratic House chairmen have dismissed a call from conservative Blue Dogs for a “trigger” option that would delay a government-sponsored health care plan, but there are still numerous fights going on behind the scenes—including on the makeup of the plan and how to pay for it.

Some Members fear that a Medicare-style plan that forces doctors to participate will provoke a revolt; others worry that a public plan may ultimately swallow up the entire marketplace.

But parochial concerns are also proving paramount, with individual lawmakers demanding answers on how it will affect their own districts. Rep. Dennis Cardoza (D-Calif.), a leading Blue Dog, said his district is plagued by a lack of doctors in part because of low reimbursement rates under government health programs.

“If that’s not addressed, I’m not voting for the bill,” he said. “We have huge amounts of details to put on the bones.”

But health care isn’t the only issue sparking Democratic intraparty battles.

The cap-and-trade bill limiting carbon emissions, largely negotiated behind closed doors in the House, has rural Democrats balking.

House Agriculture Chairman Collin Peterson (D-Minn.) said Wednesday that Democrats have reached an impasse on the climate change bill. He cast doubts that his committee would pass the bill by next week.

“I think it’s very doubtful that we can get anything done by then,” Peterson said.

Pelosi set a June 19 deadline for committee action on the bill, although she left open the possibility of an extension.

Peterson previously estimated that 45 Democrats would side with him in opposing the climate change measure if an agreement wasn’t reached. On Wednesday, he said that number has likely grown.

“The more people look at this, the more problems they’ve got. My list has grown since I’ve been looking at it,” Peterson said.

For his part, Energy and Commerce Chairman Henry Waxman (D-Calif.) said that there are “very constructive” discussions taking place and that he still wants the bill on the floor before the July Fourth recess.

House Majority Leader Steny Hoyer (D-Md.) said he expected to bring the war bill to the floor next week. The conference committee was scheduled to meet at 3 p.m. today.

Mr. McCAIN. I quote from it:

The war bill, which has swollen with items including a cash-for-clunkers incentive, will eliminate Senate language explicitly allowing President Barack Obama to keep photos of detainee abuse during the Bush administration confidential.

The Graham-Lieberman amendment that would classify these photos was accepted by voice vote. In other words, any Senator who wanted to object or vote against it could have called for a vote. Instead, it was unanimously adopted.

According to the “Roll Call” article I quoted, that provision will be removed from the emergency supplemental. According to that article:

One senior Democratic aide said Lieberman’s and Graham’s threat to hold up the supplemental indefinitely [unless their provision was included] was unlikely to last and predicted that Defense Secretary Robert Gates would likely pressure the two defense hawks to relent so that funding for the wars wouldn’t run out.

I think this Democratic aide highly underestimates Senator LIEBERMAN, Senator GRAHAM, and the rest of us.

I had a conversation with General Petraeus the day before yesterday. I believe those conversations are confidential, and I asked his agreement to quote from him: If these photos are released, it would harm the ability of the United States military to pursue our national security interests and could put American lives in danger. That is a serious statement from the most respected military leader this Nation has.

I want to point out something very important. Today the President of the United States could issue an Executive order classifying those photos and not allowing them to be released. He could do it today. It is time for the President of the United States to stand up to the leftwing of his party for the good of the national security of this Nation.

I join others, that if that supplemental comes over without the provision which was adopted unanimously by the Senate to make sure those photos are not released because of the harm it would do to America’s effort in combating radical Islamic extremism throughout the world and put the lives of the men and women who are serving in our military in greater danger—I intend to join my friends Senator LIEBERMAN and Senator GRAHAM in doing everything we can to oppose such legislation.

This war supplemental is intended to help us win this battle, the war on terrorism, dare I say. It is supposed to help the men and women who are serving in Iraq and Afghanistan as they pursue an implacable and evil enemy and try to instill democracy and freedom in these countries. And if these photos are made public, it will harm their effort and put their lives in danger.

I urge my colleagues to join me in opposing a bill that would eliminate the provision that prevents these photos from being published, and I call on the President today to relieve this pressure and declare, by Executive order, that these photos are classified and not to be released to the world’s public.

Madam President, I yield the floor, and 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. BARRASSO. Madam 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.

## CLIMATE CHANGE

Mr. BARRASSO. Madam President, the House of Representatives is prepared to pass the President's energy tax. It is also known as the American Clean Energy and Security Act. The act, therefore, is known as ACES—American Clean Energy and Security Act. ACES is the right thing to call this particular bill because it gambles—it gambles—with the future of the American people. In blackjack, the dealer might have an ace that is showing, but one card in the dealer's hand is always hidden. In this case, the hidden card is the card that shows the real cost of this bill to the American taxpayer. What the taxpayer doesn't know is that the game is rigged. The taxpayer is going to lose. No matter how many times the majority adds to this hand another giveaway to special interests, another tax break to offset the monumental cost of this bill, the end will be just the same: The taxpayer goes bust and Washington will win the game.

ACES is the product of a supermajority that the Democrats have in the House of Representatives. Given the rules and given the procedures of the House, reasonable amendments are going to be defeated or even blocked from ever being considered. The final product will not be a real starting point to begin this debate on climate change.

ACES is going to have a devastating effect on our economy, and we will see there will be no environmental benefit from doing this bill—none. That is not just my belief or my assessment alone, it is also the belief of others.

Martin Feldstein, noted Harvard economist, in a recent Washington Post article stated:

ACES will have a trivially small effect on global warming while imposing substantial costs on all American households.

Let me repeat that: a trivially small effect, while imposing substantial costs. How big are the costs? Well, he cites the Congressional Budget Office, which estimated that the resulting increases in consumer prices needed to achieve just a 15-percent reduction in carbon dioxide—slightly less than the target of this bill—would raise the cost of living \$1,600 a year, every year, for every family in America. That is a \$1,600 tax on every American family every year.

The Heritage Foundation predicts that the ACES approach could cost the economy \$9.6 trillion and more than 1 million lost jobs into the future. And these are just the raw numbers. The real potential for economic pain goes much further.

David Sokol, chairman of MidAmerican Energy, points out that ACES—this bill—could be a bonanza. And for whom will it be a bonanza? For more Wall Street corruption and more Wall Street greed because ACES is going to deal in investment banks, it is going to deal in hedge funds and other speculators who want to speculate in

the cap-and-trade market. David Sokol points out:

If you liked what credit default swaps did to our economy, you're going to love cap and trade.

Coincidentally, the House bill actually allows for credit default swaps.

He is not alone in his assessment. British scientist James Lovelock, who is a noted chemist and environmentalist, stated in January that:

Carbon trading, with its huge government subsidies, is just what the finance industry wanted. It'll make a lot of money for a lot of people and postpone the moment of reckoning.

So he is saying it will make a lot of money for a lot of people in the financial industry.

Carbon markets can also cause huge fluctuations. We can look to Europe as an example and what we saw happen there. In February of this year, the Financial Times wrote an article entitled "Fall in CO<sub>2</sub> Price a Risk to Green Investment." It seems that the price of carbon in the European Union had fallen so low that it no longer provided an incentive to lower the use of carbon.

So those are things happening not just for this country but around the world.

Another problem is the huge economic gamble ACES makes by bypassing cheaper, low-carbon fuels by heavily relying on unreliable expensive energy. This ACES legislation mandates that by 2020 the electric utilities meet 20 percent of their electricity demand through renewable energy sources and energy efficiency. This is the wrong approach. We need an all-of-the-above energy strategy to address our Nation's energy needs. We need to make America's energy as clean as we can, as fast as we can, without raising energy prices for American families. That is how you create and that is how you then sustain economic development. So I would say, let's develop all of our energy sources—wind, solar, geothermal, hydro, clean coal, nuclear, natural gas—all of the energy sources. Our Nation is so blessed with abundant energy resources. They are right here for us to use in a clean and environmentally friendly way. Coal is cheap and abundant in America. It is what is keeping our energy affordable today. Uranium is abundant in America too. Let's develop this proven zero-carbon resource. And, yes, let's develop all of the renewable energies—the wind, the solar, the hydropower. We need it all.

Lisa Jackson, Director of the Environmental Protection Agency, recently took a trip to Wyoming, and this is what she said while she was in my home State of Wyoming:

As a home of wind, coal, and natural gas, Wyoming is at the heart of America's energy future.

That is because Wyoming has it all. It has the coal, it has the wind, it has the natural resources of natural gas and oil and uranium for nuclear power. It has it all, and we need it all.

The bottom line is that the Democrats' cap-and-tax bill costs jobs and it

raises energy prices. I don't understand why we can't make America's energy as clean as we can, as fast as we can, without raising energy prices on American families. The administration wants to take a different approach. Why are the American people being given this stacked deck, where all of the options hurt the economy, raise energy prices, and cost jobs? The President says we need green jobs. I agree. We also need red, white, and blue jobs—American energy, American energy sources.

The reality is, this partisan energy tax bill passing in the House is a bad bet for all of us. We shouldn't double down with any more taxpayer money to bail out the climate through an energy tax.

Madam President, I yield the floor, and 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. ROBERTS. Madam 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.

Mr. ROBERTS. Madam President, I understand we are in morning business, and I ask unanimous consent that I be recognized for about 12 minutes.

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

## SUPERFUND IN KANSAS

Mr. ROBERTS. Madam President, I rise today to discuss an issue that is one of these "believe it or not" issues of waste and abuse concerning billions of tax dollars and stimulus funding. I have some good news and then I have some bad news to report.

First the good news. In the last 24 hours, we have been able to reverse a policy that would have used stimulus money to pave the same road twice within a matter of months. I said yesterday that did not pass the Kansas commonsense test or, for that matter, any State's commonsense test, and would be a huge abuse of taxpayer dollars. We have reversed this plan, this silly plan, in a bipartisan way.

I wish to personally thank Vice President BIDEN, the man charged with overseeing all of the stimulus spending, for taking action to correct this abuse after I contacted him. I really thank the Vice President because the White House moved and the Vice President moved in an expeditious fashion, and I, quite frankly, didn't expect they could move that fast, but they got the job done.

The Vice President will be in Kansas today, and I asked him to review this rather ridiculous example of wasteful spending occurring in Cherokee County, KS, just a short 2-hour drive south on U.S. Highway 96 from where the Vice President will be. You see, a section of old Highway 96 would have been