

each year because of this cost shifting phenomenon because Medicare and Medicaid reimburse at below-market rates. So those are hardly a model for what we ought to be doing. Adding another new government plan on top of the ones we have, of course, will only increase the costs. We will never lower health care costs by putting Medicare all in place or what some might call Medicare on steroids. We need new approaches.

Mr. President, there are better alternatives. We have a bill that has been proposed by Senators BURR and COBURN on our side of the aisle. Several members on the Finance Committee, including myself, are working on a proposal that will empower patients and consumers, and not the government; that will not get between doctors and patients and will not rely on denying or delaying access to care in order to keep costs down. We believe innovation is one of the things that has made health care in America among the greatest in the world, and that is why we believe we need to retain, protect and nurture that innovation and that quality health care: to empower patients to use a market that plays by the rules to help lower their costs.

I have seen that as recently as a few weeks ago in Austin, TX, when I visited with a number of employees of the Whole Foods Company that is headquartered in Austin—a grocery company—where these workers have health savings accounts or high deductible insurance. They call them wellness accounts. I was told that 80 percent of the employees at Whole Foods don't have to pay any money out of pocket for health care. Since they have wellness accounts, or money they control, they have been empowered to become good, smarter consumers in health care.

So they will call health care providers and say: How much are you going to charge me for this? They will shop and compare different providers to make sure they are getting the best price for the best quality outcome. I think that kind of thing, which imposes market discipline but which requires transparency, is one way we can hold down costs and empower individuals rather than just turn it all over to Uncle Sam.

Let me say, in conclusion, we keep hearing we must put health care reform on the fast track in Washington, DC, although we see the schedule slipping because of the sticker shock at the huge numbers coming out of the CBO. I have told folks back in Texas that we know the train is leaving the station, but we don't yet know whether that train will safely arrive with all of its occupants healthy and alive or whether what we are witnessing is, in essence, a slow-motion train wreck in Washington, DC.

The more the American people learn about what is in these bills and how much they cost, they will want us to slow down so we can make better decisions and we can get this right.

I think we owe them that. I yield the floor.

Mr. DORGAN. 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. DORGAN. 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.

Mr. DORGAN. Mr. President, we are to report the pending legislation.

#### CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

#### TRAVEL PROMOTION ACT OF 2009

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of S. 1023, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 1023) to establish a nonprofit corporation to communicate United States entry policies and otherwise promote leisure, business, and scholarly travel to the United States.

Pending:

Reid (for Dorgan/Rockefeller) amendment No. 1347, of a perfecting nature.

Reid amendment No. 1348 (to amendment No. 1347), to change the enactment date.

Reid amendment No. 1349 (to the language proposed to be stricken by amendment No. 1347), to change the enactment date.

Reid amendment No. 1350 (to amendment No. 1349), of a perfecting nature.

Reid motion to commit the bill to the Committee on Commerce, Science, and Transportation, with instructions.

Reid amendment No. 1351 (to the instructions on the motion to recommit), to change the enactment date.

Reid amendment No. 1352 (to amendment No. 1351), of a perfecting nature.

Reid amendment No. 1353 (to amendment No. 1352), of a perfecting nature.

The ACTING PRESIDENT pro tempore. The Senator from North Dakota is recognized.

Mr. DORGAN. Mr. President, the legislation that is now the business of the Senate, on which we will have a cloture vote at 5:30, is legislation that probably demonstrates that agreement is near impossible in this body.

If you cannot agree on tourism, what can you agree on? Tourism ought not to be the subject of very substantial controversy. Yet it is.

Last week, in an article in Roll Call, it says "Senate GOP still saying no." The quote is:

When they bring bills up, we are going to extend the debate as long as we can, block everything.

So this legislation is simple, and it is bipartisan. Republicans and Democrats have both supported this legislation. I was the author of it. We have Repub-

lican and Democratic cosponsors. It is the Travel Promotion Act. Why should we promote travel?

If you watched the U.S. Open Golf Tournament today, you might have seen the country of Turkey advertising during that golf tournament. They were running an advertisement saying: Come to Turkey. We want you to travel to Turkey and see the wonders of our great country.

Why would they do that? Most countries are now aggressively involved in trying to attract international destination tourism to their country. Why is that the case? We know on average that an international traveler spends about \$4,500 per trip, and that means they are purchasing hotel rooms and car rentals and going to see exhibits and parks and all kinds of things. The fact is, it is job creating in a country where international travelers visit. So most countries are now very active trying to attract people to their countries. Japan is, as are Great Britain, Italy, Turkey, France—you name it.

I have some charts. Here is an example of what is happening out there. This is an advertisement: "Sweet secrets from Japan." To learn about Japan and its culinary arts and traditions, this is an advertisement saying: Come to Japan. Come and travel in the country of Japan.

Here is an advertisement from France. Picasso, Normandy Landings. Come and see France with the Eiffel Tower.

Here is one for Belgium. "Travel to Belgium where fun is all in fashion," they say.

Brussels, "Sophisticated simplicity, the capital of cool."

This one says: "One special reason to visit India in 2009. Any time is a good time to visit the land of Taj. But there's no time like now." Come to India.

The list goes on and on.

Here is Ireland. "The Emerald Island. Go where Ireland takes you." And here is a beautiful picture of Ireland saying: Come to our country.

Finally, we have Australia. "Arrive for an experience to remember. Depart with an adventure we'll never forget." Come to Australia.

I describe these and the fact that Turkey advertises on a golf tournament because here is what happened to visitors to the United States since 2000: Between 2000 and 2008, we have had a 3-percent decrease in visitors to our country from other countries. Mr. President, 633,000 fewer people have come to the United States to visit per year that existed in 2000. Over 8 years, we have actually lost ground and had fewer people visit the United States. Contrast that with the number of international visitors around the world, which is up 40 percent. The United States is down 3 percent.

We have constructed—Republicans and Democrats together—a piece of legislation, which I have brought to the floor, that attempts to get our

country into the game to say let's compete with Australia, France, Italy, Turkey, and Belgium and ask international visitors and travelers to come to our country to see the wonders of our great country. Spend some money here to create jobs here and create economic development here. We are not doing that now. We are not even in the game.

So we suggest a private-public partnership we believe could be very helpful in attempting to stimulate international visitors to our country. The Travel Promotion Act will encourage visitors from all around the world. We establish a corporation for travel promotion.

We fund it with a very small charge on international visitors coming to our country, as most countries do, by the way, a \$10 fee on those who are coming from the countries that had the visa waiver provision with our country.

Here is what has been said about our country recently, and here is perhaps why fewer people are visiting the United States. The Sydney Morning Herald said, "Coming to America is not easy." I think there was a feeling around the world post-9/11, we are very interested in trying to keep some people out of here. Obviously we wanted to keep terrorists out. But we made it pretty difficult for people to come visit, get a visa, stand in line, wait for months. The Guardian said, "America, more hassle than it's worth." The Sunday Times in London says: "Travel to America? No thanks."

So a group of us, a large group, over 50 in the last Congress, put legislation together saying: Let's find a unique way to promote our country. We put together the Travel Promotion Act. And by the way, unlike almost every other piece of legislation that comes to the floor of the Senate, that costs money and would increase the deficit if not paid for, the Congressional Budget Office says: Enacting this bill would reduce budget deficits by \$429 million—that is almost a half a billion dollars—between 2010 and 2019. So this would reduce the budget deficit. We are not talking about something that spends money. This reduces the budget deficit over 10 years by nearly \$500 million.

We fund this, in large part, with a small \$10 fee from the visa waiver countries in which visitors are traveling to our country. As I have described, Australia has a \$37 departure fee; Guatemala, \$30; the Philippines, \$15; United Kingdom, \$80 to \$160. The fact is, this goes on all around the world. We are proposing a very modest fee on visitors from visa waiver countries.

Newspapers all across this country have supported this. Dallas Morning News: The Travel Promotion Act is a sensible first step toward putting the welcome mat back on America's doorstep.

The Detroit Free Press: Doesn't it make sense to encourage, at no cost to taxpayers, foreign visitors to come

here and leave us some of their money? There is no good reason not to pass this bill.

The Los Angeles Times: Considering that the U.S. spends hundreds of millions of dollars on public diplomacy with dubious results, and nearly nothing promoting tourism, we might do well to invest a little money in wooing travelers.

The Sacramento Bee: This country needs to reclaim its status as a global magnet for visitors, even in the post-9/11 climate. And Congress could help by passing the Travel Promotion Act by the end of this year.

This ought to be something that we bring up and almost pass by unanimous consent. Guess what kind of a tortured journey this bill has been on. First and foremost, the bill is reported to the floor—and you have got to have a motion to proceed. You cannot just bring it to the floor. If someone insists, no, no, you have got to have a debate and then a vote on whether you should even proceed to the bill.

So we did. Not because we should have had to do that, just because someone said: You know what, we are going to decide to be a human set of brake pads and slow down everything that happens in the Senate and prevent anybody from getting anything done.

So on a travel bill, the Travel Promotion Act, that actually reduces the Federal budget deficit and tries to attract international visitors to our country, which would be a good thing—there is a lot here to see and experience, and almost everyone who leaves after visiting the United States of America has an unbelievably good opinion of what we are about. This is a great country, yes, with a lot of attractions, but a country whose culture and character is something we need to exhibit to everybody in this world to say: Here is who we are. Here is what America is about. Here is the grand idea that is the most successful democracy in history. Come here. Visit here. Become a part of what we are experiencing on your international travels.

We are not doing that now. But we suggest we should. The bill that is broadly bipartisan to do that is to be brought to the floor of the Senate. We are told: No, you cannot do that. First you must have a debate, and then a vote on the motion to proceed.

So we have to file what is called a cloture petition, which takes 2 days to ripen. You lose 2 days. Then we have a vote. And the vote is 90 to 3 in favor of it. The implication there is we should not have had to have a vote and waste a couple of days. But we did.

Then, after the cloture vote, 90 to 3, we were told: No, you cannot go to the bill yet, there is 30 hours postcloture, and we insist on burning all 30 hours postcloture.

We had 2 days for the cloture petition, then a 90-to-3 vote, then we had 30 hours wasted time postcloture. Why? Because someone insisted upon it. And so now all of a sudden we are on the bill.

Well, last Thursday and Friday, I worked, Senator REID worked, and many others worked to see, all right, we are on the bill. Now can we figure out what kind of amendments are going to be offered.

We had a discussion over there in the middle of the aisle with Senators MCCONNELL, REID, MARTINEZ, and others. We agreed we would begin with amendments on each side. Perhaps we started with three and two, then we said five amendments on the Republican side and three amendments here at least to start the process.

Can you give us a list of your amendments? We got a list of the amendments, five amendments on what is called the TARP program, the Troubled Asset Relief Program, having nothing at all to do with this bill. We said: That is fine. Okay. You want to have five debates and votes on TARP. Okay.

Here are our three amendments, two of which had to do with the studies. The other was an amendment by Senator SANDERS that said to the Commodity Futures Trading Commission that we want them to use all of the authority they now have, plus any emergency authority, use the authority you now have to start finding a way to shine the light on these unbelievable speculators who are running up the price of gasoline. Not a very controversial amendment. It does not give the CFTC any new authority. It deals with the question of the runup in the price of gasoline. It does not give anyone any new authority. But the Republican side said: Nope, we are not going to allow you to offer that amendment. We are going to tell you which amendments we intend to offer. We said, okay, that is fine, whatever amendments you have, God bless you, go ahead and offer them.

But they say, but you cannot describe to us a set of amendments, three, five to three, and if the three includes an amendment to try to see if you can shut down some of the excess speculation using the authority that the Commodity Futures Trading Commission now has, we are not willing to do that.

Most people would listen to all of this and say, it is the same old thing. Nobody can agree on anything. But, you know, in every circumstance where there is disagreement, there has to be someone who is holding out. Right? We come to the floor today without an agreement on amendments, so the majority leader had to file a cloture petition. We have a cloture vote at 5:30 today.

This Congress cannot even agree on tourism, for God's sake. Unbelievable to me. How dysfunctional can a legislative body become? You cannot agree on tourism.

But let me at least talk for a minute, before I talk about the importance now of having a cloture vote and requiring to have a cloture vote on this, let me talk about what the other side objects

to with an amendment that my colleague wants to offer. I agree that the amendment does not relate to the bill, but their first five amendments had nothing to do with the bill either. So why should the minority be telling the majority what kind of amendments they can offer?

But here is the amendment. People remember when the price of oil went from about \$40 up to \$147 a barrel in day trading; went up like a Roman candle, then came right back down. The same hotshots, the same speculators, who made a fortune pushing up the price of oil, made a fortune on the upside, the same folks made a fortune on the downside. The victims are the people who drive up to the gas pump having to pay \$4, \$4.50 for gasoline.

Let me show you what has happened. The Commodity Futures Trading Commission—I mean nobody knows what that is much outside of Washington, DC, CFTC. We have all of these acronyms. Well, it is a group of people who have done their level best imitation of a potted plant for a long time. They decided to do very little in areas where much was needed.

The oil futures market is a very important market. You need to hedge, we understand that. The futures market is established for a very specific reason, and it is an important market. But speculators have broken the back of that market. Here is what happened. Thirty-seven percent of the trades in the oil futures market were by speculators in 2000. Now it is 80 percent. That is what caused the price of oil to go up to \$147 a barrel. They were speculating on the way up; they turned it and were speculating on the way down and made money on both sides.

Before I show what has happened to the price of oil now—by the way, it is starting again. Demand is down because of the recession, and the supply of oil is up, and the price is going up.

What does that tell you? It tells you the same shenanigans are going on. And the CFTC, which is supposed to be our agency, that is the referee with the striped shirt and the whistle, supposed to be watching what is going on and taking action to shut some of it down, once again, not much going on. Senator SANDERS says: We ought to ask them, at least ask them, to use all of their authority to shut it down.

We have a government agency called the EIA, Environmental Information Administration. It costs about \$100 million a year, actually over \$100 million a year. Their job is to know everything there is to know about energy, and to make the best estimates they can make. I want to show a chart that shows the runup to the \$147 a barrel for oil.

This chart shows 2007–2008. The yellow line is the estimates by our agency, the EIA, saying: Here is where we think the price of oil is going. Each yellow line—this, for example, is January 2008. They said: Here is where we think the price of oil is headed. March

2008: Here is where we think it is headed. Of course, this was the price.

One would ask the question, and reasonably so: Who are these best informed people at EIA who are supposed to give us an estimate of what is going on? Well, what is going on now? What we see now is an EIA projection made in January of this year, the yellow line.

The EIA says: Here is where we think oil is going to go now. But, of course, anybody who drives a car and has stopped at a gas pump recently understands what is happening to the price of oil. The price of oil is something now over \$70 a barrel, on the march from \$37 a barrel. That is happening at a time when demand is down and supply is up.

I taught economics in college ever so briefly. But the supply-demand curve is something you can learn the first day. When supply is up and demand is down, price is not supposed to go up. If it is going up, there is something wrong. There is something happening. And that is what is happening now.

Where will it go? Will it go to \$90? I notice one of our big investment banks thought it would go to \$90. I would love, if I had subpoena capability, to find the position that investment bank was holding in oil futures as they made that announcement. But that is an aside for another day.

The question is: Is it reasonable to have an amendment by Senator SANDERS to say: We want the Commodity Futures Trading Commission to use all of their authority to try to understand what is going on? The other side says: Absolutely not. We do not intend to allow you to offer that amendment.

I mean, I do not understand why. Whose interests would they be supporting or protecting? The speculators? Big investment banks? Those who are holding oil offshore in ships? Those investment banks that actually have bought oil storage for the first time in history to take oil out of supply and store it, and wait as the price goes up and make money? Is that whose interests are at stake here?

Let me come back to the point I was making. We tried very hard Thursday and Friday to reach an agreement on amendments on both sides. We said: Absolutely. You want amendments. You want all five amendments on the TARP program? It has nothing to do with the bill. By all means, feel free. Start offering. We are ready. And the other side said: Well, you give us all we want, but we do not intend to agree to much of anything you want, kind of a one-way agreement that they would have known was destined to fail.

Again, I do not understand how we have gotten to a point on a piece of legislation that should be so non-controversial, sufficient so that with a 90-to-3 vote on the motion to proceed, it is brought to the floor of the Senate, a bill that had over 50 cosponsors last year here in the Senate, a bill that deals with travel and promotion of travel and tourism, that we now have this unbelievable impasse.

We had to have 2 days with a cloture motion on a motion to proceed that passed 90 to 3 and then have 30 hours postcloture. Then we were going on this merry-go-round last Thursday and Friday with an absurd proposition that the minority wants to decide what amendments the majority can have, despite the fact that the majority says: You can have whatever amendments you want. They must have missed the last couple of elections. They apparently think they run the Senate.

What runs the Senate is consensus—consensus by people who care about getting things done on important issues. If you cannot do something on tourism, how on Earth are you going to do something on health care and energy and climate change and a lot of things that matter a lot about this country and the future? If you cannot do a tourism bill, what can you do? It is pretty unbelievable to me.

I know we can have people come and explain, even until they are completely out of breath, why they object to everything. I just described: Senate GOP still saying no. Democrats need to know when bills are coming up, we are going to extend the debate as long as we can—on and on and on.

How about just picking out one or two little issues—one or two issues—that would advance the country's interests and say: Do you know what, on this issue we will just park the politics at home. We have to leave the politics back in the office. We will come to the floor and say: What is good for the country?

I will tell you what is good for the country here on this issue; that is, in a very troubled world, where a lot of people have looked askance at this country and we have gotten some bad reputation around here and there—and some bad information about America—I will tell you what is good: to have people come to this country and just be around for a bit and experience this great country of ours and understand when they hit our shores this is a citadel of freedom. You can do everything you want.

This is an unbelievable place, and we need people in the world to understand it and to understand especially this: You are welcome to come here. We want you here. We want you to come and see and sample and understand what America is about. That is what this bill is. If we cannot even agree on that, how on Earth will we agree on the big issues of the day?

We will have a cloture vote at 5:30. My guess is, the minority will say: We believe this vote needs to be a leadership vote. All of you have to vote against cloture because we haven't offered the first amendment. Do you know why you have not offered the first amendment? Because you would not agree on anything. We tried Thursday. We tried Friday. You would not agree on anything. We agreed on all your amendments, and you would not agree on a thing. So here we are—I and

my Democratic and Republican cosponsors on this bill we have worked on now for 2 years—coming now to a cloture vote in which some will say to others: You can't vote for cloture because we haven't had any amendments.

I hope perhaps between now—10 to 4 o'clock—and 5:30, if there are well-meaning people in this Chamber who really wish to make progress for our country, we could have an agreement on amendments and then just go forward. Let's do that.

I was there when Senator REID said to the minority leader: Look, let's just at least start. We do not have to have a whole list of all the amendments. Let's just start. If you want the first five amendments—whatever it is you want—bring them on. We will have the amendments. And we will give you three of ours. Let's just start the process.

We could not even get that done Thursday and Friday.

The American people deserve better than that from all of us. They deserve a Senate that works. And if the Senate cannot work on bipartisan legislation dealing with tourism, can you name a subject where it will work?

My hope is that in the next hour and a half, perhaps some will come to the floor who have the interest and the ability to reach an agreement, so we can begin the amendment process and finish the bill this week. We can do that. We should not defeat this cloture motion. In fact, we should vitiate the motion—if we could get the leadership of the other side to come to the floor and say: We agree with what you proposed last week.

Let's start. Let's start now. Let's have some amendments tonight and have some votes. We can do that.

Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Arizona.

#### COLOMBIA FREE TRADE AGREEMENT

Mr. KYL. Mr. President, next week President Uribe of Colombia will be meeting with President Obama at the White House. I hope this meeting will serve as an opportunity to get the Colombia Free Trade Agreement back on track.

I support the Colombia Free Trade Agreement because of its importance to Colombia but also because I think it is important for U.S. firms to gain access to the markets of fast-growing developing nations abroad. Our economy will revive only if we create jobs. Enacting this Colombia Free Trade Agreement will help to do that.

America's two-way trade with Colombia reached \$18 billion in 2007, making Colombia our fourth largest trading partner in Latin America and our largest export market for U.S. agricultural products in South America.

Exports are the only major sector of the private economy actually making positive contributions to U.S. economic growth. In my own State of Arizona, nearly 80 percent of all of our manufactured goods were exported. On

average, net exports added more than 1 percentage point overall to our economic growth last year, in part offsetting the negative consequences of the housing downturn. So if U.S. manufacturers and farmers were not able to sell their products abroad, the current economic downturn would be much worse.

Enacting the Colombia Free Trade Agreement would help more than 10,000 U.S. companies that export to Colombia, 8,500 of which are small and medium-sized firms, by opening a significant new export market.

America's market is already open to imports from Colombia. In 2008, for example, over 90 percent of U.S. imports from Colombia entered the United States duty free under our most-favored-nation tariff rates and various preference programs, such as the Andean Trade Preference Act and the Generalized System of Preferences. However, more than 97 percent of U.S. exports to Colombia are subject to duties that range from 14 to 50 percent. Once the agreement is approved, over 80 percent of U.S. consumer and industrial exports to Colombia will enter duty free. So each day Congress does not approve the Colombia free-trade deal, the U.S. exporters pay \$2 million in unnecessary tariffs.

Let me review very briefly the events of the past 2 years to understand the current state of affairs.

On May 10, 2007, Democrats and Republicans agreed to a framework that modifies future trade agreements to include provisions improving labor and environmental standards in order to move the Peru, Colombia, and South Korea free-trade agreements.

After the Peru Trade Promotion Agreement was signed into law in December 2007, Democrats broke the deal with us in order to extract more concessions. This time, they said that in exchange for passing the Colombia Free Trade Agreement, the Bush administration would need to accept an expansion of TAA benefits by increasing the refundability of the health care tax credit from 65 to 80 percent, expanding the TAA eligibility to service workers, and doubling the mandatory funding for worker retraining from \$220 to \$440 million.

When the Bush administration tried to jump-start the process last year by introducing the Colombia Free Trade Agreement, Speaker PELOSI responded by unilaterally rescinding Colombia's fast-track authority, essentially killing any chance of moving the agreement.

We missed another opportunity to enact the Colombia Free Trade Agreement on the stimulus bill. Although the majority did find room to enact a multibillion-dollar trade adjustment assistance expansion—that is what TAA stands for—which was considered a prerequisite to any additional free-trade agreement, now that it is the law, we are not moving forward on the Colombia Free Trade Agreement.

Interestingly, the President's budget would permanently extend trade ad-

justment assistance at a cost of \$4.6 billion over 10 years. But it does not include one dollar to implement any of the pending trade agreements such as those with Colombia, Panama, or South Korea.

I urge my colleagues to use President Uribe's visit as an opportunity to move forward and renew this Nation's commitment to trade not only to assist an important American ally that needs our help but to enact a true stimulus bill that will promote American manufacturing exports and create badly needed jobs. I ask that we get our staffs to begin working together to develop a plan to ensure passage of the Colombia Free Trade Agreement.

Finally, let me respond briefly to Democrats' charges that Colombia has not done enough to protect human rights. The Colombian Government has demobilized and brought to justice over 31,000 members from 35 paramilitary groups, principally from the AUC or the United Self-Defense Forces of Colombia. In addition, more than 10,500 members of the far-left insurgent groups FARC, the Revolutionary Armed Forces of Colombia, and ELN, which is the National Liberation Army, have chosen to demobilize, individually leaving their units and turning themselves in to Colombian authorities. The Colombian Government is also providing protection to over 10,600 individuals. The largest protection program is run by the Ministry of Interior and Justice and provides protection to more than 9,400 individuals, including 1,900 trade union members. Of the program's \$39.5 million budget, one-third—over \$13 million—goes to protect trade unionists. As a result, President Uribe has improved the security situation in Colombia dramatically. Kidnappings are down by 83 percent, terror attacks are down by 76 percent, homicides have decreased by 40 percent, and homicides against trade unionists have dropped by twice as much—over 80 percent.

This is important progress by the Government of Colombia. It is an important ally of the United States. It deserves our support. And, as importantly, exporters in the United States deserve congressional support, enabling them to export their products without the kinds of barriers that currently exist.

The trade agreement is in our best interest, and I hope my colleagues will insist that very soon we get the Colombia Free Trade Agreement back on track so this important legislation can pass the Congress, be signed into law, and begin to help our economy generate jobs and stimulate economic growth. It is an important agreement that has languished far too long, and we need to get it moving again.

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

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

The bill clerk proceeded to call the roll.

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

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

#### HEALTH CARE

Mr. McCONNELL. Madam President, as the debate over health care reform continues, a number of different approaches have now emerged. But one thing unites us: All of us agree health care reform is needed. The question is, what kind of reform—a reform that cuts costs and expands access or a so-called reform that leads to a government takeover where premiums are increased but health care is delayed, denied, and rationed? The American people want reform, but they want reform that allows them to keep their current insurance while preserving the freedoms, choices, and quality of care they now enjoy. That is why Republicans have proposed a series of reforms to lower costs and improve access, without—without—destroying what people like about our current health care system.

As it turns out, President Obama has said he is open to some of the ideas Republicans have put forward, such as the need to reform our medical liability laws to discourage junk lawsuits and the need to encourage wellness and prevention programs that have proven to be effective in cutting costs and improving care. In fact, during a speech last week to the American Medical Association, the President discussed one particular wellness and prevention program at the Safeway supermarket chain, which has dramatically cut that company's health care costs and employee premiums. The President even said he would be open to helping businesses across the Nation adopt wellness and prevention programs such as the Safeway plan. Yet the bill the Democrats are trying to rush through the Senate would actually ban this program from being copied and implemented by other companies. That makes absolutely no sense.

All last week, we heard eye-popping cost estimates for health care proposals coming out of Capitol Hill—proposals that wouldn't even solve the entire problem but would bury us deeper and deeper in debt. If the goal is to decrease costs, why wouldn't Democrats in Congress support a plan we know has been effective in doing so—especially if the President himself supports it? One would think this would be an easy bipartisan feature of any Democratic plan.

According to Safeway CEO Steve Burd, Safeway's per capita health care costs have remained flat even as the per capita health care costs of most American companies have increased by nearly 30 percent since Safeway implemented its wellness and prevention plan back in 2005.

Safeway's plan has also reduced the health care costs for employees and their families by offering incentives for

workers who adopt healthier lifestyles. Those employees who choose to participate in the plan are tested for tobacco usage, for a healthy weight, and for their blood pressure and cholesterol levels. Employees who pass these tests are given discounts on their premiums.

For example, if employees pass all four tests, their annual premiums are reduced by \$780 for individuals and \$1,560 for families. If employees miss their goals the first time, the company provides support for improvement and financial incentives for those who make progress.

All of this makes health care more affordable, and it also helps to improve the health and quality of life of Safeway's workers. The company's obesity and smoking rates are now about 70 percent of the national average, and employees like the plan so much that 76 percent of them want more incentives that reward healthy behavior.

Safeway executives estimate if the United States had adopted its approach in 2005—4 years ago—the country's direct health care bill would be \$550 billion less than it is now—if we had simply adopted the Safeway approach 4 years ago.

The Safeway program has proven so successful that the company wants to increase its incentives for rewarding healthy behavior. Unfortunately, current laws restrict it from doing so, but instead of offering legislation that corrects the problem, the so-called reform bill being pushed through the HELP Committee would do the opposite. It would actually prohibit companies from implementing the Safeway program.

Let me repeat that: The bill that is currently being pushed through the HELP Committee doesn't let companies consider an employee's health status when providing insurance—meaning employers would be banned from rewarding healthy behavior as Safeway does and offering lower premiums to workers who manage their chronic diseases, eliminate high-risk behaviors such as smoking, or lose weight. In other words, it would prohibit companies from implementing programs that have been proven to cut health care costs. I thought that was the point of health care reform.

When it comes to making health care more affordable, we should all support ideas that work. Americans want health care ideas that cut costs and improve care. The Safeway model is an excellent place to start. The President supports it, Republicans support it, and Safeway's experience has shown that it works. If Democrats in Congress are serious about making health care more affordable, they should support it too. Instead of the rush-and-spend approach that has led to a chaotic process and hugely expensive health care proposals that don't even address the whole problem, Democrats should slow down and consider ideas that have been shown to not only be effective in delivering care but also effective in reducing costs.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. ALEXANDER. Madam President, in about an hour, we will be asked to vote on whether the Senate can continue to do what the Senate is supposed to do and that is to amend and debate. When I ran for the Senate, the people of Tennessee sent me up here to represent them. They expected that when I got here, I would have a chance to say what I had to say on their behalf, and sometimes what I think may not be so important but what they think is important. The people of Tennessee know the history of the Senate—as Senator BYRD has so often said—is distinguished only by a couple things. One is virtually an unlimited right to amend, and another is a virtually unlimited right to debate.

What is going to happen at 5:30 is we are going to be asked to vote to cut off amendments and cut off debate. A vote of yes will be a vote to obstruct our right to amend, obstruct our right to debate and to make it impossible for me to represent the people of Tennessee, who voted for me with the idea that I might be able to do that.

Let me explain a little more what I mean by that. A great many people write books about America, but unquestionably I think the best regarded such book is a book by Alexis de Tocqueville, entitled "Democracy in America." When the young Frenchman came to this country, he ran across Davy Crockett and all sorts of people. When he wrote about what he thought might be, in the long term, the greatest danger to the American democracy, he said he thought it might be the "tyranny of the majority." He was afraid that in our type of system, what might happen is that the majority would get control and run over the minority.

The Senate was one of the institutions created to avoid that. So when we get a situation where we have only 40 or 41 Republican Senators and 57 or 58 or 56 or more Democratic Senators, the minority always has a right to make sure there is no tyranny of the majority. It has been the other way and it will be again; when I first came here the Republicans held the majority, and we had 55 Republicans at one point. So a vote of yes at 5:30 is a vote to obstruct the right of Senators to represent the people who hired them to come and offer amendments and speak for them.

Ironically, this vote will give the majority the right to suppress a majority view—because what is the issue that is attempting to be suppressed? The issue is whether we ought to get the government in Washington out of the automobile business. I think most people in

the country are thinking we are having too many Washington takeovers. That is not the American way. We know we have had trouble in this country economically, but taking over banks, insurance companies, student loans, car companies, and now maybe taking over health care—the American people don't like that.

We have a series of amendments to be offered—both Republican and some with bipartisan support—which would say: Let's get the government out of the automobile business and put it back in the hands of the American people and the free enterprise system of America. That is a majority view in this country.

According to an AutoPacific Survey in the Nashville Tennessean, 81 percent of Americans polled agree that the faster the government gets out of the automotive business the better; 95 percent disagreed that the government is a good overseer of corporations, such as General Motors and Chrysler; 93 percent disagree that having the government in charge of General Motors and Chrysler will result in cars and trucks Americans want to buy. Most Americans don't want a car that a United States Senator engineered, designed, and sold. That is not what we are here for. They know better than that.

According to a Rasmussen Poll of June 13 and 14, 80 percent of those polled believe the government should sell the government stake in the auto companies to private investors "as soon as possible." And 71 percent of those polled believe the government should sell their stake to private investors as soon as possible.

According to the Wall Street Journal on June 18, nearly 70 percent of those surveyed said they had concerns about Federal intervention into the economy, including the President's decision to take an ownership interest in General Motors, put limits on executive compensation, and the prospect of more government involvement in health care. We have a situation where the President is calling the mayor of Detroit to get into the question of whether the headquarters of General Motors is going to be there or in Warren, MI. We have the chairman of the House bailout committee—the House Financial Services Committee—calling the president of General Motors saying: Don't close the warehouse in my district. And all of us in Congress are saying: Please build a car in my district. We will have some Congressmen saying: Don't buy a battery from South Korea; buy one made in my district. We have automobile company executives driving to Washington in their congressionally approved hybrid cars to spend 4 hours testifying and then drive home. How many cars do they design, build, and make while doing this? The American people know the car companies cannot compete if they have 435 congressional political meddlers, 100 senators, plus a whole administration, trying to tell them how to compete in a very complex business.

Senator BENNETT of Utah and I, cosponsored by the Republican leader, Senator KYL, and others, have a bill called the Auto Stock for Every Taxpayer Act. We would like to offer it as an amendment this week and get a vote on it. The Auto Stock for every Taxpayer amendment would say that the Treasury can't use any more TARP funds to bail out General Motors or Chrysler. Also, while the government owns stock in these companies, the Secretary of the Treasury, or his designee, has a fiduciary responsibility to the taxpayer to maximize returns on that investment. And most importantly, our amendment says that within a year after General Motors comes out of bankruptcy, the government should distribute its stock to the 120 million Americans who pay taxes on April 15.

In other words, let's have a big stock distribution, the same way Procter & Gamble did when it distributed stock in Clorox or the same way other companies do every year. We have a core business, the car company, that has nothing to do with the owner, the United States government, and we should give the car company to the owners—the 120 million people who pay taxes. That is what we should do. And the rationale is: I paid for it, I should own it. That is the first amendment we want to offer.

Senator CORKER, with a couple of cosponsors, including Senator WARNER from the other side of the aisle, has another idea, which I am glad to support. It is a little different approach to the same idea. He would create a limited-liability corporation to manage the government ownership stake in companies in which the government owns at least 20 percent. By the fall of this year that will probably include AIG, Citigroup, and General Motors. The government's assets would be placed in a trust and managed by three independent, nonpolitical trustees. The trustees would have to liquidate the government's interest by December 24, 2011. And there is a waiver process in case the trustees think there is a problem with that deadline.

That is a responsible, interesting approach. Why shouldn't Senator CORKER and Senator WARNER have a chance to offer that amendment? That is what the majority of people in America would like to see done.

Senator JOHANNIS, a distinguished former Governor of Nebraska, has his Free Enterprise Act of 2009. He has 29 cosponsors. He would like to require congressional approval before the Federal Government can use TARP funds to acquire ownership of an entity through stock.

Senator THUNE, a member of the Republican leadership, has the Government Ownership Exit Plan Act of 2009. He would require the Treasury to sell any ownership of a private entity by July 1, 2010, and prohibit the government from acquiring any additional ownership stake in private companies.

Well, I think you can get the drift, Madam President. We have a number of Senators, mostly from this side but some cosponsored from the other side, who say that the American people are tired of Washington takeovers. They know cars aren't going to get better in this country if the government is meddling with them and designing them and building them and making them. I can just imagine what we will have if we meddle. We will have a purple polka dot car that gets 50 miles per gallon and will have a windmill on top and a solar panel on the side, and it will have this part made in this Congressman's district and that part made in that Senator's State, and it probably won't run 5 miles. Then we will lower the price to get people to buy it, all the while losing money, losing competition, and putting real competitors out of business. And then we will have no American automobile industry left. So we need to get the government out of the car business and stop the Washington takeover. And over 80 percent of the American people agree.

So what are we doing in the Senate? We are going to vote at 5:30 to say: No, Senators. No, Senator CORKER. No, Senator WARNER. No, Senator ALEXANDER. No, Senator BENNETT. We are going to say no to the other Senators, you can't continue to debate. You can't continue to offer your amendments. We are going to obstruct your right to do that. We are going to keep you from representing the people of Tennessee, the people of Utah, or the other people you were sent here to represent. We are going to stop the debate; stop the amendment.

That is the tyranny of the majority that Alexis de Tocqueville envisioned. That is not the way the Senate has been running this year. This year in the Senate, Senator REID has made a good-faith effort, and Republican Senators appreciate that, in saying we are going to have some amendments. That means we are going to have some amendments offered on which some of us don't really want to vote. There have been some amendments I really didn't want to vote on, including some offered by people on my side of the aisle, but that is what we do in the Senate. So why are we doing this? Why are we saying suddenly, no amendments?

So I would hope Senators would agree that at 5:30 we should vote no. We should vote no. And by voting no, we would be saying: Let's continue to debate. Let's continue to amend. A vote yes is a vote to obstruct. A vote no is to continue to debate and continue to amend. And the issue is, shall we take the government ownership of automobile companies and put it, as soon as it is practicable, back in the hands of the American people, where it belongs, in our free enterprise system? That is the American way.

We have at least four different options. We have a whole menu here. If you don't like the Alexander-Bennet



amendment, vote for the Corker amendment. If you don't like that, vote for one of the other amendments. We have four ways to go about it, all carefully thought out, all in front of everybody. Why don't we do that? That is what the Senate does.

So I prefer the way the Senate has operated pretty much all the time, up to today, which is to say: Senators, offer your amendments, take your votes. Today is an aberration—a change away from the way the Senate should function. My old friend, the late Alex Haley, author of *Roots*, used to say: Find the good and praise it. Well, I can find plenty of good in the way the majority leader has conducted the Senate this year by allowing debate and amendments. I would consider this an aberration.

I hope we will vote to continue to amend, to continue to debate, and get the Senate back to the practice we had most of this year, which is to say: If you have an amendment, Senator, bring it on over, call it up, and we will vote on it, and then we will go on to the next thing.

Madam President, I ask unanimous consent to have printed in the *RECORD* an article from the *American Spectator* entitled "Are There Obamashares in Your Future?"

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

ARE THERE OBAMASHARES IN YOUR FUTURE?

(By Peter Hannaford)

As they were steering General Motors into bankruptcy at early this month, the President Goodwrench team arranged for the United Auto Workers' pension fund to get 30 percent of the stock when the "new" company comes out at the other end. Bond holders will get 10 percent and the U.S. Government will keep 60 percent for itself.

If the "new" GM becomes profitable it may eventually pay back the \$50 billion the government has advanced to it, but the term "government ownership" lacks the ring of legitimacy that "taxpayer ownership" has.

U.S. Senator Lamar Alexander (R-T) wants to do something about that. He is the lead sponsor for the Auto Stock for Every Taxpayer bill which would distribute the government's stock in GM (and Chrysler, too) to the 120 million Americans who paid income taxes on April 15. He says, "That is the fastest way to get ownership of the auto companies out of the hands of meddling Washington politicians and back into the hands of Americans in the market place."

This is no voice in the wilderness. A recent AutoPacific poll reports that 81 percent of Americans agreed that "the faster the government gets out of the automotive business, the better." Conversely, 95 percent of those polled disagreed with the statement, "... the government is a good overseer of corporations such as General Motors and Chrysler." And 93 percent disagreed that "having the government in charge [of the two automakers] will result in cars and trucks that Americans will want to buy." So much for the flimsy cars with which President Goodwrench wants to fill the market.

To make sure his proposal to put automaker stock in the hands of actual taxpayers gets the attention it deserves, Sen. Alexander the other day began a program to draw attention to the downsides of Wash-

ington management of auto companies. He introduced on the floor of the Senate his "Car Czar" awards. As he put it, "It's a service to taxpayers from America's new automotive headquarters, Washington, D.C."

The Car Czar awards, he adds, "... will be conferred on Washington meddlers who make it harder for the auto companies your government owns to compete in the world marketplace." The first award went to Rep. Barney Frank (D-MA) "for interfering in the operation of General Motors."

Rep. Frank is Chairman of the House Financial Services Committee, well known for his oft-denied roll in pressuring Fannie Mae and Freddie Mac to push banks to make risky home loans.

Two weeks ago, it turns out, Mr. Frank learned that General Motors, as part of its restructuring plan, would close a parts distribution warehouse in Norton, Massachusetts by year's end. Despite the President Goodwrench team's constant pressing of GM to cut more and more, anything in Barney Frank's district is out of bounds if he has anything to say about it, and he did. He put in a call to GM CEO Frederick "Fritz" Henderson and—voilà—the Norton warehouse was saved. This warehouse has 90 employees. We can assume that they and their spouses will show their gratitude to Mr. Frank at the polls in November next year. That's 180 votes. He should really think in larger terms. If he were to sponsor a House version of Sen. Alexander's Auto Stock for Every Taxpayer legislation, think of the thousands of grateful citizens in his district who would support him. Indeed, they might even demand that the local federal building be named after him.

Mr. ALEXANDER. I thank the Chair, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. BROWN. Madam President, I appreciate the comments of the Senator from Tennessee. I don't know how the vote will come out at 5:30 today, but I do know it is almost unanimous—perhaps it is unanimous on this side and the other side of the aisle—that we all want the auto industry to return wholly to the private sector; that this was an extraordinary situation.

I represent, as the Senator from Tennessee represents, a lot of auto-workers—in his case, union and non-union alike. I have a good many non-union autoworkers in my State—union and nonunion alike—and I think all those companies—certainly GM and Chrysler workers and people in the community—want this industry back on its feet and want it run by the private investors, as it should be.

CUYAHOGA RIVER

Madam President, today marks the 40th anniversary the Cuyahoga River in Cleveland burned. The June 22, 1969, fire wasn't the first or the biggest on the Cuyahoga or in rivers all over the country in those days when rivers were full of chemicals and all kinds of discharge that could catch fire from a

spark from a railroad train passing through or from something else passing over the river. But 40 years ago, that fire in the Cuyahoga River was a catalyst that helped create the Environmental Protection Agency and then the landmark Clean Water Act. The fire helped push the government to recognize its responsibility to safeguard our environment. When the EPA was established in July of 1970—as I said, in large part the impetus came from that fire on the Cuyahoga in 1969—it marked a sustained effort by citizens to demand that their government protect our health and sustain our environment. Like so many times throughout our Nation's history, citizen activism served as a vehicle for change.

Prior to that fire in 1969—I was born in 1952—I remember as a small child and as a teenager going 60 miles north of where I grew up to the shores of Lake Erie and seeing dead fish along the lake and seeing what was left of a wonderful living lake—one of the Great Lakes. The greatest natural resources of this country are the five Great Lakes. I remember seeing the pollution and the damage that came from the effluent that human beings, that individuals and farmers and industry dumped into that lake and its rivers over many, many years.

Galvanized by Rachel Carson's 1962 "Silent Spring," the environmental movement engaged the public and educated elected officials and industry leaders about threats to human safety and environmental sustainability. That citizen call to action spurred decades worth of environmental laws that have improved our quality of life and improved the health of our Nation's streams, lakes, and rivers.

When the Clean Water Act was passed in 1972, only about 30 percent of the Nation's waters were safe for fishing and swimming. Think about that. In 1972, fewer than a third of the Nation's waters were safe for fishing and swimming. Two decades later, the EPA reported that 56 percent of rivers and lakes meet safety standards—much progress but clearly not nearly enough.

As a result of the Clean Water Act, thousands of communities around the Nation benefit from wastewater treatment plants, improved habitats, increased fish stocks, and safer recreational waters. Just as the health of our Nation's water has improved, so too has the river in my community—the Cuyahoga River.

The Cuyahoga, which is a Native-American word meaning "crooked river," winds through northeast Ohio. In fact, when you land at the Cleveland airport, you can see the river winding its way right through downtown Cleveland. So there are banks of the river through several miles as it goes into Cuyahoga County. It ultimately flows into Lake Erie in the city of Cleveland.

When scientists began studying the fish populations of the Cuyahoga, they found that only a few species were able to survive in the polluted waters. Many

of the fish that remained were deformed. But after years of hard work by the Cuyahoga River Community Planning Organization, by citizens, by industry leaders, and by government agencies, more than 60 different fishes species can now be found in the river.

That tells you what the efforts of government can do. It took more than a few activists in the city of Cleveland, it took more than the Cleveland city health department, it took more than the Cuyahoga County health department, it took more than the State EPA, it took a strong national government and the Environmental Protection Agency—created, if you remember, during the Presidency of Richard Nixon, with a Democratic Congress. Ultimately, the creation of the Environmental Protection Agency, giving the Federal Government the ability to come in, when necessary, and mandate that local officials and local industry do what is needed to clean the water, to clean the air, is a lesson we should all learn.

Today, as one of only 14 American Heritage Rivers, the Cuyahoga flows through the Cuyahoga National Park where bald eagles now nest. Throughout Ohio—something you would never have thought of happening 30 years ago—our clean and abundant water supplies, such as the Cuyahoga, are critical to farming, clean energy development, and to regional economic competitiveness. Water-related recreation and tourism provide jobs and billions of dollars in revenues for communities and cities such as Lorain, cities in Lake County, cities such as my wife's hometown of Ashtabula, and cities such as Toledo.

Wildlife depends on clean water and on healthy wetlands. The Cuyahoga will not burn anytime soon, but that doesn't really mean the hard work is complete. We must continue to protect our wetlands and our streams, to bolster our fisheries, to increase habitat restoration and recreational opportunities throughout the Great Lakes. It will mean the Federal Government will need to provide hundreds of millions of dollars of assistance for all five of the Great Lakes. It will mean billions of dollars of investment around the Great Lakes in recreation and fishing and in economic development and in safe drinking water. These efforts include reducing the number of combined sewage overflows into our waterways and removing the toxic sediments that were dumped in the rivers leading to the Great Lakes—the Maumee, the Cuyahoga, the Ashtabula, and others—before the Clean Water Act.

After years of hard work, the continuing restoration of the Cuyahoga is a symbol of progress and a symbol of success. The community restoration effort on the Cuyahoga is an indication of the undeniable importance of the EPA and the Clean Water Act. It is a testament to what can be accomplished when citizens and government join to tackle a problem.

In the communities that make up the Cuyahoga River watershed—among them Beachwood, Hudson, Euclid, Akron, and Barberton—2009 is the year of the Cuyahoga. But there is no reason we shouldn't dedicate every day to cleaner water in a more sustainable environment.

I commend the thousands of citizens who for more than 40 years worked to make the Cuyahoga a source of pride for our communities. Their collective efforts made their government recognize its role in protecting our health and preserving our environment. I am confident that 40 years from now, my grandchildren and generations of Ohioans will enjoy the clean waters of the Cuyahoga River and of Lake Erie.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware is recognized.

Mr. KAUFMAN. Madam President, I rise today to draw attention to our efforts on the Tourism Promotion Act of 2009 and, specifically, to focus on my small State of Delaware.

Coming to Delaware, the "First State," one is treated to a myriad range of great tourist attractions from arts and culture, to sports and gaming, from marvelous recreation to dozens of fairs and festivals.

In the area of arts and culture, Delaware boasts such notable stops as the Nemours Gardens and mansion, the home of Alfred I. DuPont and the now world famous DuPont Children's Hospital.

Visitors can also tour the beautiful Bellevue State Park, the Delaware Art Museum, or even see a show at the DuPont Theater at the Hotel DuPont in Wilmington.

The State of Delaware, the first State to ratify the Constitution, also has significant historical sites for tourists to enjoy.

Visitors can view the birthplace of the DuPont Company at Delaware's Hagley Museum and Gardens. The luxurious, 100-room home of Henry Francis DuPont is also open to the public at Winterthur Museums and Gardens.

Since Delaware was one of the original 13 colonies, we are proud to boast several pre-Revolutionary War historical sites. The Amstel House and the John Dickinson Mansion and Plantation can offer visitors a rare insight into life before the Revolution.

Our Constitution Park offers a tribute to our ratification of the Constitution, made even more significant by the fact that Delaware was the first State to do so.

Civil War buffs can visit Fort Delaware, where Confederate prisoners of war were interned, while those interested in more contemporary military history can visit the Dover Air Force Base's Air Mobility Command Museum.

Delaware's sports and gaming opportunities are nearly limitless.

The Dover Downs Hotel and Casino combines luxury and entertainment for its guests. The Delaware Park Race

Track also offers excitement for its customers with slots and horse racing. NASCAR fans will love the Dover International Speedway, the famous "Monster Mile," where official NASCAR races are held several times each year.

Delaware may not boast any Major League sports teams but we are very proud of our Minor League baseball team, the Wilmington Blue Rocks.

Our Blue Rocks fans are some of the most loyal in the country and a night out to watch them play promises fun for the entire family. For golf enthusiasts who do not want to lose their skills while on vacation, Delaware has excellent golf courses where strokes can be refined and perfected.

Delaware's outdoor attractions are also world class. Killen's Pond, a State park since 1965, features a beautiful 66-acre millpond where visitors can enjoy boating and fishing.

Delaware's greatest strength in the outdoors realm, however, is our beautiful beaches. These beaches stretch for miles and offer ample opportunity for fun on the shore and ocean. If you get enough of sand and surf, the boardwalk presents a wide variety of shops, restaurants, and entertainment to visitors. Some of Delaware's best, and tax-free, shopping can be found on the boardwalk.

Our various fairs help celebrate who we are as Delawareans and also offer entertainment.

The Delaware State Fair features concerts, with famous artists alongside rising local bands. It also provides a carnival atmosphere and numerous agricultural and livestock events.

The Saint Anthony's Italian Festival, which Vice President BIDEN and I enjoyed just over a week ago, is a favorite among Delaware residents. Its food and entertainment always draws large crowds, and it is actually one of the largest ethnic festivals on the east coast.

Other ethnic festivals that Delaware celebrates include an African-American festival, an Indian festival, and a Greek festival, and many more.

In other words, something for just about everyone.

Those who enjoy theatrics can come to Delaware's Shakespeare Festival, where talented actors show their appreciation for Shakespeare by performing various scenes from his many plays.

The Rehoboth Beach Independent Film Festival offers movie lovers a chance to view excellent films that they wouldn't get a chance to see in theaters.

Delaware also boasts six wineries, including the award winning Nassau Valley, where visitors can enjoy excellent wine in a pleasant atmosphere.

So you can see Delaware is truly a place where folks from all across the country can come for fun and excitement in a "small but plentiful" tourist haven.

And I know that Delaware is not alone. All 50 States, and all the territories, offer something special, and I



believe we should do everything we can to spread that message.

That is why I am glad to be a cosponsor of the Tourism Promotion Act. Obviously, I hope it will help remind people across the world what Delaware can offer, but I believe it will help promote travel across the country.

We have heard the statistics. International travel is booming, 48 million more international trips last year than in 2000 but the United States is not sharing in that bounty. In fact, we lost travelers over that same time period.

An estimate I saw says that if we had merely kept pace with the expansion of international travel, we would have seen 58 million more travelers since 2000. That would mean nearly 250,000 more jobs.

In today's economy, we could sure use that help.

However, I cannot leave the floor without commenting on another great State for tourism; that is, the State of the Presiding Officer, the State of North Carolina. I spent this weekend in North Carolina. I encourage North Carolina to anyone who is looking for a wonderful place to go for a vacation.

I yield the floor, and I suggest the absence of a quorum and ask unanimous consent that the time be equally divided.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. DORGAN. Madam President, at 5:30 we will be having a cloture vote, and the cloture vote deals with the underlying legislation called the Travel Promotion Act. As I said earlier this afternoon, if the Congress cannot agree on something such as tourism, what is to become of the issues of health care, energy, climate change or so many other significant controversial issues that come before us?

This underlying bill is very simple. It is bipartisan. Over 50 Members of the Senate have cosponsored this bill in the last Congress. It actually reduces the Federal budget deficit by close to a half billion dollars. As I indicated, it should bear no controversy at all. It is simply the development of a public-private partnership that would begin to market our country, as most other countries are doing, in order to attract destination international tourism to our country.

All the other countries are doing this. If you watched the golf tournament today—the U.S. Open—in the middle of the golf tournament, they broke to a commercial. It was the country of Turkey saying: Come to Turkey. Come and visit the wonders of Turkey.

Well, good for Turkey. They are out trying to promote international tour-

ism. But the same is true with France and Italy and Japan and India and Great Britain—so many other countries.

Why are they doing that? They are doing it because it is unbelievably job creating to have international tourism come to your country. On average, an international tourist spends about \$4,500 on hotels and cars and tourist attractions and food. So it is unbelievably job creating and boosting to the economy of the host country.

But even more important than that, our country needs to do this. From 2000 to 2008, we now have 633,000 fewer visitors per year from overseas than we had 8 years ago.

Why is that the case? It is because some people believe we do not want them to visit our country. Quite the opposite is true. So we suggest, rather than to keep losing economic opportunities from international tourism, let's at least join the discussion and get in the game by promoting tourism to our country as a destination for international tourism. Let's at least get in the game.

So our bill creates this public-private partnership and establishes the capability to begin promoting our country. Why is that important? Well, obviously economic development and jobs. But even more important, at a time when there has been so much controversy about our country and actions abroad, and so on, to invite people to our country and have them come here and visit this country is to have them leave with a wonderful impression about the United States of America. There just is not any way to visit our country and leave with a bad attitude about what the United States is and what it means.

This is a great place, the greatest democracy in all of history, with unbelievable freedoms that many people in the world do not have. But it is a wonderful country, full of natural resources and wonderful people. To come here and visit is to leave and believe very positive things about our country. That, it seems to me, makes a lot of sense these days.

Madam President, a colleague was on the floor just a bit ago saying, well, he could not vote for cloture at 5:30 because he was not allowed to offer his TARP amendment. Of course, TARP has nothing to do with the underlying bill. We said that he could offer the amendment. The rules of the Senate allow somebody to offer a TARP amendment. He says, however, that the majority—that is us—is saying: We are going to obstruct your right to amend the bill.

This colleague must not have been around last Thursday and Friday when we were negotiating to try to get an agreement. Their side would offer the first five amendments. We said you can offer your first five amendments. All of them were so-called TARP amendments—the troubled asset relief program. Well, TARP amendments—hav-

ing nothing to do with tourism and travel, but that is fine. We said: OK, you can offer that.

So how is it somebody comes to the floor of the Senate now and says they are being obstructed? We said: You can offer them. But then what they said was: Well, we want five TARP amendments, and here are your three amendments. One of your three amendments is one by Senator SANDERS that we will not allow you to offer. We object to that.

What was the Sanders amendment? It was pretty simple. The Sanders amendment would require that the Commodity Futures Trading Commission use existing authority to begin trying to tackle this question of what is happening in the runup of oil prices. The Commodity Futures Trading Commission has acted like a potted plant for a long time. Oil prices went to \$147 a barrel in mid-2008. Yet, the CFTC was explaining to us: Well, that is just supply and demand.

That is total nonsense—total nonsense. It had nothing to do with supply and demand. It had to do with speculators breaking that oil futures market. So the CFTC did nothing about it.

Right now, the supply of oil is up; demand is down; and the price is going up. Once again, there is something wrong. So the Senator from Vermont wanted to offer an amendment. So I included it in the list of the amendments we would offer to the Republicans last Thursday and Friday, saying: OK, you want to offer five amendments that have nothing to do with the bill. That is fine. You can do that. Here are the three amendments we propose to start with.

They said: No, no, no. You cannot offer the Sanders amendment.

Wait a second. The minority is going to decide what the majority can offer? We have just said to the minority: You can offer your five TARP amendments that have nothing to do with this bill. That is fine. So now we have somebody coming to the floor this afternoon saying he has to vote against cloture because the majority says: We are going to obstruct your right to amend? Nothing could be further from the truth.

In fact, the decision by the minority has put us in this position. So apparently we will have people coming to the floor of the Senate with the belief that somebody obstructed their right to amend the bill. But the TARP amendments they proposed were agreed to by us, that we would allow them, they were fine to be offered. Everyone thought that was the case. We will have some people come to the floor apparently deciding to vote against cloture on this bill because they say somebody obstructed their right to amend. That is just totally without foundation. It is Byzantine to me that here we are in the Senate on a piece of legislation called the Travel Promotion Act, which is designed to promote tourism, to create jobs and to promote this country's interests. It is

widely bipartisan. It has been around now for 2½ years or so, with no great controversy I know of. We have before us a bill for which we were required to file cloture and wait 2 days for a cloture vote just on the motion to proceed to it. Once we got to the motion to proceed, we had a vote—and guess what. Ninety to three we said: Yes, let's proceed to it.

Then the minority said: And, oh, by the way, no, you can't proceed yet because we are going to insist on the 30 hours post-cloture. So you have to wait 30 more hours. Total, complete, thorough delay.

So it does not sit well with me for anybody to come here to say that somebody is being obstructed.

The PRESIDING OFFICER. The time controlled by the majority has expired.

Mr. DORGAN. Madam President, I ask unanimous consent that unless a member of the minority comes to claim time, that we be allowed to continue, I be allowed to continue. If a member of the minority does come to the Senate floor, I certainly would relinquish the time.

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

Mr. DORGAN. Madam President, it does not wash at all for somebody to suggest somehow they have to vote against cloture because they are denied their right.

Over in that aisle, on Thursday, we had a discussion—Senator REID, Senator McCONNELL, myself, Senator MARTINEZ—and then back and forth in the cloakrooms. We offered amendments back and forth just to get started on the bill. It was not a final list of amendments. It was just a way to try to get started. For all five of the amendments proposed to be offered by the minority, we said: Fine, they have nothing to do with the bill, but that is fine. If you want to offer them, offer them. But don't come to the floor on Monday saying the majority is obstructing your right to offer an amendment, which we said you could offer. How do you explain that contradiction?

Again, my point: If this Congress cannot even agree on tourism, how is it going to agree on anything. How are we going to make progress on health care? How are we going to make progress on comprehensive energy legislation or climate change or a range of difficult international situations? How are we going to reach some sort of understanding that we represent one interest in this country, and that ought to be the public interest in the United States of America?

We all work for the same people. Not everything has to be partisan. There is so much rancid partisanship these days. I was with the majority leader when we stood there. I understood what he was saying. He was saying to the minority: Let's get started. If you want amendments, fine, offer amendments. There was nothing but agreement by our majority leader to say to the Republicans, offer some amendments.

Give us some amendments you want to offer and then go ahead and offer them.

Mr. SANDERS. Madam President, will the Senator yield?

Mr. DORGAN. I am happy to yield.

Mr. SANDERS. Madam President, first, I thank my friend from North Dakota for his efforts on the very important issue of tourism but also for consistently standing up for consumers who are sick and tired of paying artificially high prices at the gas pumps. I wish to take this moment, if I might, to explain what my amendment is.

Mr. DORGAN. Madam President, rather than yield for a question, let me yield the floor so the Senator from Vermont can explain his amendment, and then reclaim the floor if there is not a Member of the minority present.

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

#### AMENDMENT NO. 1330

Mr. SANDERS. Madam President, I thank my friend.

Let me begin by saying this amendment enjoys widespread support from a very diverse coalition of organizations throughout this country that share the common concern that the price of gas and oil is soaring and they do not understand why. What they do know is that it is hurting consumers, especially in rural areas in North Dakota and Vermont and throughout this country, and it is hurting business groups throughout this country. These groups, among others, include the Petroleum Marketers Association of America, Public Citizen, the Gasoline and Automotive Service Dealers of America, the United Egg Producers, the Western Peanut Growers, Friends of the Earth, and the New England Fuel Institute. All of these organizations, for different reasons, are worried about the impact of rapidly rising oil prices on consumers.

All of us took economics 101, and what they told us in economics 101 is when supply is low and demand is high, prices go up. When supply is broad and demand is minimal, prices go down. Well, right now, unfortunately, it seems we can throw economics 101 right out the window, because at this moment the supply of oil in the United States is as high today as it was 20 years ago and demand for oil in this country is lower than it was a decade ago. So the question we are wrestling with now is: If supply is high and demand is low, why are oil prices soaring?

Up until today, as a matter of fact, gasoline prices increased for 54 straight days—the longest streak on record dating back to 1996. Today the national average for a gallon of gasoline is \$2.69 a gallon—up more than \$1 since late last year.

There is mounting evidence that the runup in oil and gas prices has little to do with the fundamentals of supply and demand and has everything to do with excessive speculation by some of the same Wall Street firms that received the largest taxpayer bailout in the his-

tory of the world. They are back again, not having caused enough damage by driving our country and much of the world into a deep recession. Now they are back into their speculation and driving up oil prices which are having an enormously negative impact on consumers all over our country.

Clearly, as a Congress, as a Senate, we have a responsibility to do everything we can to prevent the manipulation of oil and gas prices so that they reflect the basic economics supply and demand curve, not excessive speculation. This would not only help Americans struggling to fill up their gas tanks this summer, but it would have a positive impact, by the way, in expanding the number of international travelers visiting the United States, the fundamental purpose of the Travel Promotion Act that our amendment is a part of—would like to be a part of.

The amendment I am offering or wish to offer would simply require the Commodity Futures Trading Commission to use its emergency authority to prevent the manipulation of oil prices. What is so horrible about that? What has caused our Republican friends to jump up in fear and say this amendment can't be offered?

Let me mention to my Republican friends that last July the House of Representatives passed an identical bill by a vote of 402 to 19—the same bill. An overwhelming majority of Republicans in the House voted for that bill, but for some reason our Republican colleagues here do not want to give us the opportunity to vote for it today.

I thank Majority Leader REID and Senator DORGAN for trying to work out a compromise with the Republicans that would have enabled a vote on this amendment. Under this agreement, as Senator DORGAN has said, the Republicans would have been able to receive a vote on their top five nongermane amendments. They had five and we had one major nongermane amendment. It is very hard for me to understand—and maybe my friend from North Dakota has some thoughts on this one—I have a very hard time understanding what their fear is. What are they afraid of, if this amendment passes? Are they afraid we would be able to take action against the excessive speculation that is currently taking place on Wall Street?

That is the only answer I can think of, and it is a pretty poor and unfortunate answer. The American people are hurting. We are in a recession. People have lost their jobs. People have seen a decline in their income. The American people are sick and tired of paying artificially high prices at the gas pump, and people in New England are worried about what happens next winter when they have to heat their homes with oil.

I wish to mention in conclusion, interestingly enough, just yesterday—just yesterday—the Guardian, a British newspaper, reported:

Staff at Goldman Sachs can look forward to the biggest bonus payouts in the firm's

140-year history after a spectacular first half of the year.

I don't mean to pick on Goldman Sachs. There are a number of other financial outfits that may be engaged in excessive oil speculation as well, but Goldman Sachs is the leading trader of oil and gas derivatives. So here we are, Goldman Sachs, among others, now paying out huge bonuses after having been bailed out by the taxpayers of this country and they are back at their same old tricks of engaging in excessive speculation, which is what my amendment begins to address.

I am amazed our Republican friends would refuse to allow an amendment to come to the floor of the Senate that was passed overwhelmingly in the House with very strong Republican support in that body.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. DORGAN. Madam President, as I have indicated previously, the underlying bill on which we are going to have a cloture vote is bipartisan. There were over 50 cosponsors here in the Senate in the last Congress. Republicans and Democrats alike have supported it. We are apparently going to have a cloture vote that some—judging by what one of my colleagues said earlier—will feel they have to vote against. They will vote to stop this bill because they feel their right to amend was obstructed, despite the fact that their right to amend was explicitly agreed to. Working on bad information is not a great way to vote, in my judgment.

Let me make an important point. I indicated earlier this is one of the few pieces of legislation that will be brought to the floor of the Senate that actually reduces the Federal budget deficit by \$425 million. That is pretty unbelievable, but there are two other big issues. One is at a time when we are seeing hundreds of thousands of Americans a month losing their jobs, losing their homes, losing hope because we are in a deep recession, at a time when we have all of this unemployment, we should be voting to move forward with a piece of legislation that tries to boost employment by increasing travel to our country by overseas visitors. These visitors are going to spend a substantial amount of money—\$4,500 per tourist. And we know we now have 633,000 fewer international tourists coming to America than we did 8 years ago. Why is that the case? The decline in tourism began after the terrible, tragic attack on this country on September 11, 2001. Following that, we obviously decided we wanted to try to keep terrorists out of this country. But we also made it harder for regular tourists. It was harder to get a visa. There were longer lines. Then the Iraq war began and a lot of people were upset with our country for unilateral actions in Iraq, and so on. We have gone through nearly a decade now in which people are traveling around the world more and more

often, but they are going to Spain, France, Great Britain, Turkey, India, and Japan—all of which are advertising aggressively internationally to say, come to our country, be a part of our experience. See the beauty of India or Japan or Australia. But our country is not involved in that competition, and we should be, because there is no better place on this Earth. I know I am not objective about that, but to come here is to love this country and to understand the great character and culture that exists here.

This piece of legislation will create jobs and opportunity in this country, but even more important, it will create goodwill all across this world from people who visit here and go home and have a better understanding of what America is about. At a time when we are in a deep recession, do we want to create jobs? I hope so. At a time when we care about what the world thinks about us, do we want to improve our standing in the world? I hope so.

We will have a cloture vote in 3 or 4 minutes. I am told now, some who have cosponsored the bill, even, will probably come down and vote against cloture because they will claim they don't have the right to offer amendments. Well, they surely do. We agreed they could offer their first five amendments last Thursday. It is just that they said we can't offer our amendments because they object, for example, to the Sanders amendment.

We said: You can offer five; we will offer three.

They said: That is fine, except we won't allow you to offer the Sanders amendment. We won't agree to that.

Again, my question: If the Senate has come to the point where it can't agree on tourism, what hope is there for big, controversial, and important issues that we will confront later this year?

My hope is that perhaps some will understand the goodwill with which the majority leader and I and others offered the minority the right to offer the amendments they chose to offer. It was the minority that decided they didn't want to agree. It would be difficult for me to see some of those who were given the ability to offer the amendments come to the floor and vote against a bill they support because they say they weren't given an opportunity to offer amendments. It is pretty hard to square that circle, and my hope is they will understand that before they vote. It will be very nice if perhaps on this one vote, it wouldn't be considered a leadership or a partisan vote and it wouldn't be based on misinformation, but instead we decided that this is about tourism, it is about promoting jobs and economic opportunity in our country, and it is about boosting the reputation of this country around the world by having people visit the United States and understanding the full breadth of what the American experience is about.

I yield the floor, and I make a point of order that a quorum is not present.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DORGAN. Madam 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

Under the previous order and pursuant to rule XXII, the clerk will report the motion to invoke cloture.

The assistant 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 the debate on the Dorgan amendment, No. 1347, to S. 1023, the Travel Promotion Act of 2009.

Harry Reid, Byron L. Dorgan, Barbara Boxer, Ron Wyden, Mark Begich, Evan Bayh, Charles Schumer, Max Baucus, Jon Tester, Patty Murray, Jack Reed, Amy Klobuchar, Patrick Leahy, Barbara Mikulski, Robert Menendez, Jeff Bingaman, Joseph Lieberman.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call be waived.

The question is: Is it the sense of the Senate that debate on amendment No. 1347 offered by the Senator from North Dakota, Mr. DORGAN, to S. 1023, the Travel Promotion Act of 2009, shall be brought to a close?

The yeas and nays are mandatory under the rule, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Alaska (Mr. BEGICH), the Senator from West Virginia (Mr. BYRD), the Senator from Massachusetts (Mr. KENNEDY), the Senator from Pennsylvania (Mr. SPECTER), the Senator from Montana (Mr. TESTER), the Senator from Colorado (Mr. UDALL), and the Senator from Oregon (Mr. WYDEN) are necessarily absent.

Mr. KYL. The following Senators are necessarily absent: the Senator from Texas (Mrs. HUTCHISON), the Senator from Alaska (Ms. MURKOWSKI), the Senator from Kansas (Mr. ROBERTS), the Senator from Louisiana (Mr. VITTER), and the Senator from Ohio (Mr. VOINOVICH).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 53, nays 34, as follows:

[Rollcall Vote No. 211 Leg.]

#### YEAS—53

Akaka	Conrad	Kaufman
Baucus	Dodd	Kerry
Bayh	Dorgan	Klobuchar
Bennet	Durbin	Kohl
Bingaman	Ensign	Landrieu
Boxer	Feingold	Lautenberg
Brown	Feinstein	Leahy
Burris	Gillibrand	Levin
Cantwell	Hagan	Lieberman
Cardin	Harkin	Lincoln
Carper	Inouye	Martinez
Casey	Johnson	McCaskill

Menendez	Pryor	Stabenow
Merkley	Reed	Udall (NM)
Mikulski	Rockefeller	Warner
Murray	Sanders	Webb
Nelson (NE)	Schumer	Whitehouse
Nelson (FL)	Shaheen	

## NAYS—34

Alexander	Cornyn	Lugar
Barraso	Crapo	McCain
Bennett	DeMint	McConnell
Bond	Enzi	Reid
Brownback	Graham	Risch
Bunning	Grassley	Sessions
Burr	Gregg	Shelby
Chambliss	Hatch	Snowe
Coburn	Inhofe	Thune
Cochran	Isakson	Wicker
Collins	Johanns	
Corker	Kyl	

## NOT VOTING—12

Begich	Murkowski	Udall (CO)
Byrd	Roberts	Vitter
Hutchison	Specter	Voinovich
Kennedy	Tester	Wyden

The PRESIDING OFFICER. On this vote the yeas are 53, the nays are 34. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

The majority leader is recognized.

Mr. REID. I enter a motion to reconsider the vote by which cloture was not invoked on the Dorgan amendment.

The PRESIDING OFFICER. The motion is entered.

Mr. REID. I ask unanimous consent the cloture motion on the bill be withdrawn.

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

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

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

## EXECUTIVE SESSION

## NOMINATION OF HAROLD HONGJU KOH TO BE LEGAL ADVISER OF THE DEPARTMENT OF STATE

Mr. REID. I ask unanimous consent the Senate proceed to executive session to consider Calendar No. 140.

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

The assistant legislative clerk read the nomination of Harold Hongju Koh, of Connecticut, to be legal adviser of the Department of State

## CLOTURE MOTION

Mr. REID. Madam 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 assistant 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 nomination of Harold Hongju Koh, of Connecticut, to be legal adviser of the Department of State.

Harry Reid, Mark L. Pryor, Sheldon Whitehouse, Daniel K. Inouye, Russell D. Feingold, Christopher J. Dodd, Roland W. Burris, Richard Durbin, Patty Murray, Jon Tester, Mark Udall, Amy Klobuchar, Jack Reed, Max Baucus, Jeff Merkley, Blanche L. Lincoln, Maria Cantwell, Byron L. Dorgan.

Mr. REID. Madam President, I ask the mandatory quorum call be waived. The PRESIDING OFFICER. Without objection, it is so ordered.

## LEGISLATIVE SESSION

Mr. REID. Madam President, I ask the Senate resume legislative session.

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

## MORNING BUSINESS

Mr. REID. I ask now we proceed to a period for morning business with Senators permitted to speak for up to 10 minutes each.

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

## TRAVEL PROMOTION ACT

Mr. REID. Madam President, let me say a brief word on the cloture that was not invoked on the travel bill. I hope everyone understands what obstructionism is. This is obstructionism at its best. It goes along with what the Republicans said they wanted to do and that is stop everything, as indicated in the Roll Call newspaper last week.

This is a bill that saves the government money, almost a half billion dollars over 10 years. It would create, in the first year after passage of the bill, 40,000 jobs.

Republicans killed this over the most fictitious reasoning. They said they were not allowed to offer amendments. That is absolutely false. In fact, we had an agreement that they could offer amendments. There were no restrictions on what they could offer. They wanted to offer amendments regarding TARP. They wanted to offer five of those. Fine, I said, go ahead. We had one amendment we want to offer. They said: No, we just want to offer ours, you can't offer yours.

Every State would benefit from this legislation because tourism is so important and popular in every State, but the Republicans killed this. Is there any wonder they have lost, during the last two election cycles, by election, 15 Republican Senators? Is it any wonder? They are so enthralled with the status quo they want no improvements of anything, including they don't want to save the government a half billion dollars, they don't want to improve tourism because this may be another victory for President Obama.

I am certainly aware of the work done by the committee. The Commerce Committee works so hard. Senator

ROCKEFELLER was ill. He badly injured himself. Senator DORGAN stepped forward to get it out of that committee so we could do this. It is good for every State. Tourism is good for New Hampshire, it is good for Nevada, it is good for North Dakota, it is good for Wyoming, and it is good for Idaho. The Republicans killed our ability to save half a billion dollars. They killed our ability to create 40,000 new jobs. Tourism is a trillion-dollar industry in this country. The Republicans killed this legislation.

Mr. DORGAN. Madam President, if the Senator will yield for a question.

Mr. REID. I would be happy to.

Mr. DORGAN. Last Thursday, the majority leader and I stood in that aisle. The question was going to be, under what conditions would this Travel Promotion Act come to the floor of the Senate? We said: You know what, tell us what amendments you need. Tell us which amendment you wish to offer and we will give you some. So it ended up five amendments on their side, three on ours, as a start. It was not going to be a limit, but we were going to start with five and three. They showed us their five. None had anything to do with this bill. We said: Fine, you can offer those five, no problem. They were all about TARP, troubled assets and so on. We said fine. Then we showed them the three to be offered on this side, and they looked at three of them and said this one we will not allow to be offered. All of a sudden, the minority was deciding they could offer all of theirs, but they will not allow the majority to offer one amendment that deals with the issue of the price of gasoline.

The result was we now had a vote against cloture on an issue dealing with travel promotion on a piece of legislation that raises \$500 million and reduces the deficit \$500 million in 10 years. It is pretty unbelievable to me. I asked the question earlier today, if we can't agree on a piece of legislation that in the last Congress was supported by over 50 Senators, Republicans and Democrats, dealing with promotion of tourism and creating jobs and promoting this country's economic interests by asking international tourists to come to this country, you are welcome to come and see America and understand what America is about—if we cannot agree on that, how on Earth will we agree to get amendments on energy, health care, climate change, and so on? It is so disappointing.

Mr. REID. Madam President, if I could respond to my friend, we had, this year, 11 Republican sponsors of this bill. Nine of them voted against cloture, nine of the eleven. That, to me, is hard to calculate as being within the realm of sensibility. What in the world did they accomplish, other than maybe they are following the Senate GOP, still saying no?

But should they say no to things—maybe they should have a better rationale, saying we can't do this, it is a