

in fiscal year 2009, for the emergency fund for Indian safety and health. Over the 5-year authorization, \$750 million could be spent on public safety, \$250 million on health care, and \$1 billion for water settlements. The need for increased funding in these three areas cannot be underestimated.

Nationwide, 1 percent of the U.S. population does not have safe and adequate water for drinking and sanitation needs. On our Nation's reservations this number climbs to an average of 11 percent and in the worst parts of Indian country to 35 percent. The Indian Health Service estimates that in order to provide all Native Americans with safe drinking water and sewage systems in their home they would need over \$2.3 billion.

The health care statistics are just as startling. Nationally, Native Americans are three times as likely to die from diabetes compared to the rest of the population. In South Dakota, 13 percent of Native Americans suffer from diabetes. This is more than twice the rate of the general population, where only 6 percent suffer from diabetes. On the Oglala Sioux Reservation in my home State of South Dakota, the average life expectancy for males is 56 years old. In Iraq it is 58, in Haiti it is 59, and in Ghana it is 60—all higher than right here in America. In South Dakota, from 2000 to 2005, Native American infants were more than twice as likely to die as non-Native infants.

Tragically, there are also great needs in the area of public safety and justice. One out of every three Native American women will be raped in their lifetime. According to a recent Department of Interior report, tribal jails are so grossly insufficient when it comes to cell space, only half of the offenders who should be incarcerated are being put in jail. That same report found that constructing or rehabilitating only those detention centers that are most in need will cost \$8.4 billion.

The South Dakota attorney general released a study last year on tribal criminal justice statistics and found homicide rates on South Dakota reservations are almost 10 times higher than those found in the rest of South Dakota. Also, forcible rapes on South Dakota's reservations are seven times higher than those found in the rest of South Dakota.

There is no better example of these public safety issues as Standing Rock Sioux Tribe, which is located on the North and South Dakota border. In early 2008, the Standing Rock Sioux Reservation had six police officers to patrol a reservation the size of Connecticut. This meant that during any given shift there was only one officer on duty. One day, the only dispatcher on the reservation was out sick. This left only one police officer to act both as a first responder and also as the dispatcher. This directly impacted the officer's ability to patrol and respond to emergencies, and prevented him from appearing in tribal court to testify at a criminal trial.

Later in the year, I was able to work with my Senate colleagues and the Bureau of Indian Affairs to bring additional police officers to the Standing Rock Sioux Reservation through Operation Dakota Peacekeeper. This effort increased the number of officers working on the reservation from 12 to 37. This operation, which was a success, was only possible because the Bureau of Indian Affairs was able to dramatically increase the number of law enforcement officials on the reservation during the surge. And this dramatic increase in officers was only possible because the Bureau had been given additional public safety and justice funds in 2008.

Since its enactment last year, I have been working with my colleagues to ensure that the emergency fund for Indian safety and health is funded as quickly as possible. Earlier this spring, 13 of us sent a letter to the chairman and vice chairman of the Appropriations Committee asking that the committee increase the allocations in three different bills, including the Interior appropriations bill that we are debating today. As a result of that letter, the allocations in both the Energy and Water Development and Interior appropriations bills were increased by \$50 million each, for a total of \$100 million.

While this funding increase is a positive sign, neither subcommittee directed this additional funding into the emergency fund as requested. Instead, the Energy and Water Development Subcommittee divided the additional funding up between a variety of water settlement projects, and the Interior Subcommittee provided \$25 million for public safety construction and \$25 million for "public safety and justice programs as authorized by the PEPFAR Emergency Fund."

While I am pleased to see that there has been a \$100 million increase in funding for Native American public safety and water projects, I think more could be done if we deposited funds directly into the emergency fund, which would be allocated to the areas of greatest need. The emergency fund, unlike general appropriations, is needed because the fund allows the relevant Federal agencies to spend the additional resources in those places where there are actual emergencies. It would allow agencies, like the Bureau of Indian Affairs, to begin additional operations, like Operation Dakota Peacekeeper, and bring immediate solutions to parts of our nation that are most in need.

That is why I filed my amendment, amendment No. 2503, today. I have filed an amendment that would simply transfer the \$50 million increase in public safety and public safety construction funding into the emergency fund. While I do not intend to seek a vote on this amendment today, I am committed to continuing to work in a bipartisan manner for the much needed funding for the emergency fund. Toward that end, I am encouraged by the

discussions I have had with several of my colleagues who are willing to continue this effort.

Mr. CONRAD. Mr. President, I rise to offer for the RECORD the Budget Committee's official scoring of H.R. 2996, the Department of the Interior, Environment, and Related Agencies Appropriations Act for fiscal year 2010.

The bill, as reported by the Senate Committee on Appropriations, provides \$32.1 billion in discretionary budget authority for fiscal year 2010, which will result in new outlays of \$19.7 billion. When outlays from prior-year budget authority are taken into account, discretionary outlays for the bill will total \$34.3 billion.

The Senate-reported bill matches its section 302(b) allocation for budget authority and is \$5 million below its allocation for outlays. No points of order lie against the committee-reported bill.

I ask unanimous consent to have printed in the RECORD a table displaying the Budget Committee scoring of the bill.

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

H.R. 2996, DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2010

[Spending comparisons—Senate-reported bill (in millions of dollars)]

	General purpose
Senate-Reported Bill:	
Budget Authority .....	32,100
Outlays .....	34,273
Senate-Reported Bill Compared To:	
Senate 302(b) allocation:	
Budget Authority .....	0
Outlays .....	-5
House-Passed Bill:	
Budget Authority .....	-200
Outlays .....	85
President's Request:	
Budget Authority .....	-225
Outlays .....	35

NOTE: Table does not include 2010 outlays stemming from emergency budget authority provided in the 2009 Supplemental Appropriations Act (P.L. 111-32).

The PRESIDING OFFICER. The Senator from California is recognized.

# MORNING BUSINESS

Mrs. FEINSTEIN. Madam President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak up to 10 minutes each. I ask unanimous consent for the Senator from Oklahoma to proceed.

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

# CLIMATE CHANGE

Mr. INHOFE. Madam President, let me thank the Senator from California for allowing me to go first in this group that I am sure will appear down here to talk in morning business.

As the cap and trade continues to languish in the Senate, President Obama is trying to salvage international climate change talks that are on the brink of collapse. So he gave a

climate change speech at the United Nations, hoping to inspire hope in the process marred by failure. His speech, however, fell short of expectations, offering only to talk of rising sea levels and climate refugees, sort of resurrecting things that have been refuted in the old Gore speeches.

President Obama's speeches have been delivered against a backdrop of confusion and disagreement in the international community over climate change. The European Union is angry that the Senate is stalling cap and trade. China and India refuse to accept binding emissions cuts. The New York Times admits that global temperatures "have been stable for a decade and may even drop in the next few years." In other words, we are actually in a cooling period right now, maybe not as dramatic as the one I recall back so well in 1975, when they said another ice age is coming, nonetheless it is cooler. We are not involved in global warming right now.

He was addressing the global economic recession that has taken precedence over climate change in countries throughout the world. This global economic recession is one that has captured the interest of the people all over the world and has them looking to see: Is this science really there that they were talking about, going all the way back to the late 1990s and the Kyoto treaty? This is *deja vu* all over again. These are some of the same issues that have stymied climate talks ever since Kyoto.

We were told all rancor and disagreement would evaporate once the new administration assumed power in the United States. After all, the failure to achieve an international climate pact was simply George Bush's fault. President Obama would bring change and the ability to persuade the likes of China and India to transcend their national self-interest for the global good. That has not happened and is not going to happen.

I was surprised President Obama failed to define what success will mean in Copenhagen, so I will have to do it for him. From the standpoint of the Senate, success will not mean a vague, open-ended commitment on the emissions from India or China, the world's leading emitter. Success can only mean that China and other developing countries agree to mandatory emission cuts comparable to those required in America and that any treaty or agreement that did not avoid causing harm to our economy would not be acceptable. Unless those conditions are met, no such treaty or agreement will be approved by the Senate.

I remember the Senate resoundingly rejected exempting developing nations such as China way back in 1997. That is still alive today. It passed 94 to 0. It said we will not agree to any treaty. At that time, Vice President Gore had signed the Kyoto treaty. They were trying to encourage us to ratify that treaty. President Clinton never

brought it to the floor. It is because we had spoken loudly and clearly with a unanimous vote in the Senate that said we are not going to ratify anything that either doesn't force the developing countries such as India and China to have the same requirements as we have or that hurts us economically. That is the position—it was then and is today—of the U.S. Senate. I think that still commands support in the Senate. Any treaty the Obama administration submits must meet that resolution.

We hear that China is making progress in reducing emissions and that the administration will persuade China to agree to more aggressive steps in Copenhagen.

By the way, that is where they have the annual meeting, the big bash the United Nations puts on. I went to one of those back in about 2003, I guess it was, in Milan, Italy.

The administration's climate change envoy, Todd Stern, is saying something different. On September 2—he is the person from the Obama administration—on September 2, he said: "It is not possible to ask China for an absolute reduction below where they are right now" because, as he said, "they are not quite at that point to be able to do that. And, in that respect, developing countries are different"—totally violating the intent of the 1997 agreement that this Senate had.

This is the first time someone from the administration has said let's treat developing countries different from developed countries.

Let me restate a bit. Stern is saying China simply can't make reductions that would be comparable to anything the United States accepts domestically. This is not a surprise considering China is now the world's largest emitter of carbon dioxide while U.S. emissions have remained relatively stagnant. Make no mistake here, China is unapologetic for its refusal to accept binding emissions cuts, and it will pursue an all-of-the-above strategy, including burning coal as it deems necessary; all of the above: oil, gas, coal, nuclear; they are very big in nuclear over there.

China also stated that before it accepts absolute, binding emissions reductions, developing countries must reduce their emissions by at least 40 percent by 2020.

Let me say that again. China won't accept absolute reductions until developing countries—that is, the United States, including the United States—reduce their emissions 40 percent below 1990 levels by 2020. This is really astounding considering that the Waxman-Markey bill only calls for a 14-percent reduction and they are saying they expect us to have a 40-percent reduction.

Accepting the Chinese position would mean certain economic disaster for the United States, for jobs and businesses—not to mention emissions—going to China.

Over the coming days and weeks, we will hear much about China's national

mitigation plan, its 5-year plan to reduce emissions. We will hear stern warnings that China is outpacing the United States on clean energy. But this is a smokescreen to hide the chaos and failure of international climate change negotiations.

In the coming weeks, President Obama will reach some sort of bilateral agreement with China on climate change, but it won't require China to do anything other than business as usual. We have gone through this before. I can understand China's position. If I were in China, in that government, I would say the same thing. I would say: Let's go ahead and let's get the developed nations to have some kind of reductions so that will move manufacturing jobs to us, to China. I have to say this about the new Administrator of the Environmental Protection Agency, Lisa Jackson, in her honesty the other day in a public hearing—I asked her the question: If we were to pass one of these bills where we unilaterally pass something in the United States, like Waxman-Markey, if we did that, would that have any reduction in worldwide reductions in CO<sub>2</sub>? She said no, it would not have any effect. Obviously, it wouldn't.

Anyway, you could argue that if we were to pass Waxman-Markey, it would have the effect of increasing worldwide emissions because our manufacturing base would go to countries where they didn't have any emission requirements.

So, in the final analysis, President Obama's speech to the United Nations was a failure to define success, a failure to provide real solutions for international energy security, and a failure to sketch the outlines of a meaningful international climate change agreement that will pass the Byrd-Hagel test of 1997.

I think surely after the August recess, after so many people were beaten up on the fact that they did not want to have any type of a government-run health system, they certainly did not want to pass something that would be a cap and trade that would have the effect of providing the largest single tax increase in the history of America, a tax increase in the range of \$300 to \$366 billion a year.

I can remember back when we passed that very large tax increase in 1993. It was called the Clinton-Gore tax increase. It increased the marginal rates, increased capital gains, it increased the death tax, all of the other taxes. I was pretty upset about it at that time. I talked on the Senate floor. I said that was a \$32 billion tax increase. This would be 10 times that size. So I do not think it is going to happen. This commission will listen to the speeches between now and Copenhagen. I plan to make a few myself.

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

The PRESIDING OFFICER (Mr. UDALL of Colorado.) The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

#### ANGRY AMERICANS

Mr. SANDERS. Mr. President, my impression is that the American people are angry. In my view, they have every right in the world to be angry because what we are seeing in our country today is the kind of economic suffering and pain that we have not seen in this country since the Great Depression.

Recently, last week, Ben Bernanke, who is the Chairman of the Federal Reserve, said he thought it "very likely that the recession had ended."

I would suggest to Mr. Bernanke that before he makes statements like that, he might want to talk to the tens and tens of millions of people in this country who are suffering economically and who, in many respects, are not going to see a better day soon unless we as a Congress get our act together.

When you ask why the American people are angry, let me suggest to you why that is so. We went through 8 years which, in my view, were led by the worst administration in the modern history of the country. This is what happened during those 8 years before the financial crisis of last year. During the Bush-Cheney administration over 8 million Americans slipped out of the middle class and into poverty; median household income declined by over \$2,100; over 6.5 million Americans lost their health insurance; 5.4 million manufacturing jobs disappeared; and 4 million American workers lost their pensions. That is between 2000 and 2008.

Colleagues may have seen the other day in USA Today on their front pages unbelievable statistics which were geared toward age groups of young American workers seeing, during that 8-year period, huge declines in their median family income. That was before the financial crisis.

As we all know, about a year ago, Secretary of the Treasury Paulson came before the Congress and essentially said: I know that for 7 years we were telling you how robust and great the American economy was, but it seems we may have made a little bit of a mistake. If you don't give us \$700 billion in the next few days, it appears that the entire world's financial system might collapse. It seems we may have made a mistake.

Thank God the financial system of the country and the world did not collapse. But on Wall Street, because of the greed, the irresponsibility, and the illegal actions of a handful of CEOs at the head of huge financial institutions, we have seen the most significant economic decline in this country since the 1930s. Since the beginning of the recession in December of 2007, 7.4 million Americans have lost their jobs. The official unemployment rate is 9.7 percent. Let me give a statistic which I

think is enormously powerful and extremely frightening. If we count people who are officially declared as unemployed and if we add to that number those people who have given up looking for work, who are no longer counted as unemployed, and if we add to that number those people who want to work in full-time jobs but are now working part-time jobs, what we are looking at is 26 million Americans who are unemployed or underemployed. That is 17 percent of working-age Americans. As bad as the official statistic of 9.7 percent is, the reality is a lot worse than that. When we wonder why people are angry, I think when 26 million Americans are unemployed or underemployed, when millions more have lost their homes, when they have lost their pensions, when they have lost their health insurance, those people have a right to be angry.

In my view, we have been far too easy in terms of our response to what the people on Wall Street have done. It is beyond my comprehension that we did not begin an investigation weeks or at least months after the financial meltdown and ask what the cause of that meltdown was, who was responsible, hold them accountable, and if they broke the law, they deserved to find out what the American penal system is all about.

What we have to do right now—and I know there is an investigation beginning—is a thorough investigation—it is already very late in the process, and we should have done it earlier—to start holding those people who have caused so much suffering accountable, to understand that they just can't get away with it. What amazes me is that we have a handful of people whose greed and recklessness have caused this crisis. And have you heard one of them come before the American people to say: I am sorry. My greed, my recklessness, my illegal behavior has caused so much suffering in this country and around the world. I want to apologize.

On the contrary, what I have heard is lobbyists all over this place and the financial institutions spending millions and millions of dollars trying to make sure we do nothing and that they are able to continue doing what they did, the same old ballgame which caused the crisis in the first place.

The first thing I think we need to do is a real investigation of this financial crisis. If there are CEOs, who made hundreds of millions of dollars, responsible for this disaster, this financial crisis, they have to be accountable. If they broke the law, they have to go to jail.

Second, in terms of real financial reform, I am more than aware that Congress passed legislation trying to bring more transparency and integrity to the credit card industry. All of us have received prospectuses from credit card companies telling us if we sign on the bottom line, we will have zero-interest-rate credit. They have sent out billions of these prospectuses every single year.

Meanwhile, in tiny print on page 4, it appears they could raise their rates to any level they want for any reason. We have begun to deal with that, but we have not gone far enough.

When major financial institutions are charging the American people 29 percent interest rates on their credit cards, 30 percent interest rates in terms of payday lending, 40, 50 percent interest rates, we have to call it what it is. That is loan sharking. In the old days, a loan shark was somebody who lent you money and if you didn't pay it back on time, they broke your kneecaps. Now we have these guys on Wall Street who are doing exactly the same thing, and we call that providing credit. But it is not. It is loan sharking. It is usury. We need to bring back usury legislation, which we used to have but was done away with by a Supreme Court decision which allowed companies to go to States that don't have usury laws to be protected in terms of being able to charge high interest rates all over the country.

I have introduced legislation which imposes a maximum of 15 percent interest on credit cards. The reason I have done that is, in fact, credit unions for many decades now have been operating under that law. It is not the credit unions that are coming here for massive bailouts. It is our friends on Wall Street. I think if it has worked for the credit unions, it can work for private banks as well. We have passed credit card legislation which was a step forward, but I think we have to take another big step. We have to say that there has to be a maximum, a cap on interest rates. I believe an appropriate one is 15 percent.

Another issue we have to deal with is the phenomenon of too big to fail. The reason we provided hundreds of billions of dollars in a bailout to Wall Street is that the experts believed—the Secretary of the Treasury and the head of the Fed—that if we allowed these huge financial institutions to fail, they would bring down the entire system. That was a year ago. Maybe you know more than I do, but I am not aware that we have taken any steps to begin breaking up these large financial institutions. If they were too big to fail a year ago, they are too big to fail right now.

What we have seen—and there have been a number of articles on this—is that these huge financial institutions have become even larger. What sense is that? We have to begin to learn what Teddy Roosevelt did 100 years ago. We have to start breaking up these guys. Because if we don't, we will be back here again, except next time the bailout will be even larger, because the financial crisis will be that much more severe.

Furthermore, it goes without saying that for years Alan Greenspan and Bob Rubin and all of those people who told us that the secret to financial success in America was to deregulate Wall Street, that what we really had to do